

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

18 January, 2017
05
16/1698

SITE INFORMATION

RECEIVED: 25 April, 2016

WARD: Tokyngton

PLANNING AREA: Brent Connects Wembley

LOCATION: Flats 1-4 INC, First Floor Front and Cottrell House, 53-63 Wembley Hill Road, Wembley, HA9 8DL

PROPOSAL: Demolition of the existing mixed use building and erection of a part 6, 8 and 10 storey building comprising 55 residential units, with 2 commercial units (Use class A1) located over ground and mezzanine floors fronting Wembley Hill Rd, and associated car and cycle parking spaces, bin stores, landscaping and amenity space

APPLICANT: Jaysam Developments Wembley Ltd

CONTACT: Studio Aitken Ltd

PLAN NO'S: See condition 2.

LINK TO DOCUMENTS ASSOCIATED TO THIS APPLICATION

When viewing this on an Electronic Device

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

https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_127703

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1. Please go to pa.brent.gov.uk
2. Select Planning and conduct a search typing "16/1698" (i.e. Case Reference) into the search Box
3. Click on "View Documents" tab

SITE MAP



Planning Committee Map

Site address: Flats 1-4 INC, First Floor Front and Cottrell House, 53-63 Wembley Hill Road, Wembley, HA9 8DL

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This map is indicative only.

SELECTED SITE PLANS

SELECTED SITE PLANS

Location/Site plan



Visualisation from Wembley Hill Road



Visualisation from junction of Wembley Hill Road and Linden Avenue



View of the western elevation



View looking north down Wembley Hill Road



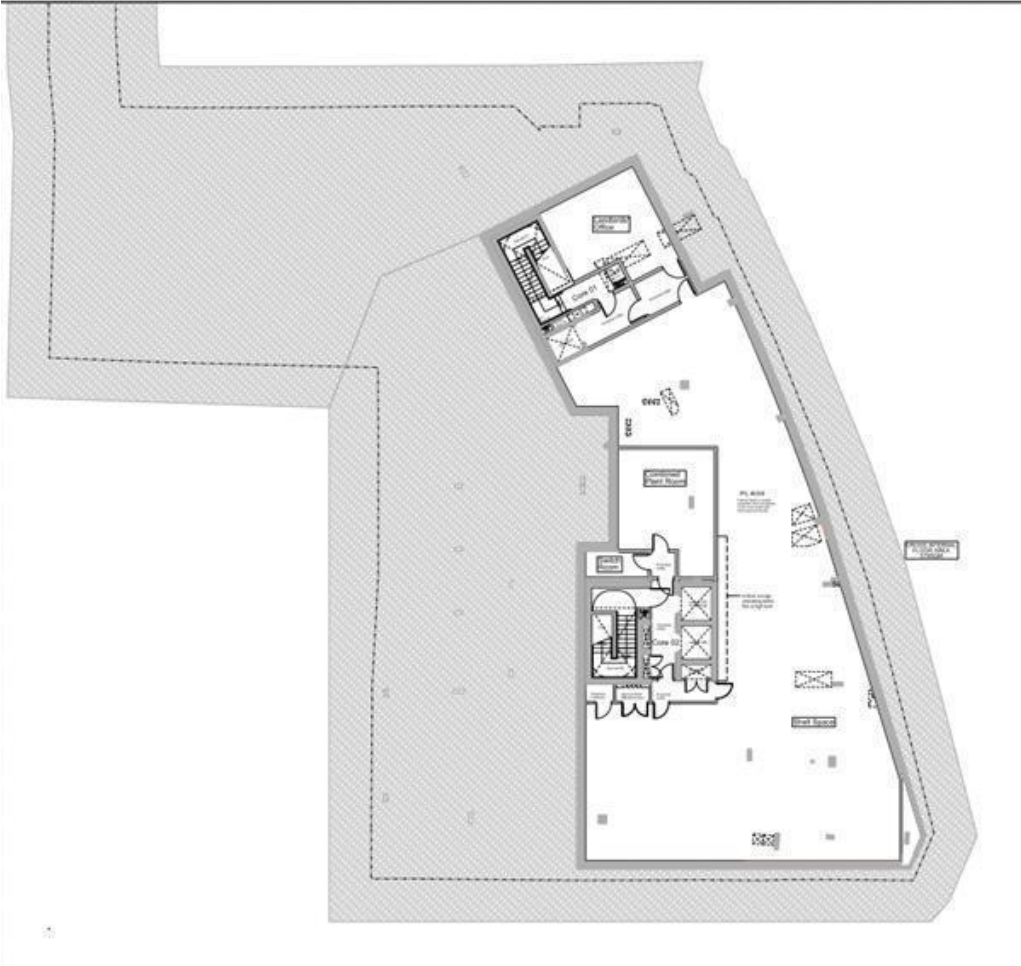
View looking east down Linden Avenue



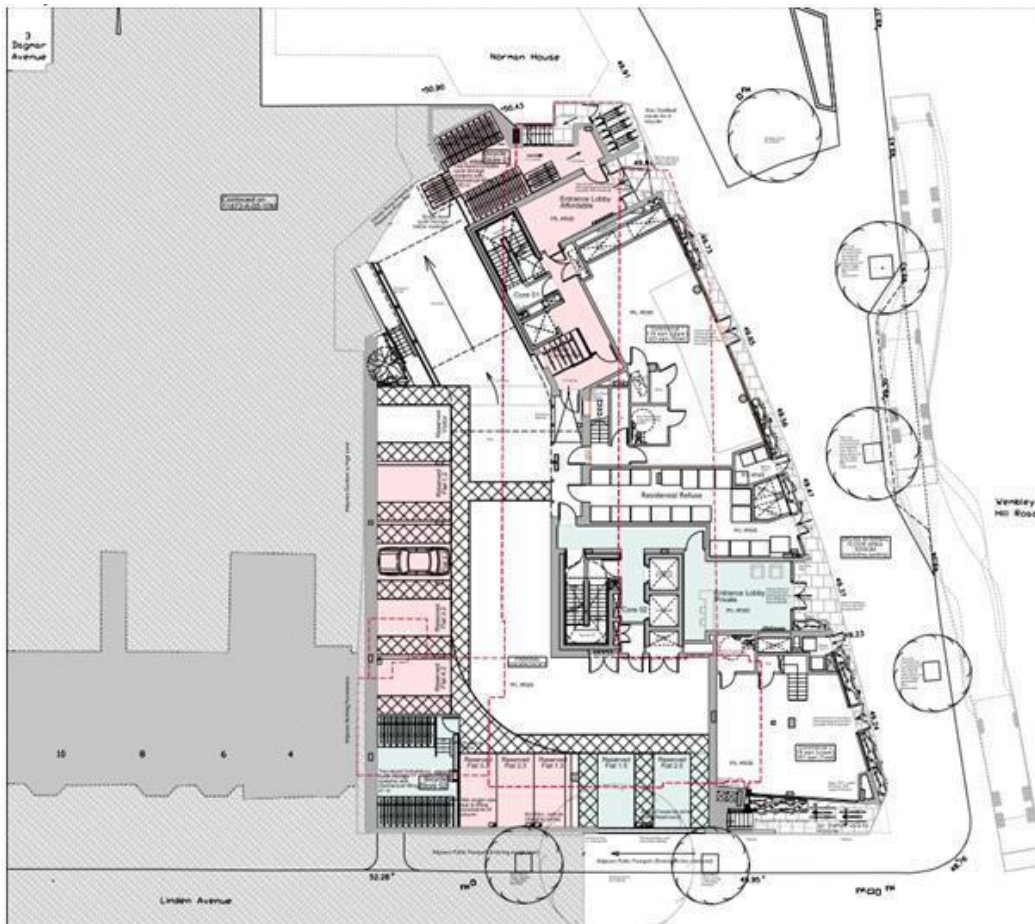
View looking north west from car park of Mahatma Gandhi House



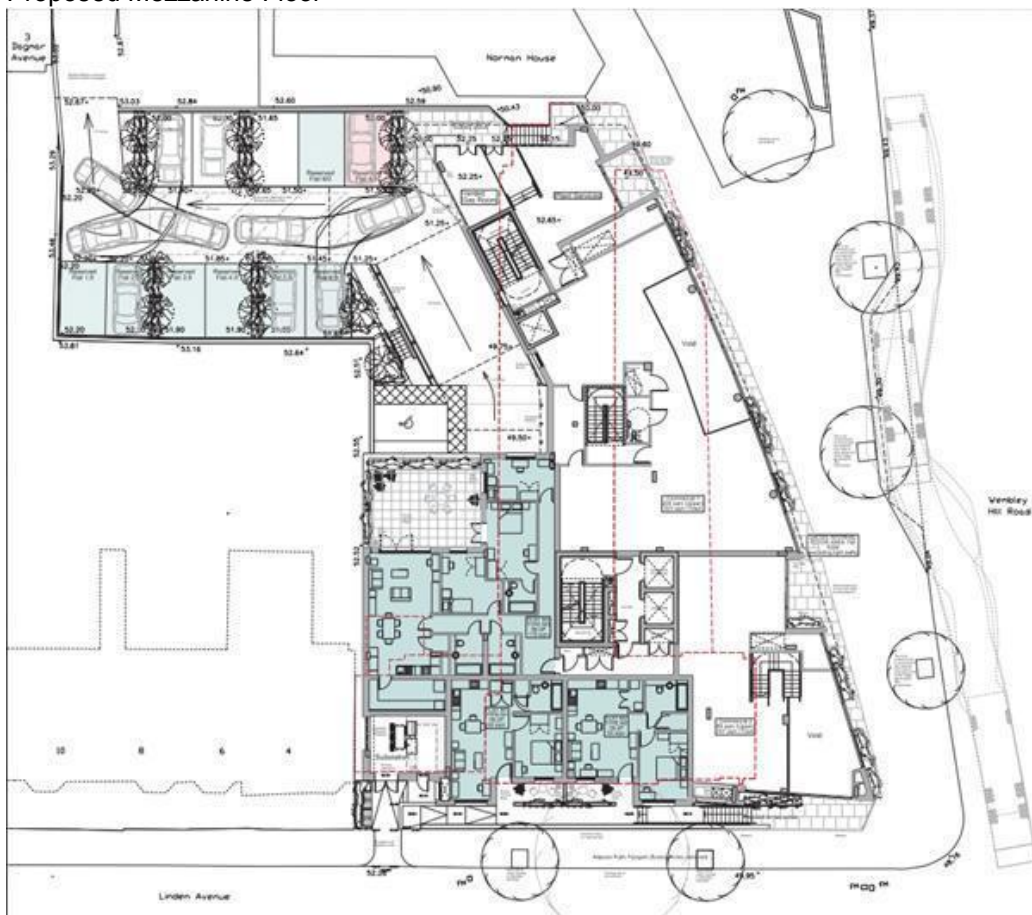
Proposed Basement Floor



Proposed Ground Floor



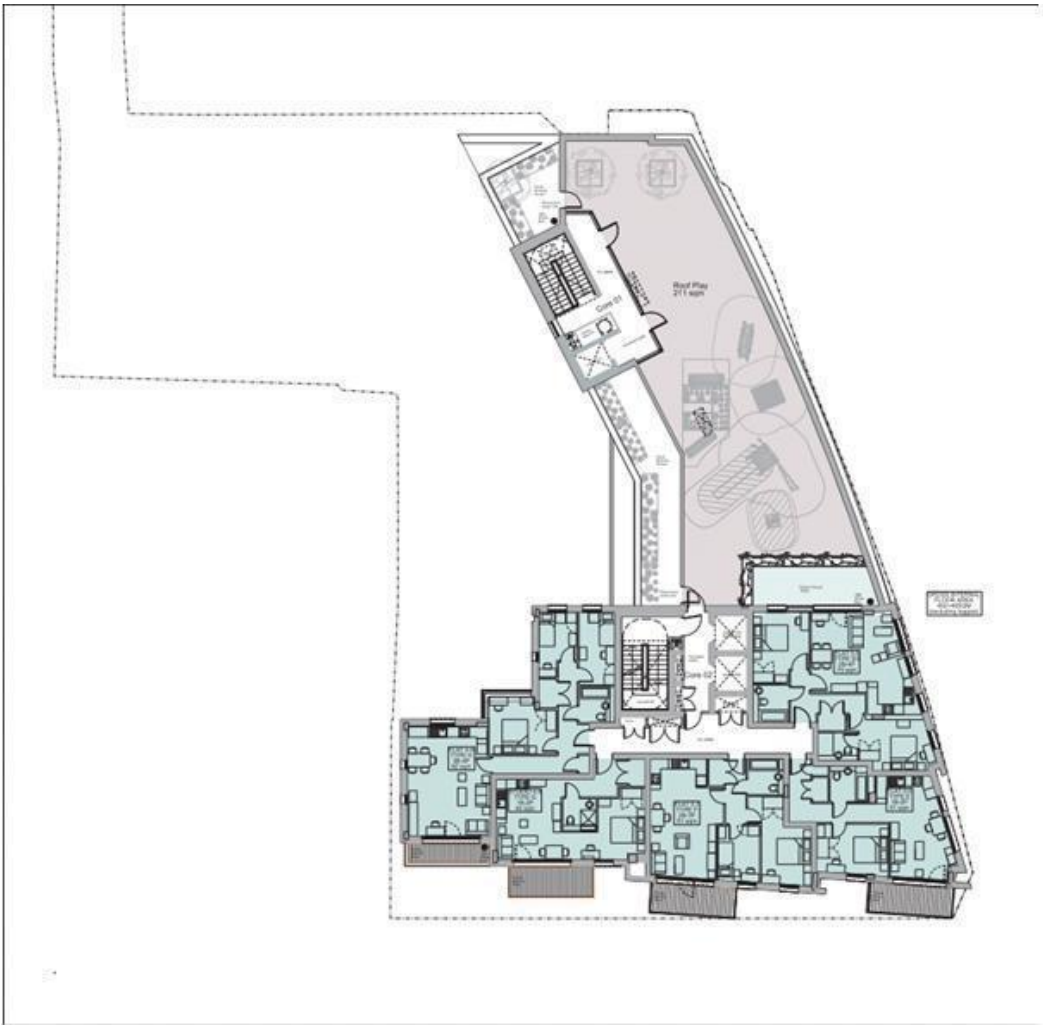
Proposed Mezzanine Floor



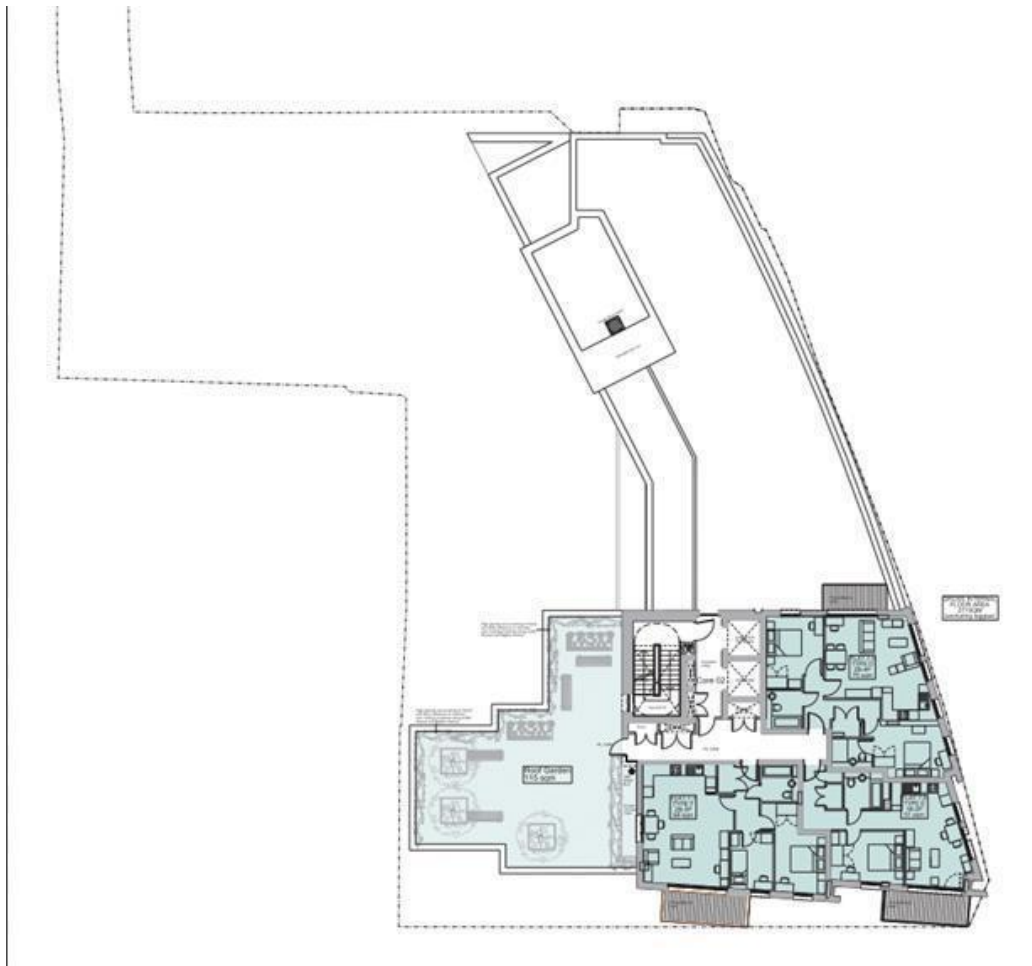
Proposed First Floor



Proposed Fifth Floor



Proposed Seventh Floor



Proposed East Elevation



Proposed South Elevation



Proposed West elevation



RECOMMENDATIONS

1. That the Committee resolve to GRANT planning permission subject to:
 - A. Any direction by the London Mayor pursuant to the Mayor of London Order
 - B. Any direction by the Secretary of State pursuant to the Consultation Direction

- C. The prior completion of a legal agreement to secure the following planning obligations:
- a) Payment of legal and professional costs;
 - b) Affordable Housing (13 homes, 9 units will be affordable rent and 4 will be shared ownership - a 69:31 ratio of Affordable Rent to Shared Ownership);
 - c) A post implementation financial review mechanism, to reasonably capture any improvement in viability for deferred Affordable housing planning obligations;
 - d) A commuted payment of £141,969 towards the provision or enablement of offsite affordable housing
 - e) Notification of commencement;
 - f) Undertaking of highway works through an agreement under S38/S278 of the Highways Act 1980;
 - g) Training and employment plan targetting Brent residents;
 - h) The architects for the scheme shall be retained on at least a consultative basis for the delivery and construction of the development;
 - i) A financial contribution of £14,000 towards the planting of street trees in Linden and Dagmar Avenues
 - j) A financial contribution of £5,000 towards the cost of reviewing and extending Controlled Parking Zones in the locality
 - k) Contribution towards a local carbon off-setting scheme to achieve the targets for carbon reduction set out in condition 7, should those targets not be met through on-site measures.
 - l) Any other planning obligation(s) considered necessary by the Head of Planning
2. That the Head of Planning is delegated authority to negotiate the legal agreement indicated above.
3. 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 for commencement
2. Approved drawings/documents
3. Travel plan
4. Assurance of accessible and adaptable dwellings
5. Parking permit restriction
6. Considerate constructors scheme
7. Limitation of carbon dioxide emissions
8. Future connection to a district heating network
9. Water efficiency
10. Delivery and servicing plan
11. Noise impact assessment measures
12. Contamination remediation measures
13. Measures for minimisation of disturbance during piling
14. Planting and landscaping
15. Details of materials
16. Energy centre layout and specification
17. Sustainable drainage
18. Thames water foul water sewage study

19. Thames Water piling condition
20. Any other planning condition(s) considered necessary by the Head of Planning

Informatives

1. Party Wall Act
 2. Building near boundary
 3. Community Infrastructure Levy
 4. Thames Water - Ground Water Risk Management
 5. Thames Water - petrol / oil interceptors
 6. Any [other] informative(s) considered necessary by the Head of Planning
1. 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.
 2. That, if by 3 months of the committee date (14th December 2016) the legal agreement has not been completed, the Head of Planning is delegated authority to refuse planning permission.
 3. 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 the existing mixed use building and erection of a part 6, 8 and 10 storey building comprising 55 residential units (6 x studios, 16 x 1bed, 22 x 2bed and 11 x 3bed) along with 2 commercial units (Use class A1) located over ground and mezzanine floors fronting Wembley Hill Rd, and associated car and cycle parking spaces, bin stores, landscaping and amenity space.

B) EXISTING

The site is located within the Wembley Growth Area and Wembley Town Centre. It is bounded by Linden Avenue to the south, Wembley Hill Road to the east, Dagmar Avenue to the north and residential units to the east. The site is located approximately 300m to the west of Wembley Stadium. The existing site comprises of a part residential, part commercial building with four residential units.

The surrounding area predominantly comprises residential development to the west and commercial development to the north, south and east.

Wembley Park station is located approximately 950m to the north-east of site. Wembley Stadium station is approximately 160m to the south-east of the site.

Given the site's access to the rail and bus services outlined above the site records a public transport accessibility level (PTAL) of 4, representing good accessibility.

C) AMENDMENTS SINCE SUBMISSION

Since being submitted the following amendments have been made to the scheme;-

- Decreased car parking spaces from 24 to 21 as a result of widening the 5 disabled parking spaces to meet London Plan standards
- Alterations to cycle storage, including relocation of adapted cycle storage and reconfiguring of access to improve the environment for users transporting bikes from the two main storage plants to the highway

- The addition of ventilation grilles to the lower side of the south elevation
- The shrub planting to the ground floor frontages has been altered to remove the pyracantha and to introduce more appropriate, ornamental species, as recommended by the landscaping consultee
- Further information has been provided regarding the carbon dioxide emissions and savings claimed. Further information on district heating and the Combined Heat and Power System is also provided with an amended sustainability report.

Confirmation that the cycle storage stands to be provided are 'Josta 2' stands, with some provision of Sheffield stands for 10 larger bicycles at the front of the building.

D) SUMMARY OF KEY ISSUES

The key issues for consideration are as follows:

1. The sites opportunity to deliver new private and affordable homes. Your officers give great weight to the viable delivery of private and affordable housing, in line with the adopted Development Plan.
2. The design and appearance of a building of this height in this location. The proposal replaces an already substantial building, utilises good architecture with quality detailing and materials in order to maximise the site's potential whilst respecting surrounding development.
3. The transport impacts of the proposed development. Your highway officers consider that the proposal adequately addresses highway concerns.
4. The quality of the proposed residential accommodation. Your officers consider that proposal provides a good standard of accommodation, within a building showing good design credentials, which is in line with the adopted Development Plan
5. The potential impact on living conditions of neighbours, which your officers believe are not unduly detrimental given the size and siting of the existing building and the design of the scheme.

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)
Businesses and offices	1252		1252		
Dwelling houses	331		331	5871	5871
Restaurants and cafes	367		367		
Shops	287		287	605	605

Monitoring Residential Breakdown

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
EXISTING (Flats û Market)		4								4
EXISTING (Flats û Social Rented)										
EXISTING (Flats û Intermediate)										
PROPOSED (Flats û Market)	19	15	8							42
PROPOSED (Flats û Social Rented)	2	4	3							9
PROPOSED (Flats û Intermediate)	1	3								4

RELEVANT SITE HISTORY

This property has no planning history.

CONSULTATIONS

Press Notice published on 16/06/2016

Site Notice(s) displayed on 06/07/2016

The owner/occupier of 199 different properties were notified of the application 06/06/2016. This included properties in the following locations:

Dagmar Avenue
Linden Avenue
Empire Way
Mostyn Avenue
South Way
Wembley Hill Road
York House
Mahatma Gandhi House
Crown House

Four letters of objection have been received to date. Three of these letters are from residents of the same address. The grounds for objection are indicated and discussed in the table below:

Grounds for objection	Response
There are health and safety concerns for residents regarding dust, pollution, noise and vibration during construction. There is also a desire for asbestos reports to be compiled and for assurances that the demolition will be carried out in accordance with Health and Safety law.	<p>The applicant will be reminded of their duties under the Control of Asbestos Regulations and must ensure that a qualified asbestos contract is employed to remove all asbestos-containing materials and arrange for the appropriate disposal of such materials. The applicant has already acknowledged the protocol for asbestos disposal within their Construction Management Statement.</p> <p>The applicant has explained how their construction will be carried out with due regard to environmental hazard and disturbance. Further details have been requested regarding piling methodology (see paragraph 67).</p>
The proposal is too large and is out of keeping with the neighbouring properties	The existing building on the site is substantial in its height and scale. Officers consider that the scale and height of the proposal to be acceptable for the reasons discussed in paragraphs 27-30 of the report below.
The building will overlook gardens along nearby residential roads. The increased height of the building will result in a further loss of privacy beyond that which is already present.	The impact of the proposal on surrounding properties has been assessed in the report in paragraphs 29 and 42 and is found to be acceptable.
There is a need for a second opinion on Sunlight and Daylight reports to ensure that the building will not have a detrimental impact on neighbouring properties' light and outlook. The building could damage amenity, television signals, ecology within gardens and increase neighbours' energy bills.	The sunlight and daylight assessment was produced by a suitably qualified organisation using the BRE methodology and reviewed by Council officers. Officers have no reason to question the accuracy of the calculations within the assessment. Full details are in paragraphs 51-59.
We would not like neighbours who cause noise disturbance	The potential noisy behaviour of individual prospective residents would not be within the remit of planning control. This would be a matter to raise with environmental health/nuisance control and/or the police if and when such disturbance occurs.
The impact on surrounding controlled parking zones (CPZs) needs to be carefully considered. It is likely that the amount of	The scheme is recommended to be "parking permit restricted", where future residents would not be eligible for on-street parking

vehicles using the site will exceed the provision of parking capacity within the proposal. Linden and Dagmar Avenues are already at full capacity.

permits. Parking has been assessed by the transportation team and is discussed in paragraphs 71-77 below.

Tokyngton Ward Councillors

Cllr Ketan Sheth, Cllr Muhammed Butt and Cllr Orleen Hylton
No comments received.

Highways

Highways initially advised that the application should be resisted, on the grounds that the existing vehicular access from Dagmar Avenue is of insufficient width to allow vehicles to pass one another and in the absence of a secondary means of access, would lead to increased instances of vehicles standing on or reversing out into Dagmar Avenue. This is to the detriment of pedestrian safety and free and safe flow of traffic and contrary to Policies TRN3, TRN10 and TRN14 of the adopted UDP 2004 and Brent's Crossover Policy.

Transportation initially recommended that a revised parking layout and access arrangements were submitted for LPA approval, either widening the entrance from Dagmar Avenue, retaining a secondary access from Linden Avenue or reducing the number of off-street parking spaces.

Following a reduction in parking provision and amendments to the parking layout, highways commented that the proposals are acceptable subject to conditions and Section 106 obligations as set out later in this report.

Environmental Health

Environmental health do not object to the proposal but recommend conditions. This is discussed later in this report.

Trees

The tree officer observed that the proposal would result in the loss of four street trees, including the first adjacent mature Lime in Linden Avenue and three recently planted London Plane trees on the Wembley Hill frontage.

The applicant is entering into a section 278 agreement to relay the pavement following works; this will also include a like for like replacement of the London Planes that need to go to allow site access at the front of the property. The applicant is proposing two Pyrus trees on Linden Avenue to replace the Lime Tree.

The tree officer has requested a contribution of £14,000 towards local street tree planting along Linden and Dagmar Avenues, to finance the planting of approx. 10 new street trees.

Planning Policy

The policy officer considers the proposed uses to be acceptable. The development will contribute to the provision of new homes towards the Council's target of 5,000 new homes per year between 2007 and 2016 and 6,500 per year thereafter until 2026, in accordance with CS policy CP2. The subject property is also within the boundary of the designated Wembley Action Area which states that the combined site of Cottrell and Norman Houses is suitable for a mixed use development that could include: residential, retail, commercial and community facilities. The Action Area Plan also seeks a strong built frontage along the Wembley Corridor with a range of uses, and calls for a 'consistent approach' to the public realm.

The principle of the development is also in accordance with the London Plan, whereby the plan designates Wembley as an opportunity and intensification area, a regeneration area and a town centre. Wembley is also a designated Strategic Outer London Development Centre (Policy 2.16) which promotes an intensification of development, placing a strong emphasis on creating a distinct and attractive business offer and public realm through design and mixed use development as well as any more specialist forms of accommodation.

In conclusion, planning policy support the redevelopment of Cottrell House for residential and commercial uses.

Landscape and Design Team

The landscape and design team did not object to the application but identified concerns regarding the provision of amenity space on site as well as the necessary loss of street trees along Wembley Hill Road. Tree planting along Dagmar and Linden Avenues has been secured.

Concerns were also raised as to the species of plant used for frontage landscaping, as well as the potential

for overlooking issues from the roof garden.

These matters are discussed in the Detailed Considerations part of this report.

Local Lead Flood Authority

The Council's Local Lead Flood Authority is satisfied that the applicant's flood risk strategy and flood risk assessment comply with Brent's requirements as well as national policies and guidelines.

The proposed surface water discharge will be restricted to 5 l/sec and this will reduce the surface water discharge to existing surface water sewer system and hence further reduce the risk of flooding in the area.

The Foul sewer system does not fall within the scope of Flood Risk as part of Flood and Water Management Act 2011 and there is no mention of Foul Sewer discharge in the report. However, the LLFA has expressed some concern regarding the foul sewer discharge from the proposed development, as this will discharge to existing foul sewer system in Wembley Hill Road. The foul sewer pipe goes under the railway tracks at Wembley Stadium Station via a Syphon and there are known failure problems with this syphon. The syphon has blocked many times and this causes foul sewer to overflow in Wembley Hill Road. This is the responsibility of Thames Water and the developer will need a consent from Thames Water regarding discharge rate and if there is adequate capacity in their foul sewer network.

Thames Water

Concerns were initially raised with the proposals surface water discharge. A SUDS report has confirmed that a 5l/s surface water discharge rate will be achievable, thus satisfying Thames Water's requirements.

Thames Water have recommended that a condition is attached requiring a details of a drainage strategy to be approved before works commence in order to ensure that the development does not result in sewage flooding. Such a condition is recommended.

A piling method statement is also recommended to be secured through condition.

Greater London Authority

The application is referable to the Mayor of London under the provisions of the Town & Country Planning (Mayor of London) Order 2008. The application is referable under category 1C of the Schedule to the Order 2008, namely the development comprises or includes the erection of a building more than 30 metres high, and is outside the City of London.

The Stage 1 report from the Mayor of London sets out that the principle of the housing-led mixed-use redevelopment of this site is supported. However, a number of strategic concerns are raised, and consequently the application did not initially accord with London Plan Policy.

- **Housing:** 32% affordable housing by habitable room is proposed on-site. The proposed affordable units are all shared ownership units. GLA officers are working with the Council and the Housing and Land team to seek to maximise the amount of affordable housing on site. Given that the site is in a designated Housing Zone, the applicant is strongly encouraged to continue discussions with the Council, the identified registered provider and the CLA Planning and Housing and Land teams on the viability of the scheme and potential GLA grant to ensure the proposal maximises the amount of affordable housing on site in accordance with strategic and local policies.
- **Urban design:** The scale and architecture approach is supported, however, a reduced material palette and simplified building elevations is encouraged. The Council is also strongly encouraged to secure the retention of the architects during detailed design phases, in addition to utilising appropriate conditions securing design detail and materials.
- **Inclusive design:** A condition should be set to secure the Building Regulation requirements M4(2) and M4(3).
- **Flood risk and sustainable drainage:** Clarifications on sustainable drainage measures to minimise surface water flooding on site should be provided.
- **Climate change mitigation:** Further information should be provided to support the carbon dioxide emissions and savings claimed. Further information on district heating and the CHP proposed is also needed.
- **Transport:** Transport for London is generally satisfied with the proposed approach to transport. Appropriate obligations and conditions should be secured by the Council to ensure the proposal complies with London Plan transport policy.

Officers consider that these matters have been adequately addressed. Once Members have resolved to

determine the application it is necessary to refer the application back to the Mayor for a decision as to whether to direct refusal, take it over for determination or allow the Council to determine the application itself. This is known as the Stage 2 referral.

Transport for London

TfL is satisfied that the development will not cause any strategic level impact on the transport network, However TfL initially requested that the design of both the cycle and car parking areas of the ground floor is revisited. In its initial state, the area and parking provided does not meet the relevant London Plan standards.

Statement of Community Involvement

Within the Planning Statement, the applicant has set out the level of pre-consultation that was carried out, as required through the Localism Act (2011). The consultation process was based around the following methods:-

An open 'walk-in' exhibition was held on Tuesday 25th August 2015 within Cottrell House on Wembley Hill Road from 3.30pm – 8.30pm.

On Wednesday 19th and Thursday 20th August invitations to the event were issued by hand to some 300 households in the locality of the site as well as commercial units to the western edge of Wembley Hill Road. Ward Councillors were also invited by email.

The event was staffed by representatives from the applicant's development company together with representatives of the consultant design team. A series of exhibition boards showing the site, its context, scheme development and the draft proposals were displayed for discussion with attendees.

The applicant reports that some 20 people visited the exhibition.

POLICY CONSIDERATIONS

The following planning policy documents and guidance are considered to be of relevance to the determination of the current application

- National Planning Policy Framework 2012 (NPPF)
- National Planning Practice Guidance (NPPG)
- Technical Housing Standards 2015
- London Plan Consolidated with amendments since 2011 (March 2016)
- Mayors Housing SPG 2016
- London Borough of Brent Core Strategy 2010
- London Borough of Brent Development Management Policies 2016
- London Borough of Brent Wembley Area Action Plan 2013
- Brent Supplementary Planning Guidance 17:- Design Guide For New Development
- Brent's 106 Supplementary Planning Document

DETAILED CONSIDERATIONS

Land use principle

1. The subject property is within the boundary of Wembley Town Centre and is designated as being suitable for retail uses and mixed use development. Speciality shops and entertainment uses are also indicated as

being suitable. Residential and offices uses are also acceptable town centre uses. Policy CP2 states that the Wembley area is expected to provide some 5,000 new homes per year between 2007 and 2016 and 6,500 per year thereafter until 2026.

2. The subject property is also within the boundary of the designated Wembley Growth Area for which significant regeneration has been planned and is currently being delivered. It is within Wembley Area Action Plan Site Proposal W20 (Cottrell House and Norman House) and the Wembley Park/Empire Way Corridor.

3. The Wembley Area Action Plan Site Proposal states the combined site of Cottrell and Norman Houses is suitable for a mixed use development that could include: residential, retail, commercial and community facilities. Residential uses should include amenity space. The residential capacity for the combined site is stated as being in the region of 55 units with acknowledgment that it is serviced by good transport accessibility levels. The Action Area Plan also seeks a strong built frontage along the Wembley Corridor with a range of uses, and calls for a 'consistent approach' to the public realm.

4. In terms of the London Plan, the site is located within an Opportunity and Intensification Area (Policy 2.13), a Regeneration Area (Policy 2.14), and a Town Centre (Policy 2.15). As such regeneration and redevelopment schemes, particularly high quality mixed use schemes such as this, are promoted and appropriate. Opportunity Areas Policy 2.13 states that development proposals in these areas should: "seek to optimise residential and non-residential output and densities provide necessary social and other infrastructure to sustain growth, and, where appropriate, contain a mix of uses". London Plan Town Centre Policy 2.15 states specifically that "development proposals and applications ... in town centres should:

- sustain and enhance the vitality and viability of the centre
- accommodate economic and/or housing growth through intensification and selective expansion in appropriate locations
- support and enhance the competitiveness, quality and diversity of town centre retail, leisure, employment, arts and cultural, other consumer services and public services
- be in scale with the centre
- promote access by public transport, walking and cycling
- promote safety, security and lifetime neighbourhoods
- contribute towards an enhanced environment, urban greening, public realm and links to green infrastructure.
- reduce delivery, servicing and road user conflict".

5. The site is also located within a designated Strategic Outer London Development Centre (Policy 2.16) which promotes an intensification of development, placing a strong emphasis on creating a distinct and attractive business offer and public realm through design and mixed use development as well as any more specialist forms of accommodation.

Loss of existing building

6. The last existing uses on the site comprised a total floor area of 2,236sqm made up of 1,906sqm of commercial space (A1, A3 - 655sqm; B1 & B8 - 1,252sqm) with 330sqm residential. This was configured in the following manner: 4 flats to the upper floors of the taller element of the building; a restaurant at the first floor within the lower rise element of the building; and retail at ground floor.

7. The remainder of both elements of the building were in B1 office space with some ancillary storage. The site is now vacant and boarded up. Wembley is the primary growth area of the Borough as stated in Policy CP1 of Brent Core Strategy and suitable for an intensification of land uses including housing. The Wembley Area Action Plan Site Proposal identifies the potential to redevelop the site for the purposes discussed above, including retail and residential uses as proposed. As such, the loss of the existing building to facilitate this can be supported.

Housing

Affordable Housing

8. London Plan Policy 3.12 requires boroughs seek the maximum reasonable amount of affordable housing when negotiating on private and mixed use developments, having regard to a number of factors, including development viability. Policy CP2 of Brent's Core Strategy sets a strategic target that 50% of new homes to be delivered in the borough are affordable.

9. Development Management Policy DMP 15 reinforces the 50% target set by policy CP2 and the need to seek the maximum reasonable amount of affordable housing. It goes on to say that where a reduction to

affordable housing obligations is sought on economic viability grounds on major phased developments, and where the proportion of affordable housing agreed is significantly below 50% appropriate provisions to re-appraise scheme viability will be sought and secured by s106 agreement. DMP 15 also notes that 70% of new affordable housing provision should be social/affordable rented housing and 30% should be intermediate housing in order to meet local needs.

10. 16 residential units were originally proposed for affordable housing, all as shared ownership, representing 29% affordable housing. This does not meet the borough strategic target that 50% of new homes should be affordable. Nor would the proposal deliver a tenure mix compliant with the DMP 15 70:30 affordable rent to intermediate policy split. The applicant however contended that it would not be financially viable to provide additional affordable housing. In line with planning policy, the applicant submitted a Financial Viability Assessment (FVA) undertaken by Savills in support of their contention, which concluded that delivering the scheme with 29% affordable housing, all as shared ownership, would generate a residual land value below a benchmark land value of £3.5m.

11. BNP Paribas independently reviewed the FVA on behalf of the Council, including dedicated QS reviews of both the proposed scheme cost plan to confirm gross development costs, and the refurbishment costs for the existing building in order to determine the existing use value of the site. BNP Paribas disagreed with Savills on a number of underpinning financial assumptions, including residential sales values, shared ownership values, car parking revenue, professional fees, planning obligations, legal fees, development phasing and sales rates, and the benchmark land value.

12. Officers also instructed BNP Paribas consider the maximum reasonable amount of affordable housing on a policy compliant 70:30 affordable rent to intermediate basis, rather than a non-policy compliant 100% shared ownership scheme given the need for Affordable Rented housing in the borough and the associated planning policies. BNP Paribas have concluded the scheme can viably deliver 9 affordable rented and 4 shared ownership units, representing 24% affordable housing, together with a residual commuted sum of £141,969 for offsite affordable housing, against a benchmark land value of £3.2m calculated on an EUV+ basis in line with planning policy. The applicant has amended their proposals to reflect this mix of housing.

13. Officers consider this to be maximum reasonable amount of affordable housing the scheme can currently viably deliver in line with planning policy. Given the proposal falls significantly below the local strategic 50% affordable housing target, and the sensitivity of the scheme to residential values, Officers also recommend that an appropriate post implementation review mechanism is secured in the s106 agreement.

Proposed residential mix

14. Core Strategy Policy 21 (A Balanced Housing Stock) outlines the need to maintain and provide a balanced housing stock in Brent. These needs include an appropriate range and mix of self-contained accommodation types and sizes, including family sized accommodation (capable of providing three or more bedrooms).

15. The table below shows the proposed housing mix. The proposed proportion of 3-bedroom Affordable Rented and Intermediate units falls below the Wembley Area Action Plan targets by 1.5 and 0.9 units respectively, whilst the overall proportion of 3 bedroom units (20%) falls below the target of 25 %. However, the proportion of private 3-bedroom units exceeds the Area Action Plan target by 1.7 units. Officers consider the proposed provision of family (3-bedroom) accommodation to be acceptable given the nature and layout of the site and the need to maximise the provision of Affordable Housing, whereby the provision of additional family sized units would negatively affect scheme viability and result in a lower proportion of Affordable Housing.

Unit mix by number of units:

	Private	Shared ownership	Affordable Rent	Total
Studio	6	0	0	6
1-bed	13	1	2	16
2-bed	15	3	4	22
3-bed	8	0	3	11
Total	42	4	9	55

Proposed unit mix by percentage of units:

	Private	Shared ownership	Affordable Rent	% Total units
Studio	14.3%	0%	0%	10.9%
1-bed	31%	25%	22.2%	29.1%
2-bed	35.7%	75%	44.5%	40%
3-bed	19%	0%	33.3%	20%

Wembley Area Action Plan target mix (percentage of units):

	Private	Shared ownership	Affordable Rent
1-bed	30%	45%	15%
2-bed	55%	45%	35%
3-bed	15%	10%	45%
4-bed	0%	0%	5%

Layout and accommodation

16. The proposed building will broadly replicate the form of the existing building, with a much improved architectural approach and visual appearance. The greatest height and massing is focussed on the southern side of the building. This southern section of the building will contain the smaller of the two retail units at ground floor level and 30 of the residential units in floors 1-6 (five on each floor). The built form narrows at this point, with the building's western side giving way to a communal amenity space. Floors seven and eight are smaller, containing three units each, topping out the building in excess of 30 metres.

17. The northern part of the building covers a longer and thinner footprint than the southern section of the building, and only provides internal accommodation between floors 1 and 4 (4 units on each floor). The fifth floor is occupied by a rooftop amenity space. The north and south sections of the building are served by separate cores, with the north side of the building accommodating the affordable units (and 3 of the private units) and the south side of the building accommodating the remainder of the private units.

18. The building has an active ground floor facing the street comprising retail units together with two residential entrances. This configuration will further help to reinforce the town centre location and provide a more seamless frontage up from the south. The building will sit considerably closer to the public highway than the existing Cottrell House with a much reduced forecourt space.

19. Three private accessible units will have direct entrances off the south side of the street (along Linden Avenue) and are located at the building's mezzanine level. These provide a more domestic scale and feel in keeping with the residential character of Linden Avenue. These also help to provide active frontages at ground level, improving natural surveillance and provide visual animation to the street frontage. Small forecourts with landscaping will be provided to further improve the streetscene.

20. There are two communal entrances to the development: Both along Wembley Hill Road and serving the private and affordable units respectively.

21. Access from the undercroft car parking area to the two main circulation cores is safe and level. Level threshold access will be provided to all communal and private building entrances. Three passenger lifts are distributed in two cores and will take the residents to the accommodation on the upper floors of the two building sections.

22. The communal amenity spaces and gardens located on the fifth (northern part of building) and seventh (southern part of building) respectively. As rooftop spaces, these are all level and fully accessible. This is discussed in more details below.

23. All dwellings have been designed to meet the space standards as stipulated in the London Plan (2016). Eight of these are proposed as accessible dwellings. Conditions will ensure that the dwellings are implemented to be compliant with Building Regulations M4(3) (accessible adaptable dwellings) in relation to private and shared ownership dwellings and Building regulations M4(2) (wheelchair user dwellings) in relation to the Affordable Rented dwellings as required by policy. All units have been designed to meet the requirements of Lifetime Homes and the Mayor's London Housing Design Guide standards.

24. 25 of the flats are dual aspect while 30 are single aspect facing either south, west or east. All have living rooms with large amounts of glazing as well as private outdoor amenity areas which enhance the quality of the new homes.

Density

25. This site has a public transport accessibility level of 4 and the site has the characteristics of a "central" setting. The London Plan density matrix (Table 3.2) therefore suggests a residential density of between 215 and 405 units per hectare and between 650-1,100 habitable rooms per hectare for this scheme. The density of the proposed development is 523 units per hectare or 1,300 habitable rooms per hectare, which exceeds the upper ranges of the density matrix identified by the London Plan. The London Plan recognises the particular scope for higher density residential and mixed use development in opportunity areas, however, to be supported, schemes which exceed the ranges in the density matrix must be of a high design quality. The applicant has demonstrated that the application would deliver a high quality residential development with an appropriate mix of units, sufficient play and amenity space and create a good quality public realm.

Urban Design

Layout, scale and appearance

26. The scheme has been developed working with the Council and GLA officers early on in the development process. Issues with regard to the layout of the scheme and in particular the aspect along Linden Avenue at ground floor level and the change in level have been satisfactorily resolved and the scheme now includes ground floor units along Linden Avenue with their own front door being accessed from the street. This provides a well activated ground floor, which contributes to the animation of the public realm, and is strongly supported.

27. The proposed massing is generally positioned within the footprint of the existing building and respects existing separation distances and building lines. Similar to the existing Cottrell House building, the taller element is positioned at the south eastern part of the site, reflecting the established built form. The massing respects the existing alignments with Linden Avenue to create a coherent street scape and improve the public realm in proximity to the application site. The massing of the building has been brought forward to the east so that it fronts the footway along Wembley Hill Road more closely. This will be important in establishing new active frontages at ground level along Wembley Hill Road.

28. The height of the building is considered appropriate, having regard to the existing building on site, as it establishes a transition between the suburban development on Linden Avenue and the larger scale developments on the other side of Wembley Hill Road.

29. The introduction of a glazed parapet to reduce the visual appearance of the 7-storey element adjacent to Linden Avenue terrace is welcomed. It is noted that whilst this element is higher than existing, it does project rearward like the existing terrace. Subject to the Daylight/Sunlight Assessment demonstrated that the proposal maintains acceptable levels of Daylight/Sunlight for the terrace properties on Linden Avenue, this element should be acceptable.

30. The architectural approach of the current proposal is generally supported. The scheme proposes a simple high quality approach to architectural detailing and materials that would complement the form of the building massing. The proposed use of high quality brickwork contrasted with corten steel is supported, and would provide robust and durable elevations which help to articulate the building's different components. The detailing and build quality will however be critical to achieving the highest possible standard of architecture and the Council will secure key details through condition to ensure this is achieved and built through.

31. The windows are generally formed as full height, fixed glazing elements, to optimise natural daylight and views.

32. Mixes of projecting balconies and inset loggias have been developed, which animate the facade and create rhythm and proportion. Projecting balconies are present along the building's southern elevation facing St George's hotel across Linden Avenue, as well as some at the higher stories facing north. Inset balconies have been placed in the more exposed locations of the building, facing east and west.

33. Two storey Corten Steel surrounds articulate spacious entrances from the street into the building at both the affordable and private entrances. Their striking placement within the otherwise continuous, heavily glazed

active frontages makes the entrances clearly recognizable and welcoming.

34. In order for the development to be delivered to the highest quality and to truly reflect the details and quality of finish submitted within the application it is important for the architects to be retained in the delivery and construction of the scheme. This will be secured through the S106 agreement ensuring Aedas are retained in an appropriate capacity following the decision.

35. The future relationship to the adjacent Norman House site has been considered, and the applicant proposes to provide a flank edge with no window facing the Norman House site. This will allow it to be developed flexibly and is welcomed.

36. It is clear that this building will be higher than those in the immediate surroundings; however, the overall design and finish of the building are considered to be of good quality which help to soften the overall visual impact.

37. The GLA support the general scale and architecture approach of the proposed development, however, a reduced material palette and simplified building elevations is encouraged. Brent Council consider that the distinct elements and strong identity of each aspect of the architecture helps to break up the built form, improving articulation between different elements and minimising the visual bulk and mass of the building. Subject to a carefully managed implementation of the materials to the build, Brent Council firmly believes that the building will provide a better visual addition than that of a building with a reduced material palette. Nevertheless, details of materials are to be secured through condition.

38. The Council is also strongly encouraged by the GLA to secure the retention of the architects during detailed design phases, in addition to utilising appropriate conditions securing design detail and materials. Brent Council agrees with this and this will be secured through a S106 obligation.

External Amenity Space and Landscape

39. GLA Housing SPG Standard 26 and 27, Private Open Space, states that a minimum of 5sqm of private outdoor space should be provided for 1-2 person dwellings and an extra 1sqm should be provided for each additional occupant and that the minimum depth and width for all balconies and other private external spaces should be 1500mm.

40. No ground floor residential units are proposed and the remaining units all meet the GLA standards as stated in paragraph 25. The two exceptions are flats M1 and M2 at the Mezzanine level, accessed directly from the street along Linden Avenue. Whilst 6sqm of screened forecourt amenity space is provided, the space is not particularly useable and its immediate proximity to the footway does not result in the space having a particularly private nature. However, given the small size of these flats, the low occupancy (2 people) and the town centre location, it is considered that this is acceptable in this instance.

41. The balconies provide private amenity spaces of between 4.5 and 15sqm for all remaining flats, with the majority having between 5 and 9 sqm of private amenity space. Access is usually provided directly from the living-kitchen space. Private landscaped terrace/gardens are provided for some flats, with flat M3 on the mezzanine floor having a 42sqm private garden, Flat 5.9 on the 5th floor having a 19sqm private terrace and flat 7.7 on the 7th floor having a 7sqm private terrace. In the case of the latter two, these terraces represent small subdivided parts of communal rooftop gardens which are appropriately screened for privacy.

42. Communal rooftop gardens are present on floors 5 (above the northern wing) and 7 (above the western part of the southern wing) and have different characters. Respectively, these communal gardens measure 211sqm and 115sqm, with the communal garden on floor 5 being designated as a 'roof play' space.

43. The roof play garden does not extend across the full extent of the rooftop, with a significant section to the west being restricted for maintenance access. This is important in ensuring that the existing residences along Linden and Dagmar avenues cannot be overlooked. This maintenance area is to be planted along its edges to reduce any perceived overlooking as well as to enhance the visual appearance of the building's western elevation. The roof garden on floor 7 (which is exclusively for use of the private tenure flat residents) does not have restricted area to remove overlooking, but will have high planting and screening to its north and west aspects to minimise any such overlooking. A glass balustrade will also be in place for safety and protection from wind. As further justification for this arrangement, this garden is located to the south and as such will not provide such a direct view across private gardens as would be possible with the 'roof play' garden.

44. A total of 326 sqm of amenity space is proposed, which equates to an average communal amenity space

provision of 5.9 sqm per unit. All but three residential units benefit from balconies that are typically 5 sqm to 9 sqm in size. The scheme therefore provides less than the SPG17 and Policy DMP 19 target of 20 sqm of external amenity space per unit. However, the scheme is immediately adjacent to an area of public open space and in this instance, the deficit in external amenity space is not considered to warrant the refusal of a development that will deliver 55 new homes including 13 Affordable homes.

45. The projected number of children to be accommodated on the site is 21 of which the majority are generated by the social and intermediate housing flats. Based on the GLA play space requirements, developments should seek to accommodate on average 10sqm of outdoor play space per child. With a required maximum provision of 210sqm of play area, this has been provided at roof level above the 4th floor element, within this 263sqm amenity area. Also in accordance with the GLA's formula for play provision, it is likely that 18% (i.e. 4 children) of these children will be 12+. At this age, older children are likely to make use of the nearby local parks with their larger and more active sports related facilities. The number of under 12's generated on the site, 17 children, are more likely to be the main users of the play area within the scheme.

46. The communal roof gardens will be overlooked by a number of apartments further promoting safe and amenable recreational areas.

47. The provided micro-climate report confirms that the fifth and seventh floor amenity spaces are suitable for the proposed usage during the summer, lasting from April to September, and outdoor comfort conditions will be acceptable for the users. It is noted that instances with increased wind speeds may occur between October and April, during which threshold levels, as defined by the Lawson Criteria and the Beaufort Scale, could be exceeded. Overall, the findings of the report are positive and it is considered that the likely microclimates as experienced on the amenity spaces will be acceptable for users.

48. The communal areas are immediately accessible to residents through the central cores (lift and stairs) with dedicated access doors at opposite ends of the roof play garden, providing communal space for both tenures. The 7th floor roof garden is only directly accessible from the southern core and serves the residents of the southern wing more directly. The two 1 bed flats with entrances onto Linden Avenue do not have internal access to these spaces.

49. In terms of external landscaping provision, 14 trees will be planted in the car park, helping to demarcate spaces between car parks as well as visually softening the environment.

50. The proposal will require the loss of three street trees: one Lime tree and three London Plane trees will need to be removed to accommodate the necessary access and works. The Council's tree protection and landscape design officers consider that this loss should be mitigated by the payment of contributions towards ten new street trees (£14,000) along Linden and Dagmar Avenues. This contribution will be secured as part of a S106 agreement.

Impact on neighbouring residents – Amenity, sunlight and daylight

51. The building has been configured in response to its favourable orientation, with the front of the building facing east towards Wembley Hill Road and the rear facing west. The design ensures that overshadowing to the nearby houses along Linden and Dagmar Avenues has been minimised, having regard to the size and siting of the existing building.

52. The sunlight and daylight study submitted with the application assessed the windows and gardens of surrounding properties. The study concluded that a minor impact would be incurred in terms of sunlight and daylight levels with 3 residential windows of the 89 windows tested that were tested seeing a loss of sunlight beyond BRE Guidance levels. With regard to sunlight, 3 of the 11 windows that were tested experienced a loss of daylight beyond BRE criteria. However, the assessment noted that all of these windows only experienced a minor change in sunlight hours over the winter period where access to sunlight is more critical.

53. There are seven amenity spaces in close proximity to the proposed development. The study has noted that there will be no undue impact on the surrounding external amenity spaces as a result of the new built form, having regard to the BRE Criteria.

54. St George's Hotel is the adjoining building to the south. Given the transient nature of a hotel use, less weight is applied to the level of daylight received by the windows of the hotel. The middle floors of this hotel building comprise north facing flats which do not receive direct sunlight by virtue of facing directly towards the existing Cottrell House. This situation will be unchanged alongside the new Cottrell House. There will be a slight reduction in vertical sky component as experienced from these flats and three of the nine windows

associated with the flats will fail the recommended BRE daylight guidelines.

55. No's 4, 8 and 12 Linden Avenue all have half width single storey rear extensions with east facing windows (towards Cottrell House). It is likely that these extensions house kitchens or utility rooms with a sole eastern aspect, although no planning history exists to confirm this. At present, a lift shaft protrudes into the line of sight of these extensions. This lift shaft is approx. 2.75m to the east of the extension at no. 4. The proposed development would remove this obstruction and set in the built form of Cottrell House by 1m (for the part that is to the rear of the building line along Linden Avenue). The built form will however protrude a further 3.5m than the existing lift shaft. Whilst the set in provided on the new building is welcomed, the additional projection depth is likely to incur a net loss of outlook at no. 4.

56. No. 8 and 12 Linden Avenue are significantly far away from the western elevation of Cottrell House (15m and >20m respectively) that the general outlook will remain intact; with the material impact being in the form of some sunlight loss during the winter months to the east facing extension windows only. These windows are to ancillary parts of the houses and are unlikely result in a significant worsening in living standards.

57. The general primary outlook from the rear elevations of houses along Linden and Dagmar Avenues will only be affected obliquely, with the east/west arrangement of the houses relating to Cottrell House favourably, as the outlook will only be impeded as seen to the far right (in the case of Linden) or left (in the case of Dagmar) of the field of view with the majority of the rearward facing outlook remaining intact.

58. With the exception of the protruding ground floor element on the west side of the building, the remainder of the built form of the proposal meets SPG17's requirement for the building to fall within a 45 degree line, drawn at a height of 2m on the boundary with the nearest property alongside the development (2 Linden Avenue). As such, it is not considered that the height and massing of the building will result in an unduly detriment impact on the amenities of this property.

59. In summary, the assessment demonstrates neighbouring residential units will mostly receive good levels of daylight and sunlight and with the loss of light in comparison to the existing situation typically being within BRE guidance levels. There will be some instances where the BRE sunlight guidelines will not be achieved, in relation to neighbouring properties. However, it is accepted that this is a normal outcome of a fairly high density, development of this scale in an urban area. The regenerative benefits of such a proposal would far outweigh the relatively minor losses of sunlight and amenity to select nearby dwellings.

Assessment of Flood Risk and Drainage

60. The submitted report notes the proposed measures which can be incorporated into the development to mitigate the identified risks. The report states that as the site is located within Flood Zone 1 and is therefore considered to be at a low risk from fluvial or tidal sources. No significant risks have been identified in relation to flooding from other (non-pluvial) sources.

61. The Flood Risk Strategy and Flood Risk Assessment Report has been assessed by Brent's Local Lead Flood Authority. It is considered that the report meets Brent's requirements and that the applicants have followed national policies and guidelines.

62. The proposed surface water discharge will be restricted to 5 l/sec and this will reduce the surface water discharge to existing surface water sewer system and hence further reduce the risk of flooding in the area.

63. The Foul Sewer System does not fall within the scope of Flood Risk as part of Flood and Water Management Act 2011 and there accordingly is no mention of Foul Sewer discharge in the report. However, the foul sewer system in Wembley Hill Road has a faulty syphon at the point where the pipe goes under the railway tracks at Wembley Stadium Station. The syphon has blocked many times and has caused foul sewage to overflow in Wembley Hill Road. This is the responsibility of Thames Water and the development will need consent from Thames Water regarding discharge rate and to ascertain whether there is adequate capacity in their foul sewer network.

64. Thames Water have reviewed the application and are satisfied that the proposal will have an acceptable impact on existing infrastructure, subject to a 5l/s surface water discharge rate being achievable. The applicant's SUDS report confirms that the surface water discharge of the scheme is restricted to 5l/s, meeting Thames Water's requirements.

Environmental Health

65. The measures as laid out in the submitted Noise Impact Assessment are considered to be acceptable to the Council's Environmental Health Officer. A condition has been recommended to ensure that the mitigation measures have been implemented.

66. The proposed layout of the building will have commercial units and car park below flats. These mixed uses between floors could result in noise disturbance to residents within the flats of the first floor if the sound insulation between the floors is not adequate. The Environmental Health Officers have recommended that a condition is attached to ensure that Building Regulations Approved Document E 'Resistance to the passage of sound' is met and implemented in full. However, this would duplicate a control that is within the Building Regulations and it is therefore not necessary to include this within a planning condition.

67. The proposed demolition of the existing building and construction of the new building will be carried out within close proximity to existing residential premises. Therefore without appropriate controls noise and dust emissions could cause disturbance to local residents and also dust emissions may adversely impact on local air quality. It is noted that there has been a construction method statement and a piling method statement submitted with the application. There is however concern about the proposed driven piling as the piling works will be undertaken close to residential properties which may result in impact on the adjoining dwelling. It is therefore considered that a condition should be attached so that additional information regarding minimisation of noise and vibration disturbance can be considered before piling commences.

68. The air quality impact assessment submitted with the application – Aether/AQA/2015/WHR_Brent has been assessed. Further information was requested from the applicant as to why 2013 was chosen as the meteorological data year. The agent confirmed that this year was the most recent for which data was available when the assessment was carried out in March 2015. Further details were also requested regarding the emissions from the combined heat and power system and a condition is recommended in relation to this.

69. The site investigation report submitted with the application; Structa LLP; Report reference 3633-GE001 dated 16th January 2015 has been reviewed. The methodology of the report and the conclusions are acceptable to the Council. A condition is recommended so that a remediation strategy can be provided for the further works stated within Section 11 of the report.

Transport

70. The site is within the Wembley Area Action Plan and therefore reduced parking allowances are applicable for the residential units.

Parking and Access

71. The car parking allowance for the existing building is 9.8 spaces and the break down is as follows:

1. 1 spaces for the retail unit
 - 1 space for the restaurant
 - 5.8 spaces for the existing offices
 - 2 spaces for the existing 4 flats

72. The proposed new 55 flats will have a total maximum parking allowance of 24.2 spaces, whilst the proposed two A1 commercial uses will have a parking allowance of 1 space each, giving a total parking allowance of 26 spaces for the building, which is a significant increase in parking standards from that of the existing building. Initially a total of 24 spaces were proposed, including 7 disabled bay spaces and 5 electric charging points and the parking will be located on the ground and mezzanine level. However, the level was decreased to 21 spaces for the reasons discussed below. This level of parking, including 7 disabled parking spaces, is satisfactory, meeting the maximum level of residential parking and falling marginally (2 spaces) below the maximum parking standard if the commercial units are included. A 'parking permit-free' agreement should still be applied to mitigate against the potential impact of overspill parking.

73. The parking spaces will be accessed from Dagmar Avenue only and therefore the existing access from Linden Avenue will be made redundant. The crossover onto Linden Avenue must therefore be reinstated back to footway and the double yellow lines removed to provide further on-street parking for approx. 3 cars.

74. However, the access onto Dagmar Avenue is not currently wide enough (3.8m) to allow two-way flow into and out of the site. Appendix H of the Transport Assessment shows vehicular tracking and only one car can turn into and out of Dagmar Avenue. This will result in vehicles waiting on the Public Highway whilst trying to

gain access, which is not welcomed for a car park of this size.

75. The land required to widen the access from Dagmar Avenue is not within the control of the applicant. Proposed site plan drawing 11473-A-05-011D does show how this development might relate to a future potential development on the adjoining site, which might then provide an opportunity to widen the shared access drive to allow two-way flow. However, this can be no more than an aspiration at the present time, with no proposals having yet come forward for that site.

76. To address this, the Council's highways officers recommended that a secondary access onto Linden Avenue was created, so that cars can enter via one access and exit via another, or that the number of parking spaces was reduced to accommodate just the disabled parking requirement, thus reducing concern over the number of vehicles entering and exiting the car park.

77. The applicants have proposed to reduce the parking provision of the site down to 21 spaces. While the reduction in parking provision is not to the level initially suggested by Highways, given the site constraints, the highways officers consider the proposed access arrangements to be acceptable.

Transport Statement

78. TRICS assessment has been carried out and survey data from 20 sites in Greater London were used to produce estimated trips from this development. The majority of these sites were in Controlled Parking Zones with a good PTAL rating and the sites selected had off-street parking levels ranging from none to a ratio of 1:1 or more.

79. The data shows that the proposed development is estimated to generate morning peak hour vehicular movements of 2 arrivals/5 departures, with 4 arrivals/3 departures forecast in the evening peak hour. No off-street parking has been proposed for the commercial units and therefore fewer vehicle trips are expected from them. These flows represent a low trip generation and so the impact on roads is considered to be negligible.

Refuse

80. Standard PS17 requires a shared transit sized bay for the servicing of the two retail units. To this end, Appendix I of the Transport Assessment proposes changes to the existing loading bay on Wembley Hill Road to allow loading/unloading to take place from this area, as well as refuse collection for the flats.

81. Changes to the loading bay include lengthening the bay to the north and modifying the entry point. The highway works will need to be carried out under S278 of the Highways Act 1980 at the developer's expense.

82. Bin storage will be located within the site and near the loading bay, which will allow for straightforward collection from Wembley Hill Road. This option is welcomed and agreed with Brent's Refuse & Recycling team and addresses previous concerns with refuse vehicles standing on the steep Linden Avenue, causing difficulties with unloading Eurobins.

Cycle Parking

83. The drawing proposes 91 cycle parking spaces which satisfies PS16 of the UDP-2004. The spaces will be in a secure and covered shed to protect against theft and weather.

Construction Management Plan

84. The developers have been in discussion with Brent Council's Transport Unit regarding construction logistics and the construction management arrangements have been amended as a result of these discussions. It is now proposed to hoard off majority of the footway fronting the site to allow construction vehicles access/egress as well as closing the footway on Linden Avenue. The existing loading bay will be raised and filled to provide a sufficient footway width for pedestrians and pedestrian crossing facilities on Linden Avenue should be provided for the complete footway closure there. The closure of the footway will encompass a pay and display machine which will need to be relocated at the developer's expense.

85. A banksman should be on site to ensure that vehicles can access the site with ease without obstructing the carriageway and footway, in the interests of pedestrian safety.

86. Temporary traffic management arrangements must be agreed with the Highway Authority and put into

place prior to any construction. The developer must also agree to cease any operation 4 hours before a Wembley Stadium event and not recommence until 4 hours after an event for the safety of the large number of pedestrians coming to the Stadium and this will be agreed as part of the temporary traffic management plan.

87. Once construction has been completed the entire footway on Wembley Hill Road, fronting the site, should be repaved due to any damage of the footway caused from the vehicles.

88. Wheel washing will occur on the site and a local drainage system within the site, should be provided, to ensure that the settling of silt is not discharged onto the Public Highway.

89. The roads should also be swept/cleaned on a daily basis, particularly during the ground works element.

Highway Works and Contributions

90. The following Highway Works must be completed under a Section 278 Agreement of the Highways Act 1980:

1. Amendments to the existing loading bay on Wembley Hill Road
2. Removal of redundant crossovers on Wembley Hill and Linden Avenue to be reinstated back to footway
3. If the access on Linden Avenue is made redundant then on street parking bays should be provided.
4. This will also require amendments to the Traffic Road Order.
5. On street cycle stands
6. Temporary Traffic Management and Temporary Road and Footway Closure.
7. Resurfacing of the footway on Wembley Hill Road after construction has been completed.

91. The Section 278 Agreement must be entered into prior to any construction works commencing on site.

92. The Local Highways Authority would also seek an additional £5,000, independent of the CIL, towards the cost of reviewing and extending CPZs in the local area. The money will also contribute to the subsidisation of the cost of parking permits for existing residents, which cannot come from CIL funds. This will need to be secured through a Section 106 agreement.

93. Transport for London's Assessment

94. TfL is satisfied that the trips generated will have a negligible impact on local public transport and road network, therefore mitigation measures will not be necessary.

95. TfL however raised concern with the location and design of the disabled parking. According to the London Plan car parking standards, parking spaces designated for use by disabled people should be 2.4m wide by 4.8m long with a zone 1.2m wide provided between designated spaces and at the rear outside the traffic zone, to enable a disabled driver or passenger to get in or out of a vehicle and access the boot safely. From the Ground Floor plans provided (drawing no. 11473-A-05-100), it appeared that the disabled spaces for the visitor, flat 1.2, flat 2.2, flat 3.2, flat 4.2 & flat 1.5 do not meet these standards. Revisions to the drawings were secured to address these concerns.

96. Concerns were also raised regarding cycle parking regarding clarification of the number of spaces to be provided and the arrangement of the storage of such cycling spaces. This information has since been clarified by the applicant on a revised Transport Statement, identifying 91 cycle storage spaces and explaining how this exceeds the relevant London Plan standard.

97. TfL's concerns about the cycle parking provision have since been addressed. This includes adding an adapted cycle storage close to the access doors for improved accessibility.

98. TfL also requested that a full travel plan should be submitted to the Council for approval prior to the occupation of the development and should include provisions for reviewing and monitoring. A detailed travel plan has since been submitted to the Council, which demonstrates that the scheme achieves a TfL ATTrBuTe score of 34 out of 38, resulting in a pass of the assessment. The travel plan also includes acceptable measures for reviewing and monitoring of the travel plan.

Conclusion

99. Officers consider that the scheme meets planning policy objectives and is in general conformity with local,

regional and national policy. The proposal would make a positive contribution to the area, whilst having an acceptable impact on and relationship with the existing surrounding development. Officers recommend the application for approval subject to the conditions and obligations set out in this report.

SUSTAINABILITY ASSESSMENT

The application has included an Energy and Sustainability Statement.

At the time the planning application was submitted London Plan policy 5.2 requires a reduction in carbon dioxide emissions of 40% based on 2010 Building Regulations (equivalent to 35% based on the 2013 regulations). The Energy Statement indicates the scheme will include CHP and PV panels, resulting in a 35.49% improvement on Part L 2013. This will need to be secured by condition, and after completion should this not be achieved a contribution will be required to the local carbon off-setting scheme.

Core Strategy policy CP 19 requires non-residential development to achieve BREEAM excellent. The BREEAM pre-assessment demonstrates that a 'Very Good' rating can be achieved which is acceptable to the Council.

London Plan policy 5.6 sets out the energy hierarchy, requiring major developments to connect to existing or heating or cooling networks, or if this is not possible include site wide CHP. There is not an existing network, however, the establishment of a network has been found to be feasible and is proposed. As such Wembley Area Action Plan WEM 30 requires developments completed prior to the completion of the heat network to be designed so that they can switch to the heat network when it is available. The energy statement sets out that provision of both future connection points within the plant room and appropriate ducting through the external envelope to enable a district heating system to be installed at a later date will be provided. This will need to be secured by condition.

London Plan policy 5.15 states residential developments are to be designed to meet the target of 105 litres or less per head per day, excluding an allowance of 5 litres or less per head per day for external water use. It is highlighted this will be sought, but final calculations based on sanitary ware specifics will need to be undertaken. This will need to be secured by condition.

CIL DETAILS

The proposal is liable to pay CIL as set out below despite providing less than 100sqm of new floorspace because the proposal comprises at least one new residential unit, in accordance with Reg 42(2) of the CIL Regulations 2010 (as amended), the provisions of which supersede the provisions of Reg 42(1) 'exemption for minor development'.

This application is liable to pay **£966,610.34*** 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): 2861 sq. m.

Total amount of floorspace on completion (G): 6476 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	5871		3277.27995	£200.00	£35.15	£795,910.85	£139,881.33
Shops	605		337.720043	£40.00	£35.15	£16,403.54	£14,414.62

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)	272	
Total chargeable amount	£812,314.39	£154,295.95

*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: 16/1698

To: Ms Aitken
Studio Aitken Ltd
105 Southwood Lane
London
N6 5TB

I refer to your application dated 22/04/2016 proposing the following:
Demolition of the existing mixed use building and erection of a part 6, 8 and 10 storey building comprising 55 residential units, with 2 commercial units (Use class A1) located over ground and mezzanine floors fronting Wembley Hill Rd, and associated car and cycle parking spaces, bin stores, landscaping and amenity space and accompanied by plans or documents listed here:
See condition 2.

at Flats 1-4 INC, First Floor Front and Cottrell House, 53-63 Wembley Hill Road, Wembley, HA9 8DL

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:

A handwritten signature in black ink that reads "Alice Lester".

Alice Lester
Head of Planning, Transport and Licensing

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:-

National Planning Policy Framework 2012
Brent Core Strategy 2010
Brent Development Management Policies 2016
Brent Wembley Area Action Plan 2013
London Plan Consolidated with amendments since 2011
Brent Supplementary Planning Guidance 17: Design Guide for a New Dwelling 2001

- 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 drawings:

11473-A-01-100 VISUALISATIONS 1 Rev D
11473-A-01-101 VISUALISATIONS 2 Rev B
11473-A-01-102 VISUALISATIONS 3 RevA
11473-A-01-103 VISUALISATIONS 4 Rev A
11473-A-01-104 VISUALISATIONS 5 Rev A
11473-A-01-105 VISUALISATIONS 6 Rev A
11473-A-01-106 VISUALISATIONS 7 Rev A

11473-A-05-050 Site Location Plan Existing A3 1:1250
11473-A-05-001 Site Plan Existing A1 1:250 Rev D
11473-A-05-011 Site Plan Proposed A1 1:250 Rev E
11473-A-05-099 GA PLAN Basement Floor Plan A1 1:100 Rev L
11473-A-05-100 GA PLAN Ground Floor Plan A1 1:100 Rev X
11473-A-05-10M GA PLAN Mezzanine Floor Plan A1 1:100 Rev W
11473-A-05-101 GA PLAN First Floor Plan A1 1:100 Rev V
11473-A-05-102 GA PLAN Second Floor Plan A1 1:100 Rev N
11473-A-05-103 GA PLAN Third Floor Plan A1 1:100 Rev W
11473-A-05-104 GA PLAN Fourth Floor Plan A1 1:100 Rev N
11473-A-05-105 GA PLAN Fifth Floor Plan A1 1:100 Rev T
11473-A-05-106 GA PLAN Sixth Floor Plan A1 1:100 Rev N
11473-A-05-107 GA PLAN Seventh Floor Plan A1 1:100 Rev M
11473-A-05-108 GA PLAN Eighth Floor Plan A1 1:100 Rev N
11473-A-05-109 GA PLAN Roof Plan A1 1:100 Rev J
11473-A-05-121 GA PLAN Accessible Flat Affordable A1 1:100 Rev B
11473-A-05-122 GA PLAN Accessible Flat Private A1 1:100 Rev B
11473-A-05-130 EXISTING PLAN Ground Floor Plan A1 1:100 Rev A
11473-A-05-131 EXISTING PLAN Mezzanine Floor Plan A1 1:100 Rev A
11473-A-05-132 EXISTING PLAN First Floor Plan A1 1:100 Rev A
11473-A-05-133 EXISTING PLAN Second Floor Plan A1 1:100 Rev A
11473-A-05-134 EXISTING PLAN Third & Fourth Floor Plan A1 1:100 Rev A
11473-A-05-135 EXISTING PLAN Fifth & Sixth Floor Plan A1 1:100 Rev A

11473-A-06-100 Section A-A A1 1:100 Rev P
11473-A-06-101 Section B-B A1 1:100 Rev K
11473-A-06-102 Section C-C A1 1:100 Rev L
11473-A-06-103 Section D-D A1 1:100 Rev L
11473-A-06-104 Section E-E A1 1:100 Rev H

11473-A-06-105 Section F-F A1 1:100 Rev G
11473-A-06-106 Section G-G A1 1:100 Rev D

11473-A-07-100 EXTERNAL ELEVATION EAST A1 1:100 Rev H
11473-A-07-101 EXTERNAL ELEVATION SOUTH A1 1:100 Rev G
11473-A-07-102 EXTERNAL ELEVATION WEST A1 1:100 Rev G
11473-A-07-103 EXTERNAL ELEVATION NORTH A1 1:100 Rev G
11473-A-07-120 CONTEXTUAL ELE' W.H.R. & L.A A1 NTS Rev A
11473-A-07-130 EXISTING ELEVATION East A1 1:100 Rev A
11473-A-07-131 EXISTING ELEVATION South A1 1:100 Rev A
11473-A-07-132 EXISTING ELEVATION West A1 1:100 Rev A
11473-A-07-133 EXISTING ELEVATION North A1 1:100 Rev A

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

- 3 The Travel Plan hereby approved (dated October 2016) shall be implement in full from first occupation of the development hereby approved and shall be fully adhered to throughout the lifetime of the development.

Reason: To ensure the development has an acceptable impact on the local transport network

- 4 The development hereby approved should be built so that 90% of the residential units achieve Building Regulations requirement M4(2) – ‘accessible and adaptable dwellings’ and that the remaining 10% of the residential units achieve Building Regulations requirement M4(3) – ‘wheelchair user dwellings’.

Reason: To ensure that the development achieves an inclusive design in accordance with London Plan Policy 3.8

- 5 Occupiers of the residential development, hereby approved, shall not be entitled to a Residents Parking Permit or Visitors Parking Permit to allow the parking of a motor car within the Controlled Parking Zone (CPZ) operating in the locality within which the development is situated unless the occupier is entitled; to be a holder of a Disabled Persons Badge issued pursuant to Section 21 of the Chronically Sick and Disabled Persons Act 1970. For the lifetime of the development written notification of this restriction shall be included in any licence transfer lease or tenancy agreement in respect of the residential development. For the lifetime of the development a notice, no smaller than 30cm in height and 21cm in width, clearly informing occupants of this restriction shall be displayed within the ground floor communal entrance lobby, in a location and at a height clearly visible to all occupants. On, or after, practical completion but prior to any occupation of the residential development, hereby approved, written notification shall be submitted to the Local Highways Authority confirming the completion of the development and that the above restriction will be imposed on all future occupiers of the residential development.

Reason: In order to ensure that the development does not result in an increased demand for parking that cannot be safely met within the locality of the site.

- 6 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.

- 7 Prior to the commencement of construction works (excluding demolition, site clearance and the laying of foundations), details shall be submitted to and approved in writing demonstrating how the development will achieve a reduction carbon dioxide emissions of 40% below the 2010 Building Regulations Target Emissions Rate (or 35% based on the 2013 Building Regulations), unless this target cannot be reasonably achieved and a contribution to off-set the shortfall through a local carbon off-setting scheme is paid to the Council pursuant to the Section 106 agreement for this consent. The approved details shall be implemented in full.

Reason: To ensure the development is in accordance with the principles of London Plan Policy 5.2.

- 8 Prior to the commencement of construction works (excluding demolition, site clearance and the laying of foundations), details of how the development is designed to allow future connection to a district heating network should one become available, shall be submitted to and approved in writing by the local planning authority and the development shall be completed in accordance with the approved details.

Reason: To ensure the development is in accordance with the principles of London Plan Policy 5.6

- 9 Prior to occupation of the development hereby approved, details shall be submitted to and approved in writing demonstrating that the following water efficiency target has been met:

- The residential dwellings shall use less than or equal to 105 litres of water per person per day, allowing 5 additional litres or less per person per day for external water use.

The development shall be completed in accordance with the approved details prior to first occupation.

Reason: To ensure the development is in accordance with the principles of London Plan Policy 5.15

- 10 Prior to occupation of the development hereby approved, a full delivery and servicing plan, including swept path analysis should be submitted to and approved in writing by the Local Planning Authority. The plan should indicate the site arrangement following the S278 works to the highway. The approved plan shall thereafter be implemented for the lifetime of the development.

Reason: To ensure the development has an acceptable impact on the local transport network.

- 11 Prior to the occupation of the development, a report demonstrating that the mitigation measures described in the approved Noise Impact Assessment (KP Acoustics Report Reference 12050.NI.01.Rev A dated 9th March 2016) have been implemented shall be submitted to and approved in writing of the Local Planning Authority. The mitigation measures shall be retained for the lifetime of the development.

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

- 12 The site contamination remediation measures as stated within section 11 of the Structa LLP; Report reference 3633-GE001 dated 16th January 2015 shall be carried out in full prior to first occupation of the development hereby approved. Prior to first occupation of the development, a verification report shall be submitted to and approved in writing by the Local Planning Authority, demonstrating that remediation has been carried out in accordance with the approved remediation scheme and the site is suitable for end use.

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

- 13 Prior to the commencement of piling, details of proposed mitigation measures that will be adopted in order to prevent noise and vibration disturbance to nearby residents as a result of the piling process shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be adhered to in full for the full duration of the piling works.

Reason: To protect the amenities of nearby residents during construction

- 14 Prior to occupation of the development hereby approved, details of the hard and soft landscaping of the areas identified within the drawings hereby approved, including the roof terraces, shall be submitted to and approved in writing by the Local Planning Authority. The details shall be implemented in full prior to first occupation and thereafter retained.

The details shall specify species, densities and heights of plants proposed together with hard landscaping materials and other landscaping features.

Any planting that is part of the approved scheme that within the lifetime of the development after planting is removed, dies or becomes seriously damaged or diseased, shall be replaced in the next planting season and all planting shall be replaced with others of a similar size and species and in the same position, unless the Local Planning Authority first gives written consent to any variation.

Reason: To preserve the amenities of nearby residents and to prevent privacy being compromised

- 15 Details of materials for all external work, including samples which shall be made available for viewing on site, shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced (excluding demolition, site clearance and the laying of foundations). 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.

- 16 Prior to commencement of the development, with the exception of demolition and site clearance, further information on the floor area and internal layout of the energy centre and the specification of the CHP engine, including the emissions from the energy centre, shall be submitted to and approved in writing by the local planning authority. The development should be built in accordance with the approved details and the plant shall be retained and maintained in accordance with the manufacturers specifications for the lifetime of the development, unless an alternative arrangement is first approved in writing by the Local Planning Authority.

Reason: In the interest of carbon reduction, climate change and air quality.

- 17 Prior to commencement of works (excluding demolition and site clearance), further details of the sustainable drainage measures to achieve a 5l/s discharge rate for surface water 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 and retained for the lifetime of the development.

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

- 18 Prior to the commencement of development (excluding demolition and site clearance), a drainage strategy detailing any on and/or off site drainage works shall be submitted to and approved in writing by the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

Reason - The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community.

- 19 No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.

- 20 Details of any external lighting, including details of the fixtures and luminance levels, shall be submitted to and approved in writing by the Local Planning Authority prior to the installation of any such lighting and the lighting shall thereafter be installed in accordance with the approved details.

Reason: In the interest of the amenity of adjoining occupiers and the safety of pedestrians and vehicles using the parking and communal areas within the development and on the local highway network.

INFORMATIVES

- 1 The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk
- 2 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 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.
- 4 A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.
- 5 Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.

Any person wishing to inspect the above papers should contact Toby Huntingford, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 1903