

# COMMITTEE REPORT

Planning Committee on  
Item No  
Case Number

14 March, 2018  
04  
17/1104

## SITE INFORMATION

|   |  |
|---|--|
| RECEIVED  | 10 March, 2017   |
| WARD  | Alperton   |
| PLANNING AREA   | Brent Connects Wembley   |
| LOCATION  | All Units, 253A Ealing Road, Wembley, HA0 1ET  |
| PROPOSAL  | Demolition of the existing buildings on the site and the erection of 20 residential units comprising four 2 storey terraced houses (4 x 2bed houses) and two 4 storey residential blocks providing 16 flats (8 x 2bed and 8 x 3bed units), together with 5 associated car parking spaces, cycle storage, landscaping and access. (Revised description 19.10.17)  |
| APPLICANT   | Barnett  |
| CONTACT   | Savills  |
| PLAN NO'S   | See condition 2  |
| LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION | <p><b><u>When viewing this on an Electronic Device</u></b></p> <p>Please click on the link below to view <b>ALL</b> document associated to case<br/><a href="https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_133135">https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_133135</a></p> <p><b><u>When viewing this as an Hard Copy _</u></b></p> <p><b>Please use the following steps</b></p> <ol style="list-style-type: none"><li>1. Please go to <a href="https://pa.brent.gov.uk">pa.brent.gov.uk</a></li><li>2. Select Planning and conduct a search tying "17/1104" (i.e. Case Reference) into the search Box</li><li>3. Click on "View Documents" tab</li></ol> |

## RECOMMENDATIONS

Resolve to grant planning permission subject to conditions and the completion of a satisfactory Section 106 or other legal agreement, and delegate authority to the Head of Area Planning or other duly authorised person to agree the exact terms thereof on advice from the Director of Legal Services and Procurement.

### Section 106 Heads of Terms

- Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance
- Notification of material start 28 days prior to commencement
- Affordable Housing (3 x two bedroom units will be for social rent and 1 x two bedroom unit for intermediate shared ownership);
- Contribution of £62,500 towards affordable workspaces;
- Highway works under section 278 of the Highways Act to comprise removal of the existing vehicular crossover to Ealing Road and repaving of the footway fronting the site
- Contribution of £10,000 towards introduction of Controlled Parking Zone on adjoining roads;
- Establishment of public rights of way through the site from Carlyon Close to 243 Ealing Road / Hatton Road for pedestrians, cyclists and emergency vehicles;
- Training and employment plan targetting Brent residents;
- Contribution of £33,139 towards a local carbon off-setting scheme to achieve the targets for carbon reduction set out in the Energy Strategy by Metropolis Green (February 2017, ref 5430, as amended)
- Any other planning obligation(s) considered necessary by the Head of Planning

That the Head of Planning is delegated authority to negotiate the legal agreement indicated above.

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

1. Time limit for commencement
2. Approved drawings/documents
3. Membership of Considerate Constructors Scheme
4. Withdrawal of permitted development rights
5. That the homes are "parking permit restricted"
6. Obscure non-opening side elevation windows
7. Internal noise levels
8. Retention of parking spaces and cycle storage
9. Site investigation, remediation and verification
10. Details of external materials
11. Landscaping scheme
12. Constuction Method Statement
13. Details of photovoltaic panels
14. Details of electric vehicle charging point
15. Details of sustainable drainage scheme
16. Details of compliance with Building Regulations M4(2) and M4(3)
17. Details of waste storage and collection
18. Parking Management and Allocation Plan

### Informatives

1. Waste transfer facility in vicinity
2. CIL liability informative
3. Control of Asbestos Regulations
4. Contact Highways for crossover works
5. Notify highways before commencing works
6. Fire Safety
7. Living Wage
8. Advice from the Fire Brigade


That the Head of Planning is delegated authority to make changes to the wording of the committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior

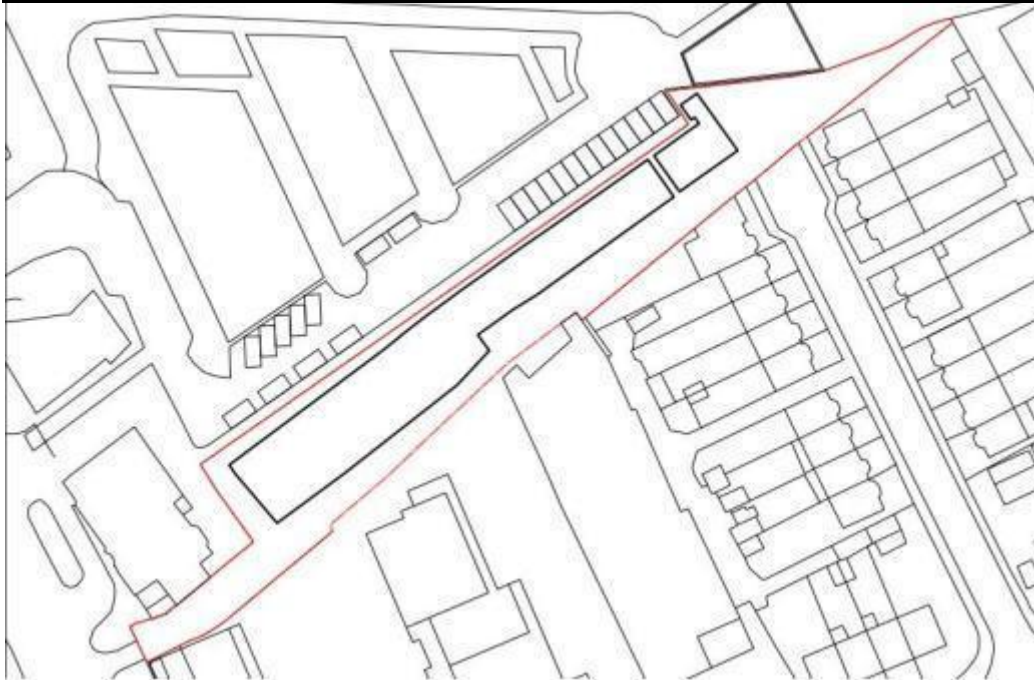
to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the committee nor that such change(s) could reasonably have led to a different decision having been reached by the committee.

That, if the legal agreement has not been completed by the statutory determination date for this application (including determination dates set through agreement), the Head of Planning is delegated authority to refuse planning permission.

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.

## SITE MAP

|   |  |
|---|--|
|  | <b>Planning Committee Map</b>  |
|   | Site address: All Units, 253A Ealing Road, Wembley, HA0 1ET          |
|   | © Crown copyright and database rights 2011 Ordnance Survey 100025260 |



This map is indicative only.

## PROPOSAL IN DETAIL

Demolition of the existing buildings on the site and the erection of 20 residential units comprising four two-storey terraced houses (four x 2bed houses) and two four-storey residential blocks providing 16 flats (eight x 2bed and eight x 3bed units), together with five associated car parking spaces, cycle storage, landscaping and access.

The proposal was originally for 24 units including four x 2bed houses, ten x 2bed and ten x 3bed flats, and was revised in October 2017, following discussions with officers, to omit four of the units.

## EXISTING

The site consists of a narrow strip of land on which are a group of single-storey general industrial units occupied by vehicle repair businesses, together with a private spine road providing vehicular access from Ealing Road to the southwest and Carlyon Close to the northeast, and a small area of hardstanding used for additional parking.

The site is not in a conservation area or within the curtilage of a listed building. It is in Alperton Growth Area and part of the site allocation A3 (Former B&Q and Marvellairs House). As such it is bounded to the north by a recent residential development at 243 Ealing Road (granted planning permission under reference 09/2116), to the west by 253 Ealing Road, a development site comprising a vacant public house with a resolution to grant permission under reference 16/3606, to the south by development sites under construction at 255 Ealing Road (reference 14/2276) and at 1c Carlyon Road (reference 15/3950) (all part of the same site allocation) and to the southeast by traditional two-storey residential dwellings on Carlyon Close.

## AMENDMENTS SINCE SUBMISSION

16/10/17: A full set of revised plans were received, reducing the overall number of units from 24 to 20, in order to address concerns regarding relationships with neighbours, site layout and amenity space provision. Further consultation undertaken.

06/11/17: Drawings D7100, D7300 and D7301 were revised to alter the proposed ground floor internal layouts (other than for wheelchair accessible units) from separate rooms to open plan layout, in order to improve levels of daylighting within proposed units. This is considered a minor change not requiring reconsultation.

18/12/17: Drawings D7201 and D7104 were revised, to clarify that first floor angled windows in units CG1 and CG2 would face due south to prevent overlooking onto 17 Carlyon Close (previous sets of plans contained anomalies in this respect). This is considered a minor change not requiring reconsultation.

31/01/18: Drawings D7102 and D7103 were revised to clarify that side elevation windows are proposed. Drawing D7702 was revised to be consistent with Drawings 7210 and D7104. Drawing D7100 was revised to include a dry riser for fire safety purposes, to relocate the cycle store to prevent it blocking the side elevation kitchen window in one of the units, to amend the size of bin stores in accordance with the Council's storage requirements, and to relocate the bin store in the parking court area to allow space to provide a cycleway into the adjoining development at 243 Ealing Road. A Fire Safety Report was submitted. These are considered minor changes not requiring reconsultation other than with Transportation and London Fire Brigade.

## SUMMARY OF KEY ISSUES

The key planning issues for Members to consider are set out below. Objections have been received regarding some of these matters. Members will need to balance all of the planning issues and the objectives of relevant planning policies when making a decision on the application:

**1. Principle of development.** The site is part of the allocated Site A3 Site Specific Allocation (SSA) within Alperton Growth Area. Residential redevelopment of the site is therefore supported by policy and acceptable in principle. The proposal accords with the housing mix sought in policy, with 40% of the residential units providing family sized accommodation. To compensate for the loss of employment floorspace, and accord with the allocation, the proposal includes a financial contribution of £62,500 towards affordable workspace.

[illegible]

|                             |  |   |   |  |  |  |  |  |  |    |
|-----------------------------|--|---|---|--|--|--|--|--|--|----|
| EXISTING ( Flats û Market ) |  |   |   |  |  |  |  |  |  |    |
| PROPOSED ( Houses )         |  | 4 |   |  |  |  |  |  |  | 4  |
| PROPOSED ( Flats û Market ) |  | 8 | 8 |  |  |  |  |  |  | 16 |

## RELEVANT SITE HISTORY

There is no relevant planning history on the site.

## CONSULTATIONS

231 neighbours were consulted on 6 April 2017 and again on 19 October 2017 following receipt of revised plans.

A site notice was posted on 16 February 2018 and a press notice placed on 22 February 2018.

Six responses were received including four individual objections, one objection listing 20 separate respondents and one petition including 17 signatures (there is a high degree of overlap between these categories, with some individual objectors also signing the petition and/or the group objection). The large majority of objectors were from addresses in Carlyon Close. The petition was resubmitted in the second consultation.

The following issues were raised:

| Comment   | Officer response   |
|---|--|
| Object to use of Carlyon Close as access for service and delivery vehicles for new development. | <p>Carlyon Close is already used to access the vehicle repair workshops and there are no existing restrictions on the type or number of vehicles accessing the site.</p> <p>Servicing and delivery traffic associated with the new development would be of a small scale domestic nature and is unlikely to cause undue nuisance to neighbouring residents. Servicing and delivery traffic already serves existing residents of Carlyon Close.</p>   |
| Lack of consultation on proposed access arrangements.   | Access arrangements are clearly indicated on the plans that were subject to public consultation with neighbouring residents  |
| Existing noise, pollution and traffic nuisance will get worse.                                  | The existing use generates a high level of traffic and associated noise as it involves a number of small businesses who test and repair vehicles. The proposed development is expected to lead to reduced vehicle traffic compared to the existing use, as parking will be restricted to five spaces and residents will not be eligible for on-street residents parking permits.   |
| Carlyon Close should remain a closed road.  | <p>The access from Carlyon Close into the site is an existing access. The existing workshops also have a vehicular access onto Ealing Road and a service road connecting the two accesses and providing a through route from Ealing Road to Carlyon Close.</p> <p>The proposal would remove the vehicular access from Ealing Road entirely, and so would achieve the aims of this objection. Vehicular access would only be provided to the five parking spaces at the head of Carlyon Close, and this would provide a turning circle that could also be used by existing residents and other traffic.</p> |

|  |   |
|--|---|
| Height of two-storey blocks should not exceed that of houses in Carlyon Close. | The two-storey houses would have flat roofs at a height of 6m, compared to the 7.7m ridge height of the existing houses. The stairwell housing providing access to the roof terrace would extend to a height of 9.2m but would be set back from the front elevation by 1.5m and from the side elevation by 4m, and the visual impact of the greater height would be offset by its limited bulk. |
| Visual and smell impact of bins in proximity to child's play area at No 243.   | Further details of bin stores would be required by condition and to ensure these are well designed so as to minimise any visual impacts and odours.   |
| Site visit required to Carlyon Close.  | Site visits were conducted by officers.   |

### **External Consultees**

#### **Environment Agency: No objection**

Informative recommended regarding proximity to (currently non-operational) industrial waste processing facility within 50m of the site.

#### **London Fire Brigade: No objection**

The Fire Brigade do not object to the proposal and they make particular reference to Fire Bridge Access Note 29 which relates to water mains and Hydrants, and the need for the proposal to conform with Building Regulations Approved Document Part B and submission of plans to Building Control or Approved Inspector (approval under the Building Regulations).

### **Internal consultees**

#### **Lead local flood authority: No objection subject to conditions**

The site falls within Flood Zone 1 and is less than a hectare in size, so a detailed Flood Risk Assessment is not required. Measures proposed to reduce flood risk and surface water discharge are appropriate. Further details of flood mitigation measures and proposed discharge rates (the latter to be reduced by 50%), together with maintenance arrangements (process and frequency) are required by condition.

#### **Environmental Health: No objection subject to conditions**

Conditions required to control construction works, restrict external lighting and secure adequate levels of internal noise.

## **POLICY CONSIDERATIONS**

### **Regional policy guidance**

#### 2016 London Plan (Consolidated with Alterations since 2011).

The London Plan is the overall strategic plan for London, setting out an integrated economic, environmental, transport and social framework for the development of London. London boroughs' local plans need to be in general conformity with the London Plan, and its policies guide decisions on planning applications. The following policies are relevant:

#### *Chapter 3 - London's People*

- Policy 3.3: Increasing Housing Supply
- Policy 3.4: Optimising Housing Potential
- Policy 3.5: Quality and Design of Housing Development
- Policy 3.6: Children and Young People's Play and Informal Recreation Facilities
- Policy 3.8: Housing Choice
- Policy 3.9: Mixed and Balanced Communities
- Policy 3.10: Definition of Affordable Housing
- Policy 3.11: Affordable Housing Targets

Policy 3.12: Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes

#### *Chapter 5 - London's Response to Climate Change*

Policy 5.2: Minimising Carbon Dioxide Emissions  
Policy 5.3: Sustainable Design and Construction  
Policy 5.6: Decentralised Energy in Development Proposals  
Policy 5.7: Renewable Energy  
Policy 5.9: Overheating and Cooling  
Policy 5.12: Flood Risk Management  
Policy 5.13: Sustainable Drainage

#### *Chapter 6 - London's Transport*

Policy 6.5: Funding Crossrail and other strategically important transport infrastructure  
Policy 6.9: Cycling  
Policy 6.13: Parking

#### *Chapter 7 - London's Living Places and Spaces*

Policy 7.2: An Inclusive Environment  
Policy 7.3: Designing Out Crime  
Policy 7.4: Local Character  
Policy 7.5: Public Realm  
Policy 7.6: Architecture  
Policy 7.14: Improving Air Quality  
Policy 7.15: Reducing Noise and Enhancing Soundscapes

#### *Chapter 8 - Implementation, Monitoring and Review*

Policy 8.3: Community Infrastructure Levy

### **Local policy guidance**

#### Brent's Core Strategy 2010

The Council's Core Strategy was adopted by the Council on 12th July 2010. As such the policies within the Core Strategy hold considerable weight. The relevant policies for this application include:

CP1: Spatial Development Strategy  
CP2: Population and Housing Growth  
CP8: Alperton Growth Area  
CP19: Brent Strategic Climate Change Mitigation and Adaption Measures  
CP21: A Balanced Housing Stock

#### Brent Development Management Policies Document 2016

DMP1: Development Management General Policy  
DMP9B: On site Water Management and Surface Water Attenuation  
DMP12: Parking  
DMP14: Employment Sites  
DMP15: Affordable Housing

#### Brent's Site Specific Allocations DPD adopted July 2011

The above document forms part of Brent's Local Plan and sets out the planning policies and guidance for the future development of over 70 key opportunity sites around the borough. One of these sites is known as A.3 (B&Q and Marvellairs House).

#### Supplementary Planning Guidance and Design Guides

Government's Technical Housing Standards (March 2015)



All of these documents are adopted and therefore carry significant weight in the assessment of any planning application. In addition, the emerging Draft Brent Design Guide SPD1 has been subject to public consultation and once adopted will supersede SPG17. This document is now given significant weight in the assessment of planning applications.

## DETAILED CONSIDERATIONS

### Principle of development

1. Core Strategy Policy CP1 focuses new housing development in five growth areas including Alperton, while Policy CP2 sets out a target for delivering 22,000 new homes over the 2007-2026 period, including a target of 25% family sized accommodation. Policy CP8 seeks to provide at least 1,600 new homes in Alperton Growth Area to 2026, and the Site Specific Allocations DPD sets out requirements for the residential-led mixed use redevelopment of Site A3. The Alperton Masterplan SPD provides detailed guidance on the forms of development supported in the Growth Area, including high density flatted development.
2. The site is within the Alperton Growth Area and part of the allocated Site A3. The allocation also includes the four adjoining sites which already benefit from planning permission or resolution to grant permission. Residential redevelopment of the site is supported by the above policies and would be consistent with the ongoing residential-led redevelopment of the surrounding sites. The proposed housing mix includes eight 3bed units out of 20 units, which represents 40% of the total and exceeds the target of 25% family-sized dwellings set out in Policy CP2.
3. The proposal does not include any B1 or A3 uses or public amenity space, which are amongst the priorities highlighted in the Site Specific Allocation. However, the site is a small and constrained part of the allocated Site A3, with no significant road frontage, and consequently is considered less suitable for mixed use development than the other parts of Site A3. The existing vehicle repair workshops represent a small scale employment use, and it is proposed that their loss is compensated for by a financial contribution towards affordable workspace of £62,500. The applicant has agreed to this contribution and it would be secured through the s106 Agreement.

### Affordable housing provision

4. London Plan Policy 3.12 requires boroughs to seek the maximum reasonable amount of affordable housing, having regard to a number of factors including development viability. Core Strategy Policy CP2 sets a strategic target that 50% of new homes delivered in the borough should be affordable. Policy DMP15 reinforces this target and specifies that 70% of new affordable housing across the Borough should be social/affordable rented housing and 30% intermediate housing. However, this tenure mix can be varied on individual developments where this is justified by the viability of the scheme and other site-specific characteristics.
5. The application has been supported by a Financial Viability Appraisal (FVA) which has been reviewed on the council's behalf by independent consultants. The FVA concluded that three affordable units could be provided out of the total of 20 units, without compromising the viability of the scheme. The council's consultants argued that the existing use value and construction costs had been over-estimated in the FVA, and that five affordable units could be provided. The applicant then provided further evidence in the form of existing lease and tenancy information, and further discussions were held regarding construction

costs. It was agreed that the provision of four affordable units would represent the maximum reasonable provision.

6. Four affordable units are proposed, representing 20% of the total, with three units being for social rent and one for shared ownership, reflecting a 75:25 tenure split which is considered to be in accordance with Policy DMP15 for this size of development. Although less than the 50% target for affordable housing provision set out in Policies CP2 and DMP15, your officers consider that this is the maximum amount that could reasonably be provided on this site, given that a Financial Viability Appraisal has been submitted and an agreed position reached between the two parties as to the viability of the development.
7. Affordable housing provision would be secured by the s106 Agreement, however your officers consider that it would not be reasonable to seek a post-implementation viability review on a scheme of this size.

### **Design, scale and appearance of proposal**

8. The proposed development would be in three groups of buildings of a square plan form located towards the northern boundary of the site. The four mansion blocks would be grouped in two sections to break up the massing, Block 1 on the western boundary adjoining 253 Ealing Road and the centrally located Block 2. Each would be four stories high with flat roofs, with each unit being a duplex occupying two stories. Central projecting entrance cores would provide access to the upper units, flanked by separate entrance doors to ground floor units. The blocks would appear modest in height and bulk in comparison to the significantly larger and taller schemes to the north, south and west, and the 'mansion block' form would be an appropriate form of development in this context. Block 3, located towards the east of the site, would be a terrace of four houses, two stories high with a flat roof. It would be read within the context of the similar height, domestic scale and form of the established housing on Carlyon Close, and would appear in keeping with this area. Each block would have roof terraces incorporating stairwell housing, 2m high privacy screens and raised planters.
9. A communal amenity space and cycle store would be located between Blocks B and C, and a parking court with bin storage at the northeastern end of the site, accessed from the existing access on Carlyon Close. Pedestrian access to the buildings would be via a footpath running along the existing spine road from the Ealing Road entrance to the parking court, with the remainder of this space providing additional bin storage and landscaping. Each block would be set back progressively by 0.5m, to break up the overall bulk of the building line, create an attractive vista along the footpath and provide defensible space in front of the ground floor accommodation.
10. The architectural style is contemporary, with the facing materials being mainly light grey brickwork to respond to the character of the surrounding area but also including sections of light brown textured brick and white precast concrete horizontal banding to provide articulation and visual interest. Doors and window frames would be finished in metallic bronze, which would provide an effective contrast to the brickwork, and their shape and alignment would provide a strong vertical emphasis to the buildings.
11. One concern raised by neighbours relates to the height of the two-storey blocks. These would have the stairwell housing leading up onto the roof terrace, which appears as a part third-storey but would be of limited bulk and footprint compared to the overall bulk of the buildings and less bulky than the pitched roofs on neighbouring two-storey properties. Privacy screens would also be provided on the roof terraces, but would be of limited bulk and height compared to the bulk of pitched roofs.
12. Overall the design is considered to be of a good standard that provides a legible and accessible layout and a sense of arrival at individual properties. It would successfully create an identity and sense of place to draw together the two forms of development across the site, whilst complementing the character of both the high density new developments surrounding the site and the traditional housing to the east.

Further details of materials, a landscaping scheme including details of roof terrace planting and hard landscaping, boundary treatments, and the design of cycle storage and bin storage would need to be secured by condition.

## **Relationship with neighbouring properties**

13. The impact on neighbours is also a material consideration, and Policy DMP1 seeks to ensure that this is acceptable, with further guidance set out in SPG17 and draft SPD1. The surrounding buildings, including those consented and under construction, are residential in nature and as such the impact of this development upon them needs to be considered.
14. SPG17 requires new development not to breach a 30 degree line at 2m height from the nearest habitable room windows on existing properties and a 45 degree line at 2m height from rear boundaries of private amenity space, in order to protect their light and outlook. Draft SPD1 proposes a more flexible 45 degree standard in relation to windows in transitional and transformational areas. To maintain adequate standards of privacy, SPG17 requires new development to maintain a 10m distance from proposed rear habitable rooms to the rear boundary and 20m to the nearest existing rear habitable rooms, whilst draft SPD1 allows reduced distances in transitional and transformational areas where proposals are of high quality design and incorporate measures to reduce the perception of overlooking or loss of privacy.
15. In respect of this site, the surrounding development across the allocated Site A3 is all high-density flatted development and Site A3 as a whole represents a transformational area of the type described in draft SPD1 and within which the more relaxed standards could apply, whereas the housing on Carlyon Close represents a typical area in which the 30 degree standard should continue to apply.
16. The application is supported by a Daylight & Sunlight Report, which provides a detailed assessment of the potential impacts of the development on the light received by windows of neighbouring properties. The methodology used is based on the BRE's 'Site Layout Planning for Daylight and Sunlight: A guide to good practice', which is the accepted national standard method for assessments of this type. It calculates daylight using three methods: the Vertical Sky Component (VSC), the No-Sky Line Contour (NSC) and the Average Daylight Factor (ADF), and sunlight using the Annual Probable Sunlight Hours (APSH).
17. Compliance with the relevant standards and any other concerns regarding the relationship to each of the nearest neighbouring properties is assessed in the following paragraphs.
18. The proposed two storey houses would be within a 30 degree line of the side boundary of the rear garden of 17 Carlyon Close at the eastern end of the site and at a distance of 11m from the flank elevation of this house, in accordance with SPG17. There are no side-facing windows in this house and the side boundary is screened by wooden fencing. The first-floor front elevation windows in the proposed houses would be angled to prevent overlooking and loss of privacy, with those on Plots CG1 and CG2 facing southwards onto the far rear garden of 17 Carlyon Close and those on Plots CG3 and CG4 facing eastwards towards its flank elevation and frontage. Properties on Carlyon Close have not been assessed for overshadowing, being to the south of the proposed development.
19. The four-storey Block B would breach a 45 degree line from the side garden boundary of the nearest unit within the approved (but not constructed) development at 1c Carlyon Close, and from a side-facing secondary habitable room window in that unit. However this garden comfortably exceeds minimum standards, having an L-shaped area of 90sqm of which the majority would not be affected by the proposed development, whilst the side-facing window in the unit affected is very small in size and secondary to the larger rear-facing window in the same room. Furthermore, that garden does not exist at present and is to be constructed as a part of a high density development. Consequently the resultant

loss of light and outlook would not have an undue adverse impact. This site is also to the south of the proposed development and so would not be affected by overshadowing. Although there are some upper floor habitable room windows on this northern elevation of the 1c Carlyon Close development, these are high level obscured secondary windows and so overlooking from the proposed development would not be a concern.

20. The four-storey blocks would be 12m distant from the flank elevation of the development under construction at 255 Ealing Road to the south. However, there are no windows in this flank elevation and consequently no concerns about loss of light and look. This distance is considered to be adequate to maintain levels of privacy. The proposed blocks would retain a distance of over 10m to the communal amenity space at 255 Ealing Road and would not breach a 45 degree line at a 2m height from the boundary of that space. Although the 45 degree standard is not applied in relation to communal gardens, the lack of a breach provides further support for the view that the overall scale and height of the proposed development is appropriate to the site. The site at 255 Ealing Road has not been assessed for overshadowing, being to the south of the proposed development.
21. The rear elevation of the adjoining development at 245-249 & 253 Ealing Road (Block B) would be only 2m distant from the side elevation of the nearest of the proposed four-storey mansion blocks, with both developments being built up close to the boundaries. However, that scheme was designed to achieve an appropriate relationship with the proposed development. At ground floor, the adjoining development contains car parking spaces and refuse storage and the window/terraces on the upper floors have been designed to avoid any direct overlooking between the sites.
22. From the ground floor south-facing windows of the nearest block at 243 Ealing Road to the north (Block C), the proposed four-storey mansion blocks would breach the 30 degree line only by virtue of the additional staircase housing, which would be of limited bulk, and would not cause any breach of the 45 degree line which is applicable in transformational areas (as set out in draft SPD1). They would be 17m distant from those windows which, given the high density context of the area and the constraints of the site, is considered to provide an acceptable degree of privacy for existing and future occupants, in accordance with draft SPD1.
23. Block C at 243 Ealing Road and the adjoining communal amenity space are considered in the Daylight & Sunlight Report to be most sensitive in terms of the daylight and sunlight impacts of the proposed development, due to their orientation due north of the site. The Report concludes that the majority of these windows (including all at second floor level and above) would retain VSC levels in excess of 0.8 times their former value. Some ground and first floor windows (8 windows) would have VSC levels reduced to 0.7 times their former value but these would be primarily bedroom windows, with living spaces retaining good overall daylight. Furthermore, the design of 243 Ealing Road incorporates 'wrap around' balconies on the southern elevations which overhang windows below and so limit sky visibility, and further analysis undertaken in the Report concludes that the reduced daylighting is primarily due to the impact of the overhanging balconies rather than the proposed development to the south. There would also be no noticeable change in NSC levels, all windows would retain good levels of sunlight in accordance with the BRE guidelines, and there would be no adverse impact resulting from overshadowing onto the communal amenity space.
24. The proposal includes roof terraces for the upper floor flats and the houses, and the design has addressed the potential for overlooking or perceived overlooking onto existing properties from these. On the northern elevation near to the boundary with 243 Ealing Road, 2m high privacy screens would be installed and on the southern elevation raised planters would be provided. Each block would include narrow side elevation windows on each floor, which provide further visual interest and vertical articulation on these elevations. As the windows serve bathrooms or are secondary windows to habitable rooms, it is considered acceptable for these to be obscured and fixed shut at first floor level and above, and this would be secured by a condition. Further details of privacy screens and landscaping (including a maintenance schedule) would be required by condition.

25. Overall, the proposal is considered to have an acceptable relationship with neighbouring properties including consented schemes and developments under construction, given the surrounding context of high density development. However, a condition is recommended to withdraw permitted development rights in order to control any future impacts on neighbouring properties.

### **Residential living standards**

26. Policy DMP18 requires new housing development to comply with standards set out in the Mayor's Housing SPG, including minimum internal space standards. Policy DMP19 requires private amenity space of 20sqm per 1bed or 2bed flat and 50sqm for family housing including ground floor and 3bed or 4bed flats. Balconies should have a minimum width and depth of 1.5m to be considered usable, and single aspect units should be avoided, particularly if north-facing. The Mayor's Housing SPG also requires 90% of units to meet Building Regulations M4(2) 'accessible and adaptable homes' standards and 10% to meet M4(3) 'wheelchair accessible homes' standards.

### *Internal floorspace*

27. All of the proposed units would be dual-aspect including south-facing rooms, and would significantly exceed the minimum floorspace requirements, as set out in the table below. The proposal includes two wheelchair-accessible 2bed units designed to Building Regulations Part M4(3) standard and all other units are designed to be adaptable and accessible to Part M4(2) standard.

|                                     | <b>Floorspace proposed</b> | <b>Minimum floorspace required</b> |
|-------------------------------------|----------------------------|------------------------------------|
| 2B4P duplexes                       | 92sqm                      | 79sqm                              |
| 2B3P wheelchair accessible duplexes | 100sqm                     | 70sqm                              |
| 3B5P duplexes                       | 98sqm                      | 93sqm                              |
| 2B4P houses                         | 86sqm                      | 79sqm                              |

### *External amenity space*

28. Three types of amenity space would be provided across the site. Each of the twelve units with access to the ground floor would have private rear garden space. Although these would become progressively shallower, they would range in size from 20sqm (complying with the standard for 2bed units) to 10sqm, with the smaller gardens belonging to the four houses which would also have private roof terraces of 17sqm with an additional 6sqm of raised planters. The upper floor duplexes would have no private garden space but would have private roof terraces of 30sqm with an additional 6sqm of raised planters. The private spaces would be supplemented by a communal amenity space provided between the mansion blocks and the houses. The overall amenity space provision is summarised in the table below:

|                                  | <b>Amenity space proposed</b> |
|----------------------------------|-------------------------------|
| Rear gardens                     | 168sqm                        |
| Roof terraces including planters | 380sqm                        |
| Communal amenity space           | 126sqm                        |

Total amenity space

684sqm

29. The amenity space required to fully comply with Policy DMP19 would be 640sqm (twelve x 20sqm for 2bed units and eight x 50sqm for 3bed units). The proposal would exceed this requirement, which is particularly welcomed on such a constrained site, and would provide a mixture of private space and accessible communal space.

#### *Daylight and sunlight*

30. The Daylight & Sunlight Report assesses the internal light levels of the proposed units, in terms of the BRE guidance. It should be noted, however, that this guidance is most relevant to traditional suburban environments and that an element of deviation from the targets can occur in more densely developed urban areas.
31. The Report finds that all rooms meet the recommended levels of daylight except ground floor kitchens, which achieve an Average Daylight Factor of 1.6% compared to the recommended 2.0%. This concern has been partly addressed by revising the layout of the mansion blocks to provide open plan living spaces rather than separate kitchens, and it is considered that minor localised deviations are acceptable as the main living spaces would receive the recommended levels of daylight.

#### **Sustainability and environment**

32. The application has been supported by a Sustainability Statement and an Energy Strategy in accordance with Core Strategy Policy CP19 and London Plan Policies 5.2, 5.3 and 7.4. Major residential developments are expected to achieve zero carbon standards, with any shortfall compensated for by a financial contribution to the Council's Carbon Offsetting Fund, and to make use of on-site renewable energy where feasible. The supporting text to London Plan Policy 5.7 presumes that major developments will achieve at least 20% reduction through on-site renewable energy, but this is not a policy requirement.
33. The Sustainability Statement demonstrates how the design seeks to mitigate and adapt to climate change over the lifetime of the development, such as by incorporating passive design measures to maximise daylight and sunlight, specifying low flow water fittings and fixtures to limit water use to 105 litres per person per day, sourcing materials responsibly and using recycled materials where possible, managing construction waste, and providing rooftop planting and other landscaping.

#### *Energy and carbon emissions*

34. The Energy Strategy applies the London Plan energy hierarchy in order to minimise carbon emissions from the development. Passive design measures including high performance building materials are proposed, together with heating, ventilation and internal lighting, to reduce regulated emissions by 19.5% compared to the 2013 Building Regulations baseline. Opportunities to connect to existing decentralised heat networks, to provide one on a site-wide basis or to use Combined Heat and Power, have been considered and shown to be impractical in this case. Various renewable energy technologies are appraised, and the use of PV panels is proposed on the roofs of the stairwell cores, reducing emissions by a further 15.9% and resulting in a total on-site reduction of 35.4%. The PV panel coverage appears to have been reasonably maximised, given that the roofs also provide amenity space. Further details of the PV panels would be required by condition.

35. The Energy Strategy identifies a carbon offset payment of £39,780 to compensate for the shortfall against the zero carbon standard. However this relates to the original proposal for a 24-unit scheme. The carbon emissions calculations and offset payment have been recalculated following the reduction in the number of units to 20, with the percentage reductions remaining the same but the amount of carbon reduced on a pro-rata basis and consequently the carbon offset payment has been reduced to £33,139. This would be secured through the s106 agreement.

#### *Flood risk and drainage*

36. Brent Policy DMP9B requires sustainable drainage measures on major residential developments. A Flood Risk Assessment and Sustainable Drainage Strategy has been submitted, and proposes attenuation within permeable paving and storage within tanks and oversized pipes. The lead local flood authority have no objection in principle, and a detailed Flood Risk Assessment is not required given that the site is in Flood Zone 1 and under a hectare in size. A condition is recommended to require detailed design of drainage measures, together with further details of maintenance arrangements.

#### *Land contamination*

37. Land contamination is anticipated due to the existing use of the site for vehicle repairs. A Phase 1 Desk Study has been submitted and concludes that the site poses a medium risk to future site users and environmental receptors, primarily due to the potential for contamination derived from the site use for vehicle repair and servicing, and the possible presence of asbestos containing materials within the existing building fabric. It recommends further action to assess the risks associated with contamination and outline specific remedial measures for the site, if required. Conditions are recommended to ensure further investigations and an appropriate remediation strategy are carried out, in order to ensure the site is suitable for its proposed residential use.

#### *Air quality and noise*

38. An Air Quality Assessment has been submitted and proposes measures to mitigate dust from the demolition and construction process. Environmental Health have raised no objections and a condition is proposed requiring these measures to be set out in a Construction Method Statement, together with frequency and routing of construction traffic, restrictions on hours of construction work and means of compliance with BS5228: Code of practice for noise and vibration control on construction and open sites. A Noise Assessment has been submitted and concludes that acceptable internal noise levels can be achieved through design, and Environmental Health have recommended a condition to secure these.

#### **Transportation considerations**

39. Parking standards are set out in Appendix 1 to the Development Management Policies 2016, and Policy DMP12 requires that any overspill parking generated by a development can be safely accommodated on-street. Cycle parking standards are set out in the London Plan, with two spaces required per 2bed or larger unit. Bin storage requirements are set out in the Brent Waste Planning Guide.

#### *Parking provision*

40. The existing workshops would be allowed four spaces for the site as a whole although if the 16 businesses were considered separately then up to 16 spaces could be allowed, in addition to servicing by 8m rigid vehicles. Ealing Road is a major London distributor road and bus route with only a narrow

frontage to the site, whilst Carlyon Close is a narrow road and already noted as being heavily parked at night. The site is poorly laid out for servicing, due to its long narrow spine road, restricted turning space and narrow access, and the current use is not considered conducive to highway safety as there is a risk that vehicles may have to reverse onto Ealing Road.

41. The redevelopment of the site for non-commercial use is welcomed in principle on transport grounds. As the site has good access to public transport services, lower parking standards apply (0.75 spaces per 2bed unit and 1.2 spaces per 3bed unit), with a total allowance of 18.6 spaces for the proposed development. The proposed provision of five spaces accords with these maximum standards. Of the parking spaces proposed, three are to be wide bays marked for disabled Blue Badge holders, thus ensuring that 10% of the units could be allocated a disabled space. However, neither Ealing Road nor Carlyon Close would be able to safely accommodate any overspill parking. In general, it is estimated that developments will generate car ownership at 75% of the maximum allowance and on this basis the proposed 20 units are estimated to generate demand for 14 spaces, giving a predicted overspill of up to nine cars from the site.
42. The site currently lies outside of any Controlled Parking Zone (CPZ) and residents who own cars would therefore be likely to overspill onto streets further afield, including Carlyon Close and Carlyon Road, which are not covered by CPZs. Given the amount of development approved and proposed in future in this Growth Area (most of which has low levels of parking), extensions to CPZs are increasingly likely to be required to address overspill parking issues. However, consultation recently undertaken with local residents on a new CPZ in residential streets around Carlyon Road and Burns Road showed the majority of residents not to be in favour of the scheme at present.
43. Any CPZ extension to address overspill parking from this and other nearby developments should therefore include funding to subsidise the cost to existing residents of parking permits, as the reason for the CPZ would be to address a parking problem that has been imposed upon them. A sum of £500 per proposed new unit (totalling £10,000) is therefore required towards this, which in combination with other development funding could be used to subsidise parking permits for existing local residents. The applicant has agreed to this contribution, which would be secured through the S106 agreement. The development would also be subject to a condition designating it as 'parking permit free', with the right of future residents to on-street parking permits withdrawn within any future CPZ that is introduced.
44. London Plan Policy 6.13 parking standards require 20% of parking spaces to provide electric vehicle charging points, with an additional 20% passive provision for future use by electric vehicles. For the proposed development, this equates to one charging point and one space with passive provision made (including the necessary underlying infrastructure and cabling to parking spaces) to enable installation and activation of a charging point at a future date. These details would be secured by condition.

#### *Access arrangements*

45. Vehicular access to the car parking spaces is proposed from Carlyon Close at the rear of the site, with the existing gated access widened to 9.1m to match the carriageway width. The footways of the Close would be extended into the site, continuing through the rear car park to provide a pedestrian link connecting Carlyon Close to the existing new development at 243 Ealing Road to the north. The western side of the parking area would be open to allow a cycle link to the estate road within the 243 Ealing Road site.
46. The S106 Agreement for the development at 243 Ealing Road (ref: 09/2116) requires the owner of that site to agree a right of way for emergency vehicles, pedestrians and cyclists, as long as it does not affect parking, which would ensure use of this proposed access. This pedestrian and cycle links are welcomed as they would improve permeability in the area by linking the eastern end of the site and Carlyon Close more directly with the Grand Union Canal towpath and cycle route, and their use as a public rights of way



(other than for up to one day per year) would be secured permanently through the s106 agreement. The cycle link would also allow for emergency vehicle access to the 243 Ealing Road site, and the installation of a retractable bollard to prevent use by other vehicular traffic will be required by condition.

47. The existing crossover onto Ealing Road would be removed and reinstated to footway, with access from Ealing Road retained for pedestrian and cyclist use only. This is welcomed on road safety grounds, given the difficulties vehicles would experience in safely turning right across two lanes of traffic to enter and leave the site on this busy four-lane road. The cost of removing the crossover and repaving the site frontage would be met by the developer, with the works secured through the s106 agreement. The London Plan standards require 40 cycle spaces, and a secure store for 46 cycles on a two-tier rack system is proposed to meet this requirement.
48. Concerns have been raised by objectors regarding the use of Carlyon Close as an access for the proposed development. However, this is an existing access and the proposal is expected to reduce the volume of traffic generated by the site, compared to the existing use. The noise, air pollution, visual disamenity and instances of nuisance parking associated with vehicle repair workshops would no longer occur. The proposal would also allow for vehicles, including refuse and delivery vehicles, to turn at the end of Carlyon Close. Furthermore, whilst the site currently provides a through route from Ealing Road to Carlyon Close along the spine road, the proposal would result in vehicular access being restricted to the parking area, therefore reinstating the Close as a closed road.

#### *Servicing and fire access*

49. Two bin stores accommodating six Eurobins and two 240L bins in total are proposed alongside the footpath through the site, with a larger bin store for the same number of bins shown within the car parking area. Based on the Council's required storage provision of 60L per bedroom for both mixed recyclables and residual waste and 23L per household for organic food waste, a total of six Eurobins and two 240L bins would be sufficient, and this would be provided by the bin stores situated alongside the footpath to allow residents to access their bins from within a 30m carrying distance. The management company would be responsible for transferring bins to the bin store in the parking area for collection days, and for returning them following collection, and details of this arrangement would be secured by condition. The bin store in the parking area would be within 10m of the highway, which is acceptable for larger bins,
50. Refuse vehicles would be able to enter the rear of the site from Carlyon Close and turn within the car park aisle. Tracking diagrams have been provided showing a five-point manoeuvre by a refuse vehicle. The ability to turn at the end of Carlyon Close, albeit with difficulty, does not exist at present and the proposal would represent an improvement for existing residents in this respect. Other delivery vehicles would also be able to make use of this area.
51. Blocks A and B would be beyond the maximum 45m reach of a fire hose from either end of the development. Compliance with fire safety requirements is addressed in the Building Regulations and is not normally considered in the determination of planning applications. However, the new Draft London Plan is a material consideration (albeit with relatively limited weight at this point in time), of which Policy D11 Fire Safety requires development proposals to achieve the highest standards of fire safety. In order to address the requirements of this policy, the applicant has submitted a Fire Safety Report, which specifies a number of construction features including provision for smoke ventilation, specification of materials and an automatic sprinkler system, and proposes the installation of a dry riser system from the Ealing Road entrance. Amended plans have been submitted showing the installation of the dry riser system as part of the site layout. It is noted that the scheme is relatively small in scale and has two exit points from the site.
52. London Fire Brigade have been consulted. They do not object and have advised that the applicant must ensure that the plans conform with Part B of the Approved Document of the Building Regulations, and

that plans must be submitted to Building Control or an Approved Inspector, who may be required to consult the Fire Authority. They also recommend that the applicant pays particular attention to paragraph 16 ('Water Mains and Hydrants') of their Guidance note 29 on Fire Brigade Access, which provides similar guidance to the Building Regulations B5. An informative is recommended to remind the applicant of these matters. As with all proposals, formal and final approval is sought through the building regulations.

### *Trip generation*

53. The Transport Statement submitted with the application has considered likely trip generation from the proposed residential units, based on comparisons with three other residential developments in London. This concludes that the development is likely to lead to reduced traffic, compared to the existing use, which reflects the low level of parking proposed.
54. Although the development falls well below TfL's threshold for Travel Plans, a Travel Plan has been submitted for the site. This proposes to appoint a Travel Plan Co-ordinator to manage the implementation of the Travel Plan to provide promotional information on walking, cycling and public transport through a Welcome Pack for residents. The primary aim would be to reduce car use by residents by from 35% of trips to 21% of trips within five years of first occupation, with monitoring surveys to be undertaken in years 1, 3 and 5 to assess progress.
55. As the development is below TfL's threshold and as on-site car parking is limited, a Travel Plan Statement would generally be more than sufficient, with no requirement for on-going monitoring. As such, the implementation of the Travel Plan would be welcomed, but is not required to be secured by condition.

### **Density of development**

56. Development of the site is expected to conform to the density range set out in the London Plan of 200-700 hr/ha for urban sites (or 55-255 units/ha) with a PTAL score of 4, unless a higher density can be justified as a result of a scheme being acceptable in planning terms. The proposed density of approx. 322 hr/ha or 91 units/ha sits comfortably within the London Plan density range for urban sites with good access to public transport and is considered to be appropriate for the site.

### **Conclusion**

The proposed development accords with relevant policies and guidance. Approval is recommended.

## **CIL DETAILS**

This application is liable to pay **£453,112.00\*** 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): 832 sq. m.

Total amount of floorspace on completion (G): 2211 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 | 2211 | 0 | 1379 | £200.00 | £35.15 | £385,381.25 | £67,730.75 |
|-----------------|------|---|------|---------|--------|-------------|------------|

|  |             |            |
|--|-------------|------------|
| 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) | 313         |            |
| <b>Total chargeable amount</b>   | £385,381.25 | £67,730.75 |

\*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: 17/1104

To: Bruce  
Savills  
33 Margaret Street  
London  
W1G 0JD

I refer to your application dated **10/03/2017** proposing the following:

Demolition of the existing buildings on the site and the erection of 20 residential units comprising four 2 storey terraced houses (4 x 2bed houses) and two 4 storey residential blocks providing 16 flats (8 x 2bed and 8 x 3bed units), together with 5 associated car parking spaces, cycle storage, landscaping and access. (Revised description 19.10.17)

and accompanied by plans or documents listed here:  
See condition 2

at **All Units, 253A Ealing Road, Wembley, HA0 1ET**

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: 02/03/2018

Signature:

**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:-

Brent Core Strategy 2010 (Policies CP1, CP2, CP5, CP6, CP8, CP19, CP21)  
Brent Site Specific Allocations DPD 2011 (Site A3)  
Brent Development Management Policies 2016 (Policies DMP1, DMP9b, DMP12, DMP14, DMP15, DMP19 and Appendix 1).

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

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

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

6487 D1100 Rev 00  
6487 D7100 Rev 09  
6487 D7101 Rev 06  
6487 D7102 Rev 06  
6487 D7103 Rev 06  
6487 D7104 Rev 06  
6487 D7201 Rev 07  
6487 D7300 Rev 03  
6487 D7301 Rev 02  
6487 D7500 Rev 01  
6487 D7501 Rev 01  
6487 D7700 Rev 01  
6487 D7701 Rev 01  
6487 D7702 Rev 01

Air quality assessment (Mayer Brown, March 2017)

Daylight and sunlight report (eb7, February 2017)

Design and Access Statement (Formation Architects, March 2017)

Energy Strategy (Metropolis Green, 5430, February 2017, as amended by agent email of 06/11/17)

Flood risk assessment and surface water drainage strategy (Odyssey Markides, 16-373-03C, March 2017)

Noise assessment (Mayer Brown, March 2017)

Phase 1 desk study report (GB Card & Partners, GB/378, March 2017)

Planning Statement (Savills, March 2017)

Statement of Community Engagement (Iceni, March 2017)

Sustainability Statement (Metropolis Green, ref 5430, February 2017)

Transport Statement (Odyssey Markides, 16-373, March 2017)

Travel Plan (Odyssey Markides, 16-373, March 2017)

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

- 3 No development shall be carried out until the person carrying out the works is a member of the Considerate Constructors Scheme. Details of the membership and contact details as required through the scheme shall be clearly displayed on the site throughout the duration of construction.

Reason: To limit the impact of construction upon the levels of amenity of neighbouring occupiers.

- 4 No further extensions or buildings shall be constructed within the curtilage of the dwellinghouses subject of this application, notwithstanding the provisions of Class(es) A, B, C, D & E of Part 1 Schedule 2 of the Town & Country Planning (General Permitted Development) (England) Order 2015 as amended, (or any order revoking and re-enacting that Order with or without modification) unless a formal planning application is first submitted to and approved by the Local Planning Authority.

Reason: To prevent an over development of the site and undue loss of amenity to adjoining occupiers.

- 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. 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 Side elevation windows above ground floor level shall be constructed with obscure glazing and non-opening or with openings at high level only (not less than 1.8m above floor level) and shall be permanently maintained in that condition thereafter unless the prior written consent of the Local Planning Authority is obtained.

Reason: To protect the privacy of neighbours in accordance with Policy DMP1.

- 7 All residential premises shall be designed in accordance with BS8233:1999 'Sound insulation and noise reduction for buildings-Code of Practice' to attain the following internal noise levels:

| <b>Criterion</b>               | <b>Typical situations</b> | <b>Design range LAeq, T</b>   |
|--------------------------------|---------------------------|---|
| Reasonable resting conditions  | Living rooms              | 30 – 40 dB<br>(day: T =16 hours 07:00 – 23:00)  |
| Reasonable sleeping conditions | Bedrooms                  | 30 – 35 dB<br>(night: T = 8 hours 23:00 – 07:00)<br>LAmx 45 dB<br>(night 23:00 – 07:00) |

Reason: To obtain required sound insulation and prevent noise nuisance.

- 8 The parking spaces, cycle storage and accesses shown on the approved plans shall be provided prior to first occupation and shall be permanently retained and not used other than for purposes ancillary to the dwellings hereby approved.

Reason: To ensure that the approved standards of parking provision are maintained in the interests of local amenity and the free flow of traffic in the vicinity.

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

any identified receptors.

(b) Any soil contamination remediation measures identified above shall be carried out in full accordance with the approved details. A verification report shall be submitted to and approved in writing by the Local Planning Authority prior to occupation stating that remediation has been carried out in accordance with the approved remediation scheme and the site is permitted for end use (unless the Planning Authority has previously confirmed that no remediation measures are required).

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

- 10 Details of materials for all external work, including samples which shall be made available for viewing on site or in an agreed location, 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.

- 11 Notwithstanding any details of landscape works referred to in the submitted application, a scheme for the landscape works and treatment of the surroundings of the proposed development shall be submitted to and approved in writing by the Local Planning Authority within 6 months of commencement of development. 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 an implementation programme agreed in writing with the Local Planning Authority. Such a scheme shall include:-

(a) all planting including location, species, size, density and number incorporating native species of local provenance, and to include screen planting on roof terraces and defensive planting to the front of buildings

(b) areas of hard landscape works including details of materials and finishes. These shall have a permeable construction and include features to ensure safe use by visually impaired and other users

(c) the location of, details of materials and finishes of, all street furniture and signage

(d) proposed boundary treatments including gates, walls, fencing and retaining walls, indicating materials and height

(e) details of external lighting (including proposed sitting within the site and on buildings and light spillage plans showing details of lux levels across the surface of the site and at residential windows

(f) details of cycle and bin storage areas, indicating materials and heights

(g) a detailed (minimum 5-year) landscape-management plan showing requirements for the ongoing maintenance of hard and soft landscaping.

Any trees and shrubs planted in accordance with the landscaping scheme which, within 5 years of planting are removed, dying, seriously damaged or become diseased shall be replaced in similar positions by trees and shrubs of similar species and size to those originally planted unless otherwise agreed in writing with the Local Planning Authority. All footways, parking spaces, vehicle turning area, cycle storage, bin storage and screen planting on roof terraces shall be maintained as approved thereafter.

Reason: To ensure a satisfactory standard of appearance and setting for the development, to ensure that the proposed development enhances the visual amenity of the locality in the interests of the amenities of the occupants of the development, to prevent overlooking onto neighbouring properties from roof terraces, and to provide tree planting in pursuance of section 197 of the Town and Country Planning Act 1990.

- 12 Prior to the commencement of the development (including any demolition works) a Construction Method Statement shall be submitted to and agreed by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement

shall include details of:

- i. Measures that will be taken to control dust, noise and other environmental impacts of the development.
- ii. Specification of construction works at each phase of the development including the provision of car parking for existing residents
- iii. Construction Logistics Management
- iv. Erection and maintenance of security hoarding
- v. Wheel-washing facilities
- vi. Parking of vehicles of site operatives and visitors
- vii. Arrangements for the loading and unloading of plant and materials
- viii. Storage of plant and materials used in constructing the development
- ix. Scheme for recycling/disposing of waste resulting from demolition and construction works

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

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

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

- 14 Prior to development commencing, further details of an electric vehicle charging point to serve one parking space and passive provision to enable installation of a charging point in future to serve one additional parking space shall be submitted to and approved in writing by the local planning authority. Development shall thereafter be carried out in accordance with the approved details, which shall be installed and operational prior to first occupation of the development.

Reason: To ensure provision of electric vehicle charging points in accordance with London Plan Policy 6.13.

- 15 No development shall take place until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- i. a timetable for its implementation, and
- ii. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason: To help reduce surface water run-off and the potential for flooding.

- 16 Prior to commencement of the development (excluding demolition, site clearance and the laying of foundations), further details of how the development will 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’ shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full accordance with the approved details.

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

- 17 Details of adequate arrangements for the storage and disposal of refuse, food waste, paper and cardboard waste and recyclable material (including litter bins inside and outside the premises) shall be submitted to and approved in writing by the Local Planning Authority and implemented prior to commencement of the use hereby approved. The details shall include a management



plan to ensure that all waste and recycling containers are transferred to the collection point on collection days.

Reason: To ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties.

- 18 A parking management and allocation scheme shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development hereby approved and the parking spaces shall be allocated to occupants of the development in accordance with the approved scheme. The approved scheme shall be implemented for the life of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of highway flow and safety, having regard to the levels of parking proposed within the development.

## INFORMATIVES

- 1 The Environment Agency regulates an industrial facility within 50 metres of the proposed development. In this instance, the regulated Environmental Permit (EPR/AB3301LD) is for a waste transfer station for the treatment of waste to produce soil, soil substitutes and aggregates.

Currently the waste activity is non-operational however the permit is still in place and therefore the waste treatment activity could be undertaken at any time until such time as the permit is surrendered by the operator.

All industrial facilities operations may generate noise, dust and odour and affect the surrounding areas. The Environmental Permits issued prevent or where that is not possible minimise these impacts by requiring operators to use certain techniques or install specific infrastructure, however some amenity impacts such as noise, dust and odour should be expected from this type of land use.

The applicant should be aware that it is not possible to guarantee that these potential amenity impacts will have no impact on this development proposal.

Please note, the Environment Agency's regulation of the site does not extend beyond the Environmental Permit boundary and does not take account of issues arising from traffic movements associated with the operation of the facility.

- 2 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](http://www.brent.gov.uk/CIL).
- 3 Given the age of the buildings to be demolished it is possible that asbestos may be present. The applicant should be reminded of their duties under the Control of Asbestos Regulations and must ensure that a qualified asbestos contractor is employed to remove all asbestos and asbestos-containing materials and arrange for the appropriate disposal of such materials.
- 4 The applicant is advised to contact the Council's Head of Highways & Infrastructure to arrange for the crossover works to be undertaken, via <https://www.brent.gov.uk/services-for-residents/transport-and-streets/vehicle-crossings-and-dropped-kerbs/>, tel 020 8937 5600 or [transportation@brent.gov.uk](mailto:transportation@brent.gov.uk). Such works are undertaken by the Council at the applicant's expense.
- 5 The applicant is advised to notify the Council's Highways and Infrastructure Service of the intention to commence works prior to commencement and include photographs showing the condition of highway along the site boundaries. The Highways and Infrastructure Service will require that any damage to the adopted highway associated with the works is made good at

the expense of the developer.

- 6 The Council recommends that the maximum standards for fire safety are achieved within the development.
- 7 Brent Council supports the payment of the London Living Wage to all employees within the Borough. The developer, constructor and end occupiers of the building are strongly encouraged to pay the London Living Wage to all employees associated with the construction and end use of development.
- 8 The applicant is reminded that the plans must conform with Part B of the Approved Document of the Building Regulations, and that plans must be submitted to Building Control or an Approved Inspector, who may be required to consult the Fire Authority. The applicant is advised to pay particular attention to paragraph 16 ('Water Mains and Hydrants') of the London Fire Brigade Guidance note 29 on Fire Brigade Access, which provides similar guidance to the Building Regulations B5. The Fire Authority Water Section can be contacted as follows:

Water Office  
London Fire Brigade Headquarters  
169 Union Street  
London SE1 0LL  
Telephone No. 0208 555 1200 ask for Water Office

Any person wishing to inspect the above papers should contact June Taylor, Planning and Regeneration,  
Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 2233