

**Committee Report**  
**Planning Committee on 12 May, 2011**

**Item No. 15**  
**Case No. 11/0371**

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**RECEIVED:** 15 February, 2011

**WARD:** Kilburn

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

**LOCATION:** 1-10 inc Wood House, Albert Road, 1-16 inc Bond House, Rupert Road, 1-8 inc Hicks Bolton House, Denmark Road & 1-2 Denmark Road, NW6

**PROPOSAL:** Demolition of Bond House, Hicks Bolton House, 1-2 Denmark Road and Wood House and redevelopment to provide 64 affordable residential units (13x one-bedroom, 26x two bedroom, 17x three-bedroom and 8x. four-bedroom) and one retail unit (Use Class A1) within 3, 4, 5 and 6 storey buildings with private and communal amenity space, play space, on street parking, landscaping, a public open space and temporary open space. The development will involve the stopping up and realignment of Rupert Road and Denmark Road and the phased connection of Rupert Road to Carlton Vale.

**APPLICANT:** London Borough of Brent.

**CONTACT:** Rick Mather Architects

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

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**RECOMMENDATION**

Grant planning permission subject to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Area Planning to agree the exact terms thereof on advice from the Director of Legal and Procurement

**SECTION 106 DETAILS**

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

- Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance
- 100% Affordable Housing
- £200,000, as a contribution towards the provision of children's play and landscaping and the new open space on the site of Wood House, or otherwise used in the South Kilburn area for the improvement of open space, index-linked from the date of Committee,
- £80,000 (£1250 x 64 units) to be used for Sustainability measures and provide renewable energy measures including connections to a Decentralised Energy Network, or other off-site

renewable energy generation.

- Sustainability - submission and compliance with the Sustainability check-list ensuring a minimum of 50% score is achieved and Code for Sustainable Homes Level 4 in addition to adhering to the Demolition Protocol, with compensation should it not be delivered.
- Tree survey upon Material Start, 4:1 trees replacement prior to Occupation for any reduction in the number of Trees.
- Join and adhere to the Considerate Contractors scheme.
- Prior to occupation, submit, gain approval for and adhere to a Travel Plan.
- To notify “Brent In2 Work” of all job vacancies, including those during construction
- To sign up Registered Social Landlords to the measures in the local employment/ training scheme.
- Section 278 Highway works, including but not limited to the relaying of the road adjoin the new blocks and the pedestrian area around William Saville and William Dunbar
- Allow future connection of the site to any Decentralised Heat / Energy Network.

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

## **EXISTING**

The subject site, located within the South Kilburn Regeneration Area, includes Wood House, Bond House and Hicks Bolton House. The site also includes land around these existing developments encompassing the communal gardens to Thames Court, Rupert Road and the western end of Denmark Road, the single-storey shop building at 1-2 Denmark Road, parking areas and open/amenity spaces. The site has an irregular footprint and an area of 1.04ha.

Bond House, Hicks Bolton House and Wood House are all similar four-storey rectangular residential blocks. Bond House comprises of 16 residential units, Hick Bolton House of 8 residential units and Wood House 10 residential units.

Towards the north, the site extends around Thames Court, a five storey residential development containing 20 units, which was completed in 2005. Thames Court was, in part, constructed, to provide demonstration homes for the South Kilburn Regeneration Area. Beyond Thames Court, on the opposite side of Albert Road, construction is currently under way on South Kilburn Regeneration site 11A, formerly occupied by Marshall House, to provide two residential blocks of between 4 and 11-storeys in height to provide 153 residential units.

Towards the south of the site lies the three-storey converted public house which is now occupied as the Kosovo Islamic Centre. The Kilburn Baptist Church also lies towards the south of the site, which is a locally listed building.

Towards the west of the site lies William Saville House and William Dunbar House, two 14-storey high-rise residential blocks. Towards the east there are also a number of high and low rise residential blocks including Crone Court, Zangwill House and Winterleys.

## **PROPOSAL**

The proposed development would generally involve the demolition of three existing residential buildings, Wood House, Bond House and Hicks Bolton House; as well as the single-storey shop units at 1-2 Denmark Road, in order to allow the construction of a new five/six-storey residential building, comprising of 23 affordable units, on the site of Hicks Bolton House, and the erection of a five-storey L-shaped block, comprising of 41 affordable units, on the site of Bond House. The L-shaped block on Bond House would adjoin the existing block, Thames Court, enclosing the space currently occupied by the communal gardens to Thames Court, which would be re-landscaped to provide a new communal courtyard garden for residents of both Thames Court and the new block.

Following demolition of the buildings, the Wood House site would be landscaped to provide a public open space, including a children's play area. The northern end of the Wood House site has been considered, amongst others, as a potential site for the South Kilburn Decentralised Energy Centre and, as such, its use as public open space is described as temporary for the purposes of the current application. However, the southern side of the public open space is designated for permanent open space use.

The proposals would involve the realignment and opening up of Rupert Road through to Carlton Vale.

## **HISTORY**

Planning permission (03/1486) was approved for the installation of replacement windows to Wood House in July 2003. There have otherwise been no other planning applications on the site.

## **POLICY CONSIDERATIONS**

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

- London Borough of Brent adopted LDF Core Strategy 2010
- London Borough of Brent Unitary Development Plan 2004 (saved policies)
- Supplementary Planning Document (SPD) for South Kilburn (Adopted April 2005).
- Supplementary Planning Guidance Note (SPG) 17 "Design Guide for New Development"
- Supplementary Planning Guidance Note (SPG) 19 "Sustainable Construction & Pollution Control"
- Supplementary Planning Document:- s106 Planning Obligations
- The Masterplan for the Regeneration of South Kilburn (2004)
- The London Plan (Consolidated with Alterations since 2004)

### **London Borough of Brent adopted LDF Core Strategy 2010**

Within the adopted LDF Core Strategy the following policies are considered to be the most pertinent to the application.

#### **CP1 Spatial Development Strategy**

Brent's Spatial Development Strategy is to concentrate housing growth in well located areas that provide opportunities for growth, creating a sustainable quality environment that will have positive economic impacts on deprived neighbourhoods that may surround them. The policy identifies the Council's five Growth Areas which includes South Kilburn.

#### **CP2 Population & Housing Growth**

Defines the minimum housing targets required to meet the expected population growth and housing demand within the Borough. 85% of housing growth is expected to be provided within Growth Areas, including 2400 new homes in South Kilburn by 2026.

**CP5 Placemaking**

Sets out the placemaking objectives that should be considered for major proposals within Growth Areas.

**CP6 Design & Density in Placeshaping**

Sets out the factors that will be taken into account in determining density and requiring good design

**CP9 South Kilburn Growth Area**

Provides the spatial strategy for the South Kilburn area including specific details of the aims and objectives for the transformation of the area.

**CP14 Public Transport Improvements**

Promotes improvements to orbital public transport routes which link the strategic centres in North West London and the Growth Areas

**CP15 Infrastructure to Support Development**

The council has set out, in an Infrastructure and Investment Framework, the infrastructure requirements necessary to support new development in the growth areas. Appropriate contributions will be sought to ensure that the necessary infrastructure to support development is provided.

**CP18 Protection and Enhancement of Open Space, Sports and Biodiversity**

Support will be given to the enhancement and management of open space for recreational, sporting and amenity use and the improvement of both open space and the built environment for biodiversity and nature conservation. This will include improvements to existing open spaces in South Kilburn.

**CP19 Brent Strategic Climate Mitigation and Adaptation Measures**

All development should contribute towards achieving sustainable development, including climate change mitigation and adaptation.

**CP21 A Balanced Housing Stock**

The Plan seeks to maintain and provide a balanced housing stock in Brent in support of Policy CP2 by protecting existing accommodation that meets known needs and by ensuring that new housing appropriately contributes towards the wide range of borough household needs

**London Borough of Brent Unitary Development Plan 2004**

Within the adopted Unitary Development Plan 2004 plan the following list of 'saved' policies are considered to be the most pertinent to the application.

**BE1** Requires the submission of an Urban Design Statement for all new development proposals on sites likely to have significant impact on the public realm or major new regeneration projects.

**BE2** Proposals should be designed with regard to local context, making a positive contribution to the character of the area, taking account of existing landforms and natural features. Proposals should improve the quality of the existing urban spaces, materials and townscape features that contribute favourably to the area's character and not cause harm to the character and/or appearance of an area.

**BE3** Proposals should have regard to the existing urban grain, development patterns and density in the layout of the development sites, and should be designed to ensure that spaces are satisfactorily enclosed by the built form; its layout is defined by pedestrian circulation; emphasis is placed upon prominent corner sites, entrance points etc; it respects

the form of the street of which it is part by building to established frontages unless there is a clear urban design justification; connections are established where appropriate to open space.

- BE4 Access for disabled people.
- BE5 Development shall be designed to be understandable to users, free from physical hazards and to reduce opportunities for crime.
- BE6 High standards of landscape design is required as an integral element of development schemes.
- BE7 A high quality of design and materials will be required for the street environment.
- BE9 Creative and high-quality design solutions specific to site's shape, size, location and development opportunities. Scale/massing and height should be appropriate to their setting and/or townscape location, respect, whilst not necessarily replicating, the positive local design characteristics of adjoining development and satisfactorily relate to them, exhibit a consistent and well considered application of principles of a chosen style, have attractive front elevations which address the street at ground level with well proportioned windows and habitable rooms and entrances on the frontage, wherever possible, be laid out to ensure the buildings and spaces are of a scale, design and relationship to promote the amenity of users providing satisfactory sunlight, daylight, privacy and outlook for existing and proposed residents and use high quality and durable materials of compatible or complementary colour/texture to the surrounding area.
- BE12 Proposals should embody sustainable design principles, taking account of sustainable design, sustainable construction and pollution control
- BE17 Building service equipment should be located to be visually inconspicuous
- BE24 The special character of buildings on the local list will be protected and enhanced
- BE25 Development proposals affect the setting or views into or out of a Conservation Area shall pay special attention to the preservation or enhancement of the character and appearance of the area.
- EP2 Noise & vibration
- EP3 Local air quality management
- H12 Seeks to ensure that all residential development has a high quality layout, has an appropriate level of car parking and features housing facing onto streets.
- H13 The density of development is design led, where higher density developments are more appropriate in areas where there is very good public transport accessibility. Surrounding densities should be at least matched unless this would harm residential amenity.
- TRN3 Environmental Impact of Traffic
- TRN4 Set out measures to make transport impacts acceptable
- TRN10 Walkable Environments
- TRN11 The London Cycle Network

TRN13 Traffic Calming

TRN14 Highway Design

TRN15 Forming an Access to a Road

TRN23 Parking Standards – Residential Developments

TRN34 Servicing in New Developments

TRN35 Transport Access for Disabled People and others with Mobility Difficulties

PS14 Car Parking Standards – Residential Development

PS15 Parking for Disabled People

PS16 Bicycle Parking

### **A Masterplan for the Regeneration of South Kilburn – Adopted July 2004**

South Kilburn New Deal for Communities (SKNDC) and the Council originally agreed a Masterplan for South Kilburn. The Masterplan proposals were intended to change South Kilburn from a monolithic housing estate back into four high quality neighbourhoods each with their own character and facilities:

- where people are proud to live, learn and work;
- which are safe, free from crime and the fear of crime; and
- which are sustainable and meet the needs of its diverse communities.

The Masterplan proposed 2,953 new homes for South Kilburn, 1534 of which would be replacement and 1,419 new private homes. All applications, including those for new residential units, should be determined in accordance with this Masterplan which sets out criteria for development which regard to sustainability, building heights, space standards, quality of architecture, amenity space and management.

As indicated above, the SPD essentially revolved around building over 1500 for sale units in order to cross subsidise the provision of over 1400 affordable homes. Members may be aware that the Council's chosen consortium was not able to deliver the comprehensive redevelopment package, given that Government offered only about half the financial support that was required in order to get the scheme underway. In response to this, the Council is now trying to complete the first phase of the development on its own by developing individual sites within South Kilburn. This should allow enough units to decant other parts of the South Kilburn estate and make them ready for demolition and rebuild. The application site is a key part of that process.

The Masterplan is currently being reviewed in the light of the changed circumstances in South Kilburn and the Council is working with the selected Masterplanners to seek to bring it forward.

### **SUSTAINABILITY ASSESSMENT SUSTAINABILITY CHECKLIST**

The application is a Major Case proposing in excess of 10 residential units and consequently reference needs to be had to the Council's SPG19. As such, the applicant has completed the Council's Sustainability Checklist which, following review by the Council's Sustainability Officer, achieves a score of 52%. The proposal therefore exceeds the Council's required score of 50% and the development would be likely to achieve a 'Very Positive' rating. The sustainability checklist score should be secured by way of a s106 legal agreement to ensure that the development would

realise the predicted sustainability benefits of the proposal.

## CODE FOR SUSTAINABLE HOMES

The applicant has supplied a Code For Sustainable Homes (CSH) pre-assessment that indicates the proposed development will achieve a score of 62.71% at the time it is constructed. If achieved in practice, this pre-assessment score exceeds the threshold score of 57% required to achieve level 3 of the CSH. However, as the site is within a growth area the Council would normally expect developments to reach code level 4. It is intended that the proposed development would eventually connect to the proposed combined heat and power network (CHP) for the South Kilburn Area which would result in the proposed development achieving level 4 of the CSH. However, options for the development of CHP within the South Kilburn Area are still under consideration and if the CHP did not go ahead then the applicant would need to provide alternative measures including sufficient on-site renewable energy to increase the CSH rating to level 4 and meet London Plan renewables target. This matter should be secured through a suitably worded s106 agreement.

## ENVIRONMENTAL IMPACT ASSESSMENT

The Council has produced a Screening Opinion to determine whether the proposed development of the site would require an Environmental Impact Assessment (EIA) before development consent can be given. An EIA is usually required where development is likely to have a significant effect on the environment. The Council has considered whether the development is of more than local importance, in an environmentally sensitive or vulnerable location, or whether it produces complex or hazardous environmental effects. The conclusion of a Screening Opinion is that the scheme does not warrant EIA. The Council also has to consider the cumulative impacts of both built and approved development and therefore the four other schemes currently under construction within the South Kilburn Area have been considered within the Council's assessment of the need for an EIA. Even with these and other approved and built schemes the Council is still of the opinion that the application site (with other proposed development) is not so significant as to warrant an EIA. The Council intends to bring forward further development within the South Kilburn area but these potential developments are not certain as they rely on sites like the application site being approved and developed so that they can act as a catalyst for enabling future developments. Future schemes also rely on favourable housing market conditions and Homes and Communities Agency (HCA) grant assistance. As and when future site or sites come forward the Council will reassess the cumulative impacts and determine whether they are significant enough to then trigger the requirement of an EIA.

## DRAINAGE & FLOODING

The entirety of the subject site is located within a Flood Risk Zone 1 area where there is a low probability of flooding due to its proximity to any waterway. However, given the extent of the development it is important to ensure that adequate measures are put in place to prevent the occurrence of flash flooding as a result of insufficient capacity to deal with surface water run off. The proposed development meets the threshold which would require the undertaking of a Flood Risk Assessment (FRA) which has been submitted by the applicant.

The London Plan requires that developments reduce surface water runoff by 50%. As discussed in the "CONSULTATION" section of this report the submitted FRA has been inspected by the Environment Agency (EA) and has been found to be lacking in technical detail. A revised FRA has been prepared and submitted to the EA for consideration and the outcome of the process will be reported to Members in a Supplementary Report.

## **CONSULTATION**

### **PUBLIC CONSULTATION**

Consultation letters, dated 28th February 2011, were sent to Ward Councillors and 536 local residents. The proposals were also advertised as being "Of Public Interest" by means of site notices, put on display from the 4th March 2011, and a press notice published on the 3rd March 2011. A hard copy of the planning application was placed in the Community Resource Centre on Albert Road, adjacent to the subject site, and its availability was advertised in the consultation letters

In response to this consultation process, 2 letters of objection I have been received. The concerns of the objectors have been summarised below.

- Concerns that sharing the communal garden between residents of Thames Court and the proposed development will give rise to anti-social behaviour and noise disturbance.
- The proposed development would have an adverse impact on the views and light of residents.
- Concerns regarding the impact that higher residential densities would have on the area, including crime, car-parking.
- Concerns regarding the demolition of the existing shops

## **INTERNAL CONSULTATION**

### **TRANSPORTATION UNIT**

No transportation objections subject to the imposition of suggested conditions and s106 terms.

### **LANDSCAPE DESIGN TEAM**

No objection to the planning application subject to conditions requiring the submission of further details of landscaping proposals for the site.

### **TREE PROTECTION OFFICER**

No objection to the proposals subject to condition securing tree protection works and securing replacement tree planting at a ratio of 4:1.

### **ENVIRONMENTAL HEALTH**

No objection to the proposal subject to conditions relating to air quality, noise and contaminated land.

### **URBAN DESIGN TEAM**

No objection raised to the proposals subject to conditions securing details of external materials

### **SUSTAINABILITY OFFICER**

No objection to the application (see detailed assessment above)

### **STREETCARE**

No objection to the application.

## **STANDARD CONSULTEES**

### **THAMES WATER**

No objection to the planning application subject to informatives.

### **ENVIRONMENT AGENCY**

The Environment Agency have objected to the application on the basis that the original Flood Risk Assessment, submitted as part of the application, fails to supply sufficient technical information to demonstrate that the development would provide satisfactory measures to deal with the drainage of surface water from the site. In response, the applicant has updated the submitted Flood Risk Assessment in order to address the concerns raised. A copy of the updated Flood Risk Assessment has been submitted to the Environment Agency for their comments but as yet no



formal response has been received. Members will be updated on this issue in a Supplementary Report.

#### METROPOLITAN POLICE

No response received.

### **APPLICANT CONSULTATION EVENTS**

A Statement of Community Involvement has been submitted as part of the application which provides details of public consultation events that have organised by the applicants in developing the proposals. These events included three New Homes public exhibitions, held at strategic stages throughout the design programme, which were open to all residents affected by the development and a Residents Design Group which involved a series of workshops where residents were invited to learn more about and explore the emerging designs.

The Residents Design Group workshops were held on the 12th August, 16th September and the 11th November 2010 between 6-8pm and were attended by between 11 and 23 residents at each session. New Homes Exhibitions were held on 29th July, 30th September and the 25th November 2010 between 2-7pm, and were attended by between 20-60 residents at each event. All of the events were held at the Salvation Army in Chichester Road and were advertised by flyer drops to between 1000 and 2000 homes and in the Connect SK magazine which is distributed to approximately 3000 households in the South Kilburn Area.

Informal on-site meetings have been held between Thames Court residents, the applicant and the project architects. Subsequently, Officers from the Council's Major Projects Team did arrange a formal meeting with tenants of Thames Court to discuss the proposals. However, unfortunately no residents attended the meeting.

### **REMARKS**

#### **APPLICATION BACKGROUND**

Members will be aware of the on-going objective on behalf of the Council to regenerate the South Kilburn Estate. An update is provided below, by way of background.

Having already secured planning permission on five sites, work is currently under way on four of those sites to provide 362 new dwellings within the South Kilburn Regeneration Area, 73% of which will be affordable (266 dwellings) units. Members may recall that at the previous Planning Committee meeting, held on the 6th April 2011, planning permission (10/3247) was approved for the fifth South Kilburn site involving the development of 144 dwellings on the site of Cambridge Court, Wells Court and Ely Court. As well as enabling the Council to decant existing residents, this development included a substantial element of market housing (70%) which will subsidise the proposal now under consideration to provide 64 affordable units on the Bond/Hicks Bolton/Wood House site. The current proposal is also an important component of the decant process which will enable further sites, including Bronte and Fielding Houses, to be brought forward for redevelopment.

#### **BOND HOUSE/HICKS BOLTON HOUSE/WOOD HOUSE**

The subject site forms an important part of the regeneration of the 'Urban Quarter' as set out in the South Kilburn SPD. The proposals contained in the SPD set out the principle of redeveloping Bond House and Hicks Bolton House to provide additional housing. The form of the proposed residential blocks is in general accordance with the SPD although the footprint of the block on the Hicks Bolton House site has been reduced as it has not been possible to procure the Kosovo Community Centre. The reconnection of Rupert Road to Carlton Vale and the provision of open space on the Wood House site are compliant with the SPD.

Residents of Thames Court were informed of the wider masterplan/SPD proposals for the redevelopment of Bond House at the time of occupancy.

## HOUSING ISSUES

### AFFORDABLE HOUSING

The proposed development would involve the demolition of 34 existing units and the erection of 64 dwellings, a net gain of 30 dwellings. The existing units to be demolished consist of 28 social rented properties and 6 that have been bought out by leaseholders. The proposed development would involve the creation of 64 affordable units resulting in a net increase of 36 affordable units across the site.

The London Plan normally seeks to achieve a minimum of 50% affordable housing on sites of this nature unless it can be demonstrated that it would be unviable to do so. The scheme, in isolation, would provide 100% affordable housing which would exceed the London Plan target. As discussed above, the current scheme is closely linked, in terms of programming and funding, with the recent approval on the Cambridge/Wells/Ely Court site which was approved with only 30% of the units affordable. Considering the proposals together, the current scheme would increase the overall proportion of affordable housing across the two sites to 51.4% in accordance with the London Plan.

The affordable dwellings will be 100% social rented as the decanting needs of the existing tenants within the South Kilburn area outweigh the demand for intermediate housing.

### UNIT MIX

The proposed development would consist of the following unit mix.

UNIT SIZE	BOND HOUSE	HICKS BOLTON HOUSE	WHOLE SITE
1-bedroom	7	6	13 (20.3%)
2-bedroom	16	10	26 (40.6%)
3-bedroom	10	7	17 (26.6%)
4-bedroom	8	0	8 (12.5%)
<b>TOTAL</b>	<b>41</b>	<b>23</b>	<b>64</b>

These units would be provided both in the form of single level flats and duplex maisonettes. The proposal is considered to respond to Brent's wider housing needs, including the desire for larger family sized units. as set out in policy CP21 of the Core Strategy. 39.1% of all new dwellings (25 in total) will have 3 bedrooms or more.

### UNIT SIZE

Members will be aware that the original South Kilburn SPD sought larger flat sizes in order to compensate for the proposed higher overall densities in the area. The internal space standards for new residential properties set down in the South Kilburn SPD exceed those in the Council's own SPG17 "Design Guide for New Development". The table below compares the typical unit sizes within the proposed development in comparison to the standards set out in the SPD and SPG17.

Property Size	Proposal (m <sup>2</sup> )	South Kilburn SPD (m <sup>2</sup> )	SPG17 (m <sup>2</sup> )
1-bed	52	53	45
2-bed (3 person)	77	80	55
2-bed (4 person)	77	80	65/75 (flat/maisonette)

3-bed	103	98	80/82 (flat/maisonette)
4-bed	120	120	105

The proposed units would generally exceed the minimum standards set out in SPG17 although not all units would exceed the standards set out in the SPD. This issue relates to the smaller one and two-bedroom units whilst all family (3+ bedroom) units will be SPD compliant. Whilst acknowledging this marginal failure to comply with the standards originally set out in the SPD, it is considered that this shortfall should not result in the failure of the scheme as a whole. Full compliance with SPG17 has been achieved and majority of the proposed units fully realise the aspirations of the SPD. As such, being mindful of the financial realities of the scheme, it is considered that a degree of flexibility should be adopted when assessing the internal unit sizes and that the units sizes proposed would, on balance, be sufficient to ensure a satisfactory standard of accommodation for potential occupiers.

#### ACCESSIBILITY

All of the proposed units will be constructed to be Lifetime Homes compliant. The Hicks Bolton Block will include 7 two-bedroom units that have been designed to be wheelchair accessible, or easily adaptable. This equates to 11% of the units within the scheme ensuring that the development exceed the London Plan target that at least 10% of housing should be designed to be wheelchair accessible.

#### URBAN DESIGN

The area surrounding the subject site is predominantly characterised by housing blocks of varying heights and forms many of which have become rather run down and are lacking in architectural quality. Work has commenced on a new development (site 11A) along Albert Road which the Council expect will lead the way in the transformation of the surrounding area. Architecturally, the West Kilburn Baptist Church, located to the south of the site, is considered to be the most notable building within the surrounding area, acknowledged by its inclusion on the Council local list.

#### LAYOUT & ACCESS

As discussed, the layout and orientation of the buildings is as envisaged within the South Kilburn SPD. The buildings sit conventionally and comfortably within the spaces and surrounding street pattern. The block on Bond house will adjoin the existing development at Thames Court creating a three sided courtyard around the communal garden which is to be improved as part of the development. The general layout of the proposed development will appropriately define spaces as being private, semi-private and communal and overall will improve the legibility of the area. The reconnection of Rupert Road to Carlton Vale and formation of footpaths across the Wood House open space will improve access to, and encourage movement through, the site. Access to the residential blocks are clear with entrances clearly legible from the street frontages.

#### SCALE & MASSING

The overall, scale of the building on the Bond House site has been designed to complement that of the existing development at Thames Court. The proposed block would be five-storeys in height which would not exceed the height of Thames Court which is 5/6-storeys in height. This block would also step down to three storeys along the south edge in order to ensure a satisfactory relationship with William Saville House.

The building on the site of Hicks Bolton House has a less direct relationship with the surrounding buildings and would be generally five storeys in height, with a partial sixth storey towards the north-east corner of the building, close to the junction between Rupert Road and Denmark Road. The scale of the proposed building would complement that of the proposed building on the Bond House site and the surrounding area in general.

## ELEVATIONAL DESIGN

The street facing elevations to the blocks will have simple and unobtrusive appearance with a regular rhythm introduced through openings and balconies. The elevations would relate well to the more recent development at Thames Court, in terms of their contemporary appearance, although the main difference would be the use of brick as the main facing material. It is imperative that the facing bricks used are of the highest quality to ensure that the elevations are a success and this should be secured through condition as would be all other external materials. A ground floor shop unit is proposed on the north-eastern corner of the building on the Bond House site and it is recommended that further details of the shopfront appearance should be conditioned should permission be approved.

## SECURED BY DESIGN

South Kilburn is currently a high crime area and therefore regard for the principles of Secured by Design are of particular importance. The applicant has considered this during the design process ensuring that the development would make a positive contribution towards reducing crime in the surrounding area. The buildings have been designed with regard maintaining adequate sight lines and natural surveillance. Communal entrances will be secured with access controls and sufficient lighting will be maintained throughout the development.

## OPEN SPACE

The current proposal includes an extensive landscape strategy for the site. In addition to private amenity spaces this would include the provision of a new communal garden to the building on Hick Bolton House, the formation of a new shared communal garden using land from the existing communal gardens to Thames Court and Bond House, and the formation of a new public open space on the Wood House site.

## AMENITY SPACE

All of the proposed units would have some form of private amenity space. This would be provided through either a private garden, balcony or terrace. In total this private amenity space would cover an area of 1038m<sup>2</sup>, equivalent to an average of 16.2m<sup>2</sup> per unit. All units would also have access to a dedicated semi-private communal garden. Future occupants of the Hick Bolton site would have a new dedicated communal garden with an area of 378m<sup>2</sup>, whilst the existing communal garden to Thames Court, with an area of 640m<sup>2</sup>, would be improved, enlarged and re-landscaped to provide a new joint communal garden, with an area of 846m<sup>2</sup>, for both occupiers of Thames Court and the Bond House site. Each of the above communal gardens would include the provision of a play area for young children (0-4 years). The existing private gardens to ground floor units of Thames Court would be unaffected by the proposals.

Whilst, it is acknowledged that residents of Thames Court will no longer have sole occupancy over the communal garden to the rear of their block, it is considered that, on balance, given the enlargement of the area and the improvements to the landscaping quality of the garden, that residents of Thames Court will still enjoy a sufficient standard of amenity.

## WOOD HOUSE OPEN SPACE

The amenity provision for the site is further enhanced through the establishment of a new public open space on the site of Wood House. Although this open space would be available for use by the general public it is likely that it would primarily be used by occupiers of nearby residential blocks. The open space would have an area of 1891m<sup>2</sup> and would provide a mix of informal open areas, tree planting, a new play area for 5-11 year olds and new pedestrian routes along established desire lines. A s106 contribution of £200,000 would be sought as part of any planning

permission which can be used to provide the initial funding to create this open space. The maintenance of this new public open-space is still to be formally agreed but it is envisaged that this is likely to be undertaken by either the developing Housing Association or Brent Housing Partnership.

## TREES

The proposed development will require the removal of 32 trees throughout the site which is obviously unfortunate. However, the planting of replacement trees will be an integral part of the proposed development, and the wider regeneration of South Kilburn, and it is envisaged that in total for every tree removed that four replacements will be planted and this should be secured by way of a s106 legal agreement. The proposed tree planting would be spread across the subject site. 2 trees would be retained on site and the Council's Tree Protection Officer has recommended that conditions securing tree protection works are imposed on any permission.. It is considered that, on balance, the level of tree planting proposed would provide adequate compensation for the loss of the existing trees on the site.

## RESIDENTIAL AMENITY

There are a number of residential properties within the area surrounding the subject site. However, given their proximity and orientation in relation to the proposed blocks, it is considered that the properties most likely to be affected by the direct physical impact the proposal, in terms of residential amenity, include units within Thames Court, William Saville House and the development on site 11A, which is currently under construction. It is also important to consider, in terms of residential amenity, the arrangement of each block and their physical relationship to one another.

## DAYLIGHT/SUNLIGHT

The applicant has provided a daylight and sunlight assessment report which examines both daylight/sunlight levels to the proposed development and the impact of the proposed development on daylight/sunlight levels to neighbouring occupiers. The assessment methodology for daylight and sunlight is based on the Building Research Establishment (BRE) guidelines on "Site Layout Planning for Daylight & Sunlight" which are summarised as follows.

- If the Vertical Sky Component (VSC) at the centre of a window is 27% or greater than the window is likely to enjoy adequate daylight.
- If the VSC is less than 27% but the overall reduction in VSC from its previous level is less than 20% then it is also considered that adequate daylighting would occur.
- If VSC is less than 27% and the reduction in VSC from the previous level is greater than 20% then a more detailed assessment of the Average Daylight Factor (ADF) within the affected rooms is required to ascertain whether adequate daylighting will be achieved. If any adequate ADF is not achieved then rooms will appear dull to occupiers.
- South facing windows should achieve a Annual Probable Sunlight Hours (APSH) of 25% during summer months and 5% in the winter to achieve acceptable levels of sunlighting. North facing windows do not receive direct sunlight and are therefore not assessed
- If the recommended APSH are not achieved when measured directly from the affected window then provided the standard is met within 4m (measured sideways) from the window then the affected room will still appear to be reasonably sunlit.

In terms of the developments on the site of Bond House and Hicks Bolton House, the report concludes that the proposed development would result, hypothetically, in only two proposed ground floor windows within the development on site 11A having a VSC less than 27% and a comparative daylight reduction of more than 20%. However, as explained above the ADF of the rooms served by the affected windows has been assessed and has been found to comply with BRE standards. The report also concludes that developments on the Bond House and Hicks

Bolton sites would meet BRE standards and would not have an adverse impact on the sunlight to any of the neighbouring habitable room windows.

## PRIVACY & OUTLOOK

As discussed above, the development on Bond House, when combined with Thames Court will take the form of a three sided courtyard. In terms of the internal (courtyard) elevations, windows to the rear of the eastern wing would have a direct, unobstructed, outlook across the courtyard garden. The distance between the rear of Thames Court (northern wing) and the rear of the southern wing would generally be in the order of 30m, although even at the narrowest point this separation would be 26m, in excess of the minimum distance of 20m required to maintain reasonable privacy set out in SPG17. In terms of the outer (street facing) elevations, the distances are generally defined by the width of the roads, as suggested in SPG17. Most outward facing windows to the development on Bond House would be a considerable distance from the nearest residential development, with the exception of those windows which would face the development on Hicks Bolton across Denmark Road at a distance of 17m.

The western elevation of the southern wing would partially face the eastern elevation of William Saville House at a distance of approximately 11m for the first three-storeys and a distance of 17m above this. However, there are no habitable room windows within this elevation of the proposed development that would directly face William Saville House and therefore no loss of privacy would occur.

In terms of the development on Hicks Bolton House, other than its relationship with the development on Bond House, described above, the proposed building would be located well in excess of 20m from all other residential buildings.

Overall, it is considered that the proposed development would provide adequate privacy and outlook for both future and neighbouring occupiers.

## NOISE & VIBRATION

The applicants have submitted an Acoustic Report as part of the current planning application which aims to assess the likely impacts of noise and vibration both on occupiers of the proposed development and on the surrounding area. The assessments use various means of acoustic modelling to provide a summary of the likely impacts. These reports and their results have been inspected by the Council's Environmental Health Unit and it is considered that it is unlikely that the development would result in any significant increase in instances of unacceptable noise disturbance. However, conditions are recommended to ensure that expected levels are achieved.

In terms of construction works, it is acknowledged that a temporary increase in noise and vibration is often an inevitable consequence of any significant building work. However, it is important that these impacts are mitigated to ensure that any disturbance is kept to a minimum. As such, it is considered that any permission should be subject to the submission of and compliance with a Construction Method Statement to be secured by way of condition. It is also recommended that permission should be subject to a s106 requirement to join and adhere to the Considerate Contractors scheme.

## AIR QUALITY

The subject site is within an Air Quality Management Area (AQMA) and therefore Air Quality reports have been submitted as part of the application. However, due to a lack of clarity in terms of future proposals to implement a Decentralised Energy Centre to serve the South Kilburn Area it is not possible to fully assess the likely impact on air quality. It is recommended that a further assessment of air quality, so far as it relates to energy, should be secured as part of the s106 requirements for renewable energy. This will allow the matter to be reviewed and addressed at a

later date when the issue is clearer.

## **TRANSPORTATION**

### **CAR PARKING**

The subject site is located within Controlled Parking Zone "KC", operational between 8.30am and 6.30pm on week days. The site is also located within an area which has good public transport accessibility (PTAL 4) and therefore reduced maximum parking standards of 0.7 spaces per 1/2 bedroom unit and 1.2 spaces per 3+ bedroom unit would apply.

At present there are 3 on-site parking bays available for residents of Wood House but there is no on-site parking provision for residents of Bond House or Hicks Bolton House who must rely upon the on-street provision along Rupert Road, Albert Road and Denmark Road. Over-night surveys suggest that these spaces are approximately 55-60% parked at night.

The proposed development would not involve the provision of any off-street parking and future residents would continue to make use of the on-street provision within the locality. The highway works associated with the proposed development would result in a slight increase in on-street parking provision to approximately 46 spaces. Existing car-ownerships levels within the South Kilburn area currently are at around 0.5 cars per house and 0.44 cars per flat. On this basis, it is likely that the proposed development would generate a regular demand for approximately 32 spaces. As such, the on-street provision is considered sufficient to accommodate the likely demand generated by the proposed development, including any over spill generated by visitors.

6 wide on-street bays will be provided with suitable wheelchair accessible parking. Initially these spaces will be marked for general usage although as required they can later be dedicated to blue badge holders only.

### **HIGHWAY WORKS & TRAFFIC FLOWS**

The proposed development would involve alterations to the existing road layout within the site, including the realignment, widening and opening up of Rupert Road, the realignment of Denmark Road and the formation of a new turning head at the end of Denmark Road. All new areas of public highway (the widened areas of Rupert Road and Denmark Road adjoining the new area of open space, the turning head at the end of Denmark Road and the extension of Rupert Road southwards) will need to be constructed and adopted as publicly maintainable highway through an agreement under Section 38 of the Highways Act 1980, whilst all resurfacing works in the existing highway will need to be undertaken under S278. The Council's Transportation Unit have confirmed that speed control measures would also need to be incorporated into the amended road layout.

With regard to the reconnection of Rupert Road southwards to Carlton Vale, this is shown with a sharp kink/chicane, which is acceptable and can act as a traffic calming feature. The junction with Carlton Vale would initially be designed as a left-in/left-out junction, to be enforced through provision of a central traffic island. Tracking diagrams have been provided to show service vehicles could still negotiate this junction and the Malvern Road junction opposite. The reason for this restriction on turning movements is to minimise conflict with the Malvern Road junction opposite, but in the longer term, it is anticipated that the Malvern Road junction will be closed to traffic, thus opening the way for an all-movements junction at Rupert Road.

A Transport Assessment has been submitted which considers likely trip generation from a development of this size, based upon comparisons with trips generated by other mixed housing developments across London, with these journeys then being broken down by mode of travel using Census data.

This exercise produced total estimated journeys of 52 trips in the morning peak hour and 57 trips in

the evening peak hour to and from the redeveloped site (n.b. the net impact of the scheme is approximately half of these levels, given that there are 34 flats already located on the site). Resultant vehicular trips totalled 4 arrivals/10 departures in the am peak and 9 arrivals/7 departures in the pm peak hour. These vehicular movements were then added in their entirety to the existing flows at the junction of Albert Road and Salusbury Road, with the resulting flows being tested against the capacity of the junction using industry standard software. This showed that even if all of the above traffic from the site were to travel westwards through this junction, it would continue to operate with plenty of spare capacity.

The proposed new junction at Rupert Road/Carlton Vale was also tested, with all development traffic routed through the junction to provide a worse case scenario and this junction was also shown to operate with plenty of spare capacity. As such, there are no concerns over the traffic impact of the proposal.

## TRAVEL PLAN

The applicant has submitted a Travel Plan as part of the current planning application which seeks to promote the use of sustainable methods of transportation by potential occupiers of the proposed development. The Travel Plan has been assessed by the Council's Transportation Unit using TfL's ATTrBuTE program and has scored a pass. The Council's Transportation Unit have also suggested that the Travel Plan originally submitted could be further improved through the inclusion of additional detail of measures for the funding and promotion of car clubs within the vicinity of the site. In response the submitted Travel Plan has been updated to address the points raised. It is recommended that the Travel Plan and its exact terms are agreed by way of a s106 legal agreement.

## SERVICING

A refuse and recycling strategy has been submitted for both elements of the development which have been prepared in accordance with Brent Council's Waste Planning Policy and 'Waste and Recycling Storage and Collection Guidance (2010). Refuse/recycling stores would be located close to either established roads which would allow convenient access for Brent's Waste Collection contractors. The amended turning head at the end of Denmark Road would improve access for refuse and emergency vehicles.

No dedicated off-street servicing bay would be provided for the proposed retail unit. Service vehicles (likely to be transit sized vans) would therefore have no alternative but to stop close to the junction of Rupert Road and Albert Road to unload. The Council's Transportation Unit have stated that although not ideal, given the quiet nature of these adjoining streets, some limited on-street servicing for this relatively small unit would be deemed acceptable.

## CYCLE STORAGE

Cycle parking will be provided at a ratio of approximately one space per unit which would satisfy the Council's normal standard. Two public stands are required for customers of the proposed retail unit and these should be secured by condition.

## CONSIDERATION OF OBJECTIONS

The concerns of the objectors have generally been addressed within the main body of the report. In terms of concerns raised regarding the loss of two existing shop units on Denmark Road, it should be noted that the proposed development would include the provision of a new retail unit with approximately 75m<sup>2</sup> of additional floorspace. Although this retail floorspace is indicated as a single unit there would be no planning restriction to sub-divided the space into two units should the demand arise.



## **S106 AGREEMENT & CONCLUSION**

The development proposal has wider implications for the locality that cannot, or are unlikely to, be addressed within the application site. As a result, a Section 106 agreement (or other agreement) controlling the benefits and financial contributions that might be required in relation to the proposed development would be required. As the site is currently Council owned, the Council has more control over the matters set down in the proposed Heads of Terms than it otherwise would and will be able to ensure that the agreement is adhered to. The precise details over what will go into the agreement in terms of mitigating the impact of development on local infrastructure and services is set down at the head of this report.

The principle of the redevelopment of the site for housing is considered to be acceptable in policy terms. The proposed development is considered to provide good quality affordable housing in a highly accessible location embodying the ethos of sustainable development. The site is one of the key opportunities to provide an impetus to the wider proposals for the South Kilburn regeneration area and it can play a key role in instigating the regeneration of the former NDC area. The application proposal, including the open space and highway improvements, is considered to set an appropriate standard of design which is expected within the South Kilburn area.

The proposals are considered to accord with the policies set out within Brent's LDF Core Strategy 2010, UDP 2004, South Kilburn SPD and revised Masterplan, and on this basis, it is recommended that planning permission is granted, subject to the legal agreement referred to above.

## **REASONS FOR CONDITIONS**

**RECOMMENDATION:** Grant Consent subject to Legal agreement

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

London Borough of Brent adopted LDF Core Strategy 2010  
London Borough of Brent Unitary Development Plan 2004 (saved policies)  
Supplementary Planning Document (SPD) for South Kilburn (Adopted April 2005).  
Supplementary Planning Guidance Note (SPG) 17 "Design Guide for New Development"  
Supplementary Planning Guidance Note (SPG) 19 "Sustainable Construction & Pollution Control"  
Supplementary Planning Document:- s106 Planning Obligations  
The Masterplan for the Regeneration of South Kilburn (2004)  
The London Plan (Consolidated with Alterations since 2004)  
Central Government Guidance

Relevant policies in the Adopted Unitary Development Plan are those in the following chapters:-

Built Environment: in terms of the protection and enhancement of the environment  
Environmental Protection: in terms of protecting specific features of the environment and protecting the public  
Housing: in terms of protecting residential amenities and guiding new development  
Open Space and Recreation: to protect and enhance the provision of sports, leisure and nature conservation  
Transport: in terms of sustainability, safety and servicing needs

## CONDITIONS/REASONS:

- (1) The development to which this permission relates must be begun not later than the expiration of three years beginning on the date of this permission.

Reason: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990.

- (2) The development hereby permitted shall be carried out in accordance with the following approved drawings and documents:-

### Drawings

10000 PL1 10010 PL1 10011 PL1  
10012 PL1 10021 PL1 10022 PL1  
11200 PL1 11201 PL1 11202 PL1  
11204 PL1 12000 PL1 12001 PL1  
12002 PL1 12003 PL1 12004 PL1  
12005 PL1 12006 PL1 12050 PL1  
12051 PL1 12150 PL1 12151 PL1  
545 12200 P3                      545 12201 P3  
545 12202 P3                      545 12230 P3  
545 12204 P3

### Documents

Acoustic Report  
Code For Sustainable Homes Ecological Assessment  
Code For Sustainable Homes Pre-Assessment  
Daylight & Sunlight Assessment  
Design & Access Statement  
Energy Statement  
Flood Risk Assessment (revised)  
Planning Statement  
Residential Travel Plan (revised)  
Site Investigations - Geoenvironmental Assessment Phase 1  
Site Investigations - Geoenvironmental Assessment Phase 2  
Site Investigations - Unexploded Ordnance and Buried Utilities Report  
Statement of Community Involvement  
Sustainability Statement (revised)  
Transport Assessment  
Tree Survey  
Tree Survey Report

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

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

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

- (4) A Construction Method Statement (CMS) shall be submitted to and approved in writing by the Local Planning Authority, prior to commencement of any demolition or

construction works on site. This shall include, but not be limited to, evidence of measures to adopt and implement the ICE Demolition Protocol, and Considerate Contractor Scheme registration and operation. The approved Statement shall be fully implemented.

Reason: To minimise nuisance caused during demolition and construction activities and ensure demolition waste is sustainably reused or recycled locally, minimising waste sent to landfill

- (5) Notwithstanding any details of landscape works referred to in the submitted application, a scheme for the landscape works and treatment of the site (including species, plant sizes and planting densities) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement works on the site. Any approved planting, turfing or seeding included in such details shall be completed in strict accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. Such a scheme shall include:-

(a) a tree planting plan including species, siting and a detailed maintenance and watering schedule for a period of two years;

(b) proposed walls and fences indicating materials and heights;;

(C) adequate physical separation, such as protective walls and fencing between landscaped and paved areas;

(d) existing contours and any proposed alteration to ground levels such as earth mounding;

(e) details of hard landscape works and proposed materials;

(f) details of the proposed arrangements for the maintenance of the landscape works.

(g) details of childrens play areas, including play equipment.

(h) details of street furniture

Any planting that is part of the approved scheme that within a period of five years 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 positions, unless the Local Planning Authority first gives written consent to any variation.

Reason: To ensure a satisfactory appearance and setting for the proposed development and ensure that it enhances the visual amenity of the area.

- (6) An Arboricultural Method Statement, containing details of tree protection works to be undertaken in accordance with BS5837:2005 'Trees in Relation to Construction', in relation to trees to be retained on the site shall be submitted to and approved in writing by the Local Planning Authority prior to any demolition or construction works on site. The development shall be carried out in accordance with the approved details.

Reason: To ensure that existing trees are safeguarded where they are to be retained

- (7) An appraisal of Remediation Options required to contain, treat or remove any soil contamination found on the site that poses a potentially unacceptable risk to human health must be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. Any remediation measures

contained in the approved appraisal shall be carried out in full and a verification report stating that the remediation has been carried out in accordance with the approved appraisal shall be submitted to the Local Planning Authority prior to the occupation of the development.

Reason: To ensure the safe development and secure occupancy of the site proposed for domestic use in accordance with policy EP6 of Brent's Unitary Development Plan 2004

- (8) The approved development shall be constructed to comply with BS8233:1999 'Sound Insulation and Noise Reduction for Buildings - Code of Practice'. Prior to occupation of the development the results of a noise test confirming compliance BS8233:1999 'Sound Insulation and Noise Reduction for Buildings - Code of Practice' shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that future occupiers do not experience unreasonable noise disturbance.

- (9) Further details of the appearance of the shop front to be installed to the ground floor retail unit shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the retail unit. The development shall be carried out in accordance with the approved details.

Reason: To ensure the satisfactory appearance of the development.

- (10) Details of a communal television system/satellite dish provision shall be submitted to, and approved in writing by, the Local Planning Authority. The approved details shall be fully implemented.

Reason: In order to avoid demand for numerous satellite dishes to be installed on the buildings hereby approved, in the interests of the visual appearance of the development in particular and the locality in general.

- (11) Notwithstanding the approved plans, further details, including the design and siting, of two 'Sheffield' cycle stands, to be installed for public use by customers of the approved retail unit, shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of works. The approved details shall be fully implemented prior to occupation of the approved retail unit.

Reason: In the interests of promoting sustainable forms of transport.

#### **INFORMATIVES:**

- (1) The applicant is advised that the provision of any water tank, air-conditioning or ventilation plant, extraction equipment or other roof structure (other than those shown on the drawings hereby approved) would require a separate grant of permission.

#### **REFERENCE DOCUMENTS:**

London Borough of Brent adopted LDF Core Strategy 2010  
London Borough of Brent Unitary Development Plan 2004 (saved policies)  
Supplementary Planning Document (SPD) for South Kilburn (Adopted April 2005).

Supplementary Planning Guidance Note (SPG) 17 "Design Guide for New Development"  
Supplementary Planning Guidance Note (SPG) 19 "Sustainable Construction & Pollution Control"  
Supplementary Planning Document:- s106 Planning Obligations  
The Masterplan for the Regeneration of South Kilburn (2004)  
The London Plan (Consolidated with Alterations since 2004)  
Two letters of objection

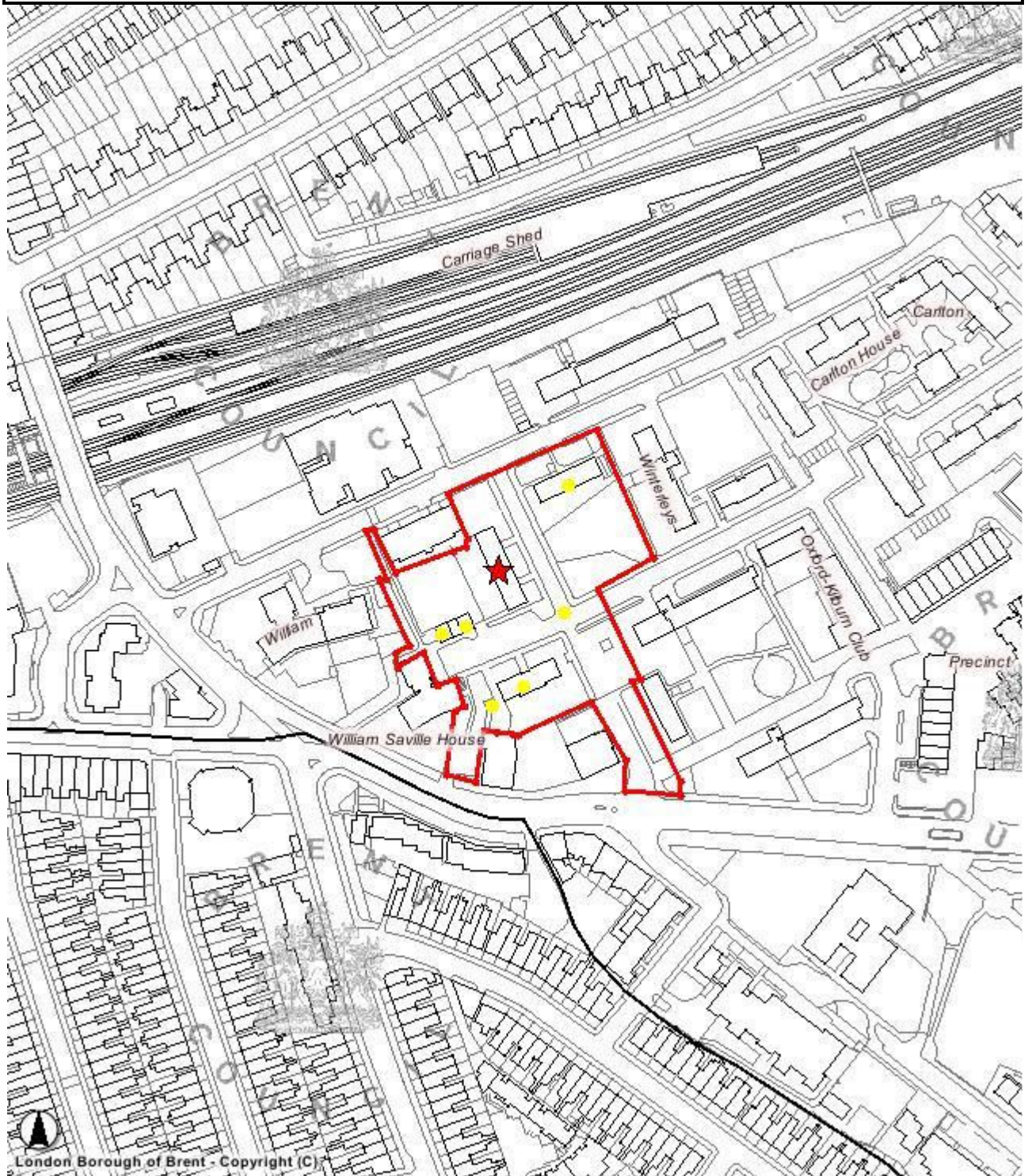
Any person wishing to inspect the above papers should contact Ben Martin, The Planning Service,  
Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5231



## Planning Committee Map

Site address: 1-10 inc Wood House, Albert Road, 1-16 inc Bond House, Rupert Road, 1-8 inc Hicks Bolton House, Denmark Road & 1-2 Denmark Road, NW6

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This map is indicative only.