

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

19 June, 2019
06
18/4701

SITE INFORMATION

RECEIVED	10 December, 2018
WARD	Mapesbury
PLANNING AREA	
LOCATION	110 Walm Lane, London, NW2 4RS
PROPOSAL	Replacement of existing building (containing public house and former members club) with a mixed use development within a part 4 and 5 storey building comprising public house and function room on ground floor (Use Class A4), 48 self-contained flats (14 x 1 bed, 22 x 2 bed, 11 x 3 bed & 1 x 4 bed), green roof and photovoltaics panels, bicycle and refuse storage, amenity space and landscaping (SCHEME B)(Amended Plans - Key changes to roof form, public house facade and internal layout).
PLAN NO'S	see Condition 2
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_143050</p> <p><u>When viewing this as an Hard Copy</u> .</p> <p>Please use the following steps</p> <ol style="list-style-type: none">1. Please go to pa.brent.gov.uk2. Select Planning and conduct a search tying "18/4701" (i.e. Case Reference) into the search Box3. Click on "View Documents" tab

RECOMMENDATIONS

To resolve to grant planning permission, subject to the completion of a satisfactory Section 106 or other legal agreement, and the conditions and informatives recommended in this report, and to delegate authority to the Head of Planning or other duly authorised person to agree the exact terms thereof on advice from the Chief Legal Officer.

A. That the Committee resolve the **GRANT** of planning permission subject to:

1. Payment of Council's legal and other professional costs in the preparation and management of the Agreement
2. Payment on completion of the deed of the Council's legal and professional fees in preparing and thereafter monitoring the agreement
3. Notice of commencement within 28 days of a material operation
4. Affordable housing
 - a. The securing of 15 units as affordable units, comprising:
 - i. Affordable rented units: 1 x 1-bed, 7 x 3-bed, and 1 x 4-bed
 - ii. Intermediate units: 3 x 1-bed and 3 x 2-bed
 - b. Affordable Rented definition (rents to be agreed but will need to be inclusive of service charges, capped at LHA rates)
 - c. Intermediate units – London Living rent
 - d. Affordable Rented units disposed to RP on freehold or minimum 125 year lease
 - e. Nomination rights (100%)
 - f. s106 post-implementation review
5. Community Access Plan
6. Training and Employment
 - a. Prior to a material start on site, to inform in writing Brent Works of the projected amount of construction jobs, training opportunities and provide a copy of the Schedule of Works.
 - b. Prior to a material start, to prepare and submit for the Council's approval an Employment Training Plan for the provision of training, skills and employment initiatives for residents of the Borough relating to the construction phase of the Development and in relation to the operational phase of the Development.
 - c. To offer an interview to any applicant who is a Brent resident and who also meets with the minimum job criteria
 - d. From material start, to provide monthly verification of the number of Brent residents employed or provided training during construction, and if the targets are not being met, to implement measures to achieve them
 - e. To use reasonable endeavours to achieve 1 in 10 of the projected construction jobs to be held by Brent residents and for every 1 in 100 construction jobs to provide training for a previously unemployed Brent resident/school leave for at least 6 months
7. Carbon Offsetting
 - a. Contribution of £67,050 towards a local carbon off-setting scheme to achieve a zero carbon development based upon the carbon reduction measures set out in the Energy & Sustainability Statement dated 23rd January 2017.
8. Considerate Constructors Scheme
9. Any other planning obligation(s) considered necessary by the Head of Planning.

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

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

1. Time Limited Permission
2. Approved Plans
3. Contract for Redevelopment
4. Building Recording
5. Display Board
6. Accessible / Adaptable Dwellings
7. Restriction of Change of Use to C4
8. Use - Public House

9. Details of Materials
10. Details - Sections
11. No External Plant and Fittings
12. Noise - glazing
13. Noise - Insulation
14. Noise - Plant
15. Noise - Non-Road Mobile Machinery
16. Hours of Opening
17. Contaminated Land - Site investigation
18. Contaminated Land - Remediation and Verification
19. Piling/Foundations
20. Details of External Lighting
21. Travel Plan
22. Construction Methodology / Traffic Management Plan
23. Construction Site Waste Management Plan
24. Details of Cycle Parking
25. Energy & Carbon Reduction
26. Air Quality
27. Water Efficiency
28. SUDS 1
29. SUDS 2
30. Soft and Hard Landscaping
31. Means of Enclosure
32. Ecology
33. Bats
34. Satellite dish / TV Antenna

D. Informatives as detailed at the end of this of this report.

E. 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 not that such change(s) could reasonably have led to a different decision having been reached by the committee.

F. 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.

SITE MAP

	<p>Planning Committee Map</p> <p>Site address: 110 Walm Lane, London, NW2 4RS</p> <p>© Crown copyright and database rights 2011 Ordnance Survey 100025260</p>
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This map is indicative only.

PROPOSAL IN DETAIL

As Members are aware, two schemes are being considered for the site, with the applications being referred to as Schemes A and B. Whilst both schemes are identical in terms of the number of units proposed, the provision of a public house with community/function room and outdoor space, and amenity space provision, the key differences to note are:

- The design of the roof, with Scheme A sitting further back (with a long front dormer window with roof lights above), compared to Scheme B which is sited towards the front, with inset dormer windows and rooflights)
- The appearance of the public house element

In relation to Scheme B, permission is sought for the replacement of existing building (containing public house and former members club) with a mixed use development within a 4 and part 5 storey building comprising 48 self-contained flats (14 x 1 bed, 22 x 2 bed, 11 x 3 bed & 1 x 4 bed) and public house and function room on ground floor (Use Class A4) with green roof and photovoltaics panels, provision of bicycle storage with associated amenity space, landscaping and refuse stores (SCHEME B)

The proposed building will be L-shaped, extending along the Walm Lane frontage approximately 31.5m and extending a maximum depth of 47.3m near to the railway line. It will have a maximum height of approximately 19m to the top of a crown roof along the Walm Lane frontage and a maximum height of approximately 15m to the top of a flat roof along the railway frontage. Four inset dormer windows and 3 pairs of rooflights between are proposed facing Walm Lane. At the rear, two levels of dormer windows are proposed to help facilitate the provision of the units within the roof space.

The ground floor of the “Walm Lane block” will contain a public house with floorspace for a function/community use and toilet facilities (back of house facilities for the public house e.g. store/office will be located within the basement). The five floors above, including two within the roof space, will contain the 33 private housing units, each with access to a balcony or terrace. The rear block will contain the 15 affordable units over its four levels

EXISTING

The site is located on the eastern side of Walm Lane and consists of a part two, part three storey detached building, containing The Queensbury public house and the former Conservative Club. The building is registered as an Asset of Community Value (ACV) and there is also currently an arrangement where local community groups have access to the building on Monday to Saturday mornings. A car park, accessed from Walm Lane, is located on the southern side of the site.

The site is located within the Mapesbury Conservation Area, a designated heritage asset but the site itself does not contain a locally or statutory listed building. The site abuts the rear garden of Nos.147A to E and Nos.153A to C Dartmouth Road to the east, a five storey residential development at No. 112 Walm Lane to the north and three single storey commercial units to the south. The southern boundary of the site also abuts the railway line which serves the Metropolitan and Jubilee Lines of the London Underground and Chiltern railway services. The embankment along the railway line is designated as a wildlife corridor.

On the opposite side of the railway line is the Willesden Green Conservation Area. The western side of Walm Lane, opposite the application site contains the secondary shopping frontage of Willesden Green Town Centre. This section of Willesden Green contains three storey terraced properties with commercial at ground floor and residential above. Willesden Green Underground Station is a statutory listed Grade II and is in close proximity to the application site on the opposite side of Walm Lane.

AMENDMENTS SINCE SUBMISSION

The following amendments have been made since the original submission:

- The façade of the public house has been amended to give it a traditional public house appearance;
- Toilet facilities are provided on the ground floor;
- Rooms have been amended to provide more regular-shaped accommodation; and
- Projecting dormers on the Walm Road elevation have been removed, with inset dormers and rooflights provided.

- The basement has been enlarged to provide a plant room for the residential element.

SUMMARY OF KEY ISSUES

The key planning issues for Members to consider are set out below. Members will need to balance all of the planning issues and the objectives of relevant planning policies when making a decision on the application:

- Principle of uses:** The principle of the development is accepted because the proposal includes the re-provision of a public house (The Queensbury being a designated asset of community value) and the provision of housing to help meet borough and London targets.
- Heritage Assets:** The development site, whilst not occupied by a listed building, sits within the Mapesbury conservation area, it is opposite the Willesden Conservation Area and grade II listed Willesden Green Underground Station, and 350 metres south of the listed St Gabriel's Church.
- Affordable Housing:** The development is proposing 35% affordable housing (by room) and a policy compliant tenure split. The viability assessment has been reviewed and whilst there is some disagreement in relation to some aspects of the financial position, a late stage viability review, secured via a legal agreement, is proposed to capture actual sales values and build costs, and if the scheme viability improves, monies would be secured to towards off-site affordable housing. Although the proposed level of affordable housing falls short of the current policy position (50%), it would accord with emerging London Plan and Brent policy and would accord with Brent Policy when this can be given greater weight.
- Design:** The design of Scheme B is considered to have addressed the concerns raised previously and the quality of design is considered to be sufficient.
- Scale/Bulk/Neighbour Impact:** The overall scale and bulk of the building is similar to the previously refused scheme where impacts on neighbouring occupiers were considered to be acceptable.
- Quality of accommodation:** The issues with the previously refused scheme have been resolved, and the scheme would be considered to provide a good standard of accommodation for future residents.

RELEVANT SITE HISTORY

An application (**ref: 18/0210**) for the demolition of public house and erection of a 4 and part 5 storey building comprising 48 self-contained flats (14 x 1 bed, 22 x 2 bed, 11 x 3 bed & 1 x 4 bed) on upper floors with green roof and photovoltaics panels, a public house and function room on ground floor, provision of bicycle storage with associated amenity space, landscaping and refuse stores. Permission was **refused** on 01/05/2018 for the following reasons:

- the development failing to preserve or enhance the character and appearance of the Mapesbury Conservation Area (massing, poor design and lack of articulation);
- the overall inadequacy of the standard of accommodation (undersize units and lack of amenity space for all units);
- a failure to provide the maximum reasonable amount of affordable housing; the additional CO2 emissions in the AQMA together with a failure to achieve a BREEAM rating of at least 'Very Good'; and
- the absence of a legal agreement to mitigate the impact of servicing, parking demand and transport infrastructure, thus being detrimental to the free flow and safety of traffic and pedestrians.

This scheme is currently at Appeal.

Planning permission (**ref: 13/3503**) for the demolition of existing Public House and Conservative Club and erection of 2 to 10 storey building containing A4/D1 use unit on ground floor and 53 residential units on the ground and upper floors (13 x one bed, 30 x two bed and 10 x three bed). Formation of revised vehicular access from Walm Lane to basement car park comprising 23 parking spaces and associated amenity space, landscaping works and pedestrian access from Walm Lane, subject to Deed of Agreement dated under Section 106 of the Town and Country Planning Act 1990, as amended (revised description) was **refused** on 12/03/2013 for the following reasons:

- The development failing to preserve or enhance the character of the Mapesbury Conservation Area and adversely impacting on the Willesden Green Conservation Area due to the height, scale, massing and density appearing unduly prominent and out of character in the street scene and in the

- wider locality.
- Insufficient provision of affordable housing.
- The lack of a legal agreement to secure: a Community Access Plan; sustainability measures; job & training opportunities for local residents, adherence to the Considerate Contractors Scheme; a Travel Plan; and restrictions to prevent future residents from applying for parking permits.

The scheme was also **dismissed on Appeal** with the Inspector noting the following:

- The existing building makes a positive contribution to the character and appearance of the Mapesbury Conservation Area and to the setting of both the Willesden Green Conservation Area and the Willesden Green Station
- The buildings contribution to the significance of St Gabriel's Church is modest
- The importance of the building is not integral to the Conservation area and the degree of harm from its loss would be "less than substantial"
- The development would not preserve or enhance the character of the Mapesbury Conservation Area, adversely affect the setting of the Willesden Green Conservation Area and the listed Station, fail to preserve the setting of St Gabriel's Church (but not its significance)
- The public benefits identified (provision of affordable housing, a replacement public house, and the formalisation of arrangements for Busy Rascals, investment in new construction and employment) were outweighed by the "adverse lasting impacts on the character and appearance of the Mapesbury Conservation Area and on the setting of the Underground station would be considerable, even if within the 'less than substantial' category" (para.82 Appeal Decision).

CONSULTATIONS

Public Consultation

Letters were sent to the occupiers of 1795 neighbouring and nearby properties in addition to site and press publicity. Fifty-nine letters of objection were received with the initial consultation period (from 18/12/2018) with an additional 26 letters received following a further round of consultation (from 05/04/2019) following the receipt of amended plans. Objectors raised some or all of the following points:

<u>Comment</u>	<u>Response</u>
Heritage	
Inspector noted in a previous appeal that the building makes a positive contribution to the setting of a grade II listed station, which would be desirable to preserve. This is a blanket recommendation to all future development.	Please see Heritage section of this Report
Appeal scheme dismissed on the basis that the development would not enhance the conservation area and stressed the importance of the existing building	Please see Heritage section of this Report
The existing building needs to be protected into perpetuity. Brent could list the Queensbury Pub as a heritage asset.	Please see Heritage section of this Report
Destroying another old building on the edge of a conversation area	Please see Heritage section of this Report
Brent Planners should look at the historic events involving Westminster Council's planning department in 2015 with The Carlton Tavern	This was a grade II listed building which was demolished without permission and has no relevance to the current scheme.
The development will sever the links with the past by eroding historic character	Please see Heritage section of this Report
Object to destruction of a turn of the century nice building with a breathtakingly beautiful steep and large roof	Please see Heritage section of this Report
Replacement building does not preserve or enhance the conservation area	Please see Heritage section of this Report
The proposed apartment block is very unattractive from the outside and certainly does not fit in with the Edwardian and Victorian appearance of the Mapesbury conservation area	Please see Heritage section of this Report

Little left of character in Willesden but the old library tower remains.	Please see Heritage section of this Report
Brent Council's policy BE27 is that a building in a conservation area cannot be demolished, partly demolished or in any substantial way altered unless they positively detract from the character or appearance of the conservation area	Please see Heritage section of this Report
The existing building complements the Grade II listed station and elegantly shapes one of the gateways to Willesden Green	Please see Heritage section of this Report
The pub is one of the last icons remaining in Willesden Green conserving the area's charisma	Please see Heritage section of this Report
It is so important for those of us who live in the area, to retain the main building with its charming pub full of character, and wonderful sunny terrace for summer	Please see Heritage section of this Report
The demolition of this building with replacement with a rather generic modern apartment block would give rather the impression that you could be anywhere	Please see Heritage section of this Report
The current building can be seen as the flagship of the conservation area	Please see Heritage section of this Report
Public House/Community Use	
Whilst there is a need for housing, there is also a need for place where the community can gather, socialise, relax	
No other place like this which not only brings community together it brings income and jobs to the area	
Will be forced to travel to other areas to find a similar establishment	
No safeguards for Busy Rascals and nothing in the new plans about how they would operate.	A community / function room is being provided. The existing arrangement with Busy Rascals is informal and there is no requirement to provide a community use.
The only community gastro pub bringing everyone together. A newly built pub would not replace it.	
Similar to the situation of the Corrib Rest in Queens Park, only difference is Queens Park has more restaurants and bars for community.	
This is a vibrant pub and community hub protected by CP23, the London Plan, and paragraph 70 of the NPPF.	The development does not involve the loss of a public house from the site as one will be re-provided
Proposed development does not protect the A4 use within the overall scheme – noise insulation should be required.	The development would have to meet with Building Regulation requirements for noise insulation
The ownership, maintenance and management of the Function / Community Room are not Defined and should be in perpetuity	A Community Access Plan will be provided
What will be the legal status of the Function / Community room, who will own the ground on which the room sits	A Community Access Plan will be provided. Ownership rests with the owner of the site
The Queensbury is a recreational and sociable amenity - it is entirely inappropriate for the council to approve replacing The Queensbury with private housing - a completely different category of usage.	This is a mixed-use development with a public house being re-provided together with residential
Too many pubs are being lost in London, so	A public house is being re-provided

Brent Council should reject this proposal to demolish the building	
The only local good pub and bar will be closed	A public house is being re-provided
There is negligible community pay-back and what is proposed is not seriously practical as a community user-space, should be 156sqm or 3% of the total area of the building	The proposed community / function room is a significant improvement on the existing by providing a dedicated space 3x the size of the informal area currently provided. In addition, there is an external area for the sole use of this element.
The internal footprint of the new pub, is much smaller than the existing pub, and has much lower ceilings and is too long and narrow	
A highly inappropriate replacement "community" area has been proposed - totally unfit for purpose.	The proposed space is 3x greater than the existing temporary space
Removing the pub would also contribute to the loss of businesses from across the road	The public house will be re-provided
There is nothing in the appeal that guarantees the re-instalment of the pub and the community area	Should the appeal scheme be approved, it will be on the basis of the plans which show a public house
No kitchen or ventilation in the proposed plan	Provision of a kitchen is a management decision and is not a requirement for a public house. Kitchen ventilation is shown on the roof plan.
Design	
No amount of internal tweaking will make me change my mind. Recent amendments are only cosmetic	Please see Design section of this Report
The façade to the public house looks unaccommodating, has no exterior space, or 'garden suburb' atmosphere.	Please see Design section of this Report
Prefer the other facade, and object to any room size of less than 10m2	Please see Design section of this Report
Roof elevation is far too high and overbearing and is ill conceived in design related to the neighbouring buildings	Please see Design section of this Report
Amendments do not make up for the loss of the existing building - roof line in no way compensates for the loss of the existing roof which enhances the sounding built environment providing an interest roof line	Please see Design section of this Report
Yet another attempt to shoehorn an ugly inappropriate development into the space at 110 Walm Lane	Please see Design section of this Report
A poor design	Please see Design section of this Report
Obtaining the maximum number of units seems to be the priority	Please see Design section of this Report
Inappropriate location for bin store at the front	Please see Design section of this Report
Diagonal bays and stepped balconies are a mistake	Please see Design section of this Report
Object to any room less than 10 m2 - 7.5m2 is unacceptable for any living standard	Units comply with the Technical Housing Standards
Too tall – shouldn't be taller than No.112	Please see Design section of this Report
Why not build around the existing building, as was done with the library?	Please see Design section of this Report
Balconies out of character with the area	Balconies are found within the wider area
Design of pub is poor	
Characterless inside and out	
Should not be allowed to build up to the boundary lines in order to maintain the existing space around the building	Please see Design section of this Report

The mass of the base block (to the rear) is too bulky for the setting	Please see Design section of this Report
Not so much the height but the blandness of the roof line in particular. The skyline of existing properties broken up due to chimney stacks, protruding dormers and gable ends. The current proposal will be visible from many angles and is overbearing and lacks interest.	Please see Design section of this Report
All three proposals look like a blocky concrete nightmare designed to jam more people in with a lack of greenery and outside space.	The LPA is only considering two schemes (A & B) whilst the Planning Inspectorate will be determining the Appeal scheme.
Out of scale with other buildings, especially the grade II listed Willesden Green Station	Please see Design section of this Report
LP policies 7.4 and 7.6 seek to protect local character and architectural quality	Please see Design section of this Report
Almost no change between rejected and proposed scheme and the design alterations do not bring any improvement	Please see Design section of this Report
Quality of the architecture continues to be poor and not worthy of the Conservation Area where it's located	Please see Design section of this Report
The new articulation of the façade is a simplistic approach and a failed attempt to relate to the character of the buildings along Walm Lane	Please see Design section of this Report
The proposed massing is out of scale with its surroundings	Please see Design section of this Report
The proposals for the retail space are out of character with the area and with the Willesden Green retail design guidelines	Please see Design section of this Report
New proposal is even worse than the one which has previously been rejected by the Council. The proposed new building is too high, too solid, too ugly and does nothing positive for the community or the look of the buildings forming that part of Walm Lane	Please see Design section of this Report
The applicants should be directed to come back with a proposal based on retaining the existing building, or at least the front portions of it, and building rather in the rear portion of the site, where there is quite a large area, which is currently a car park, and towards the side of the main building	Please see Design section of this Report
The proposed edifice is a big hulking ugly lump which does zero to enhance the area. It overshadows everything. A bunch of red brick and faux bay windows does not make for sympathetic Edwardian style	Please see Design section of this Report
A gold fish bowl shop front	Please see Design section of this Report
Should be limited to same height as 112 Walm Lane (5-storeys), with the top floor set back	Please see Design section of this Report
Should be flat fronted like No.112 Walm Lane	Please see Design section of this Report
Entrance to flats is too narrow can be improved using our plan submitted	Please see Design section of this Report
No disabled / baby changing toilets on the ground floor.	Please see Design section of this Report
Detrimental effect on the Walm Lane frontage with the loss of outdoor space	Please see Design section of this Report
Loss of a unique large open area in front of the pub which provides benefit both to users and is pleasant for the general public	Please see Design section of this Report
Proposed beer garden does not have the same	Please see Design section of this Report

charm and character of the existing. At present raised and sheltered from passers by with the new one dropped down to below the footpath in places and open to all passers by.	
Insulting to simply dismiss retention of existing building and development of the rest of the site by simply stating "This approach was tested, but discounted owing to the excessive height of the block and its poor relationship with the existing building"	Please see Design section of this Report
Amenity	Please see Design section of this Report
Residential above a public house is not a socially wise strategy because of potential noise complaints	Please see Design section of this Report
Will block light	Please see Design section of this Report
Overlooking of existing buildings/properties	Please see Impact on Neighbour Amenity section of this Report
Overlooking and loss of privacy to houses on Dartmouth Road	Please see Impact on Neighbour Amenity section of this Report
Affordable Housing	
Insufficient affordable housing proposed	Please see Housing section of this Report
Are there guarantees about affordability?	Affordable units are secured by a legal agreement
There aren't enough affordable flats in the plan - affordable housing is needed in NW2, this needs to be addressed	Please see Housing section of this Report
Would like to see further documentation to support the low valuation given to the property - which does not seem accurate and therefore should not be used as a reason to pull away from providing social housing in the mix	Social housing is being provided but not at a policy compliant level. As a result, the FVA is being assessed by independent consultants to establish the maximum level of affordable housing that can be provided.
The development will not benefit local residents by providing low cost social housing and will not provide any new community amenities, in fact the opposite	Please see Housing section of this Report
Environmental Matters	
No sign of environmental considerations – no evidence that it will offset its environmental impact	Please see Sustainable Design section of this Report
Landscaping is poor quality and does not reflect the Mapesbury planning guidelines which specifically state that frontages should be of permeable materials and a minimum of 50 must be planted	Please see Sustainable Design section of this Report
Insufficient to meet with the policy of ensuring the greening of Brent. Little space for increasing the tree planting	Please see Sustainable Design section of this Report
there is more evidence of the environmental impact of concrete, with it accounting for 8% of global CO2 emissions. Therefore, opportunities like this one to retain some or all of existing buildings, should be taken whenever they can.	Please see Sustainable Design section of this Report
Highways Matters	
Increased traffic on an already busy road	Please see Highway Safety section of this Report
No provision for visitor parking	Please see Highway Safety section of this Report
Servicing shown from the main street, in the busiest spot of Willesden Green increasing the already problematic congestion	Please see Highway Safety section of this Report
Lydford Rd is already a rat run.	Please see Highway Safety section of this

	Report
Although there are plans for 2 parking spaces in front of the building for Ocado / Amazon deliveries - it will still be incredibly congested as there is a bus stop opposite the station and there are plans to move the bus stop from opposite Sainsbury's Local to outside Foxton's - right opposite the site -which will cause huge traffic problems	Please see Highway Safety section of this Report
Other Matters Raised	
Are there guarantees the flats won't be sold off plan abroad, like the library centre flats?	No restriction on private sale units
Devious to provide us with many applications and clearly hoping that consultees will miss one	There is no restriction in legislation to the number of applications which can be made
Underhand how the developer has submitted two applications before the appeal has been heard	There is no restriction in legislation to the number of applications which can be made
These constant planning applications are a total waste of public time and resource, an attempt at attrition.	There is no restriction in legislation to the number of applications which can be made
Not enough GP's to cope with an influx of new patients	CIL payment contributes to provision of health services
Not enough school places	CIL payment contributes to provision of education services
I don't think that local residents (and voters) will be happy if this is approved	Each scheme must be assessed on its own merits
These plans are in almost every way identical to the last set of plans proposed. Evidently the planners hope that by continually resubmitting the same ideas, local residents will tire of responding and they'll eventually get their plans through unnoticed	There is no restriction in legislation to the number of applications which can be made
It is time that no more application are filed for 110 Walm Lane which should be a protected building	There is no restriction in legislation to the number of applications which can be made
Brent Council could make a compulsory purchase of the land, and with the protection of the pub and its facilities, keeping the pub as a listed and protected building within the Conservation area, the land behind could be used to build more council flats for key workers	Please see Heritage and Design sections of this Report
Would hope the planning department will refuse this scheme and intervene with a protection order that would stop any more applications being made	Each scheme must be assessed on its own merits and there is no restriction in legislation to the number of applications which can be made
This plot must not be used to profit developers and, most likely, overseas purchasers. It should be developed to benefit local people, possibly via a joint council/community enterprise.	A public house is being re-provided together with social housing units

1. The Mapesbury Residents Association object for the following reasons:

Comment	Response
Heritage	
Proposed new building is too tall and too bulky and would detract from the appearance of the area and does not preserve or enhance existing conservation area	Please see Heritage section of this Report
The existing building makes a positive contribution to the setting of the listed station, which according to the previous Appeal	Please see Heritage section of this Report

inspector, would be desirable to preserve. The Planning Authority ought to respect that view and act consistently with it.	
Public House/Community Use	
The function/community room is too small. It would need to be doubled to be useful	Please see Public House / Community Use section of this Report
The function/community room is poorly laid out and badly located in an insecure place	Please see Public House / Community Use section of this Report
Size of the Function / Community room is not of sufficient value in relation to the value of the planning permission being sought	Please see Public House / Community Use section of this Report
Floor plan of the pub is too long and narrow	Please see Public House / Community Use and Design sections of this Report
Replacement pub has neither a kitchen nor ventilation in the proposed plan which will severely limit its menu	Please see Public House / Community Use section of this Report
Poor floor plan and absence of a kitchen must impact upon its popularity with residents. It would be a completely inadequate replacement for the existing pub and brings into question the viability of the proposal for this space as a replacement for a popular and important local amenity	Please see Public House / Community Use section of this Report
Ownership, maintenance and management of the Function / Community Room are not defined	A Community Access Plan will be provided. Ownership rests with the owner of the site
Design	
The applications are described as 4 and in part 5 storeys; however, both schemes are 6 storeys visible height across the frontage with 5 storeys behind.	Please see Design section of this Report
Each floor is taller than those of no 112 and the roof level would therefore be 1.5 storeys higher than the 5 storeys on no 112	Please see Design section of this Report
No attempt to harmonise with no 112. It does not carry across the basic simple flat front wall with rectangular balconies of 112. Instead there are prominent bays forming a modelled front, stepping in and out, drawing attention to the bulk of the new building	Please see Design section of this Report
Main entrance to the flats is a constricted passage next to the bin store	Please see Design section of this Report
Metal cladding is for industrial sheds and timber cladding has no feel of permanence and quickly deteriorates in appearance.	Please see Design section of this Report
Proposed horizontal banding for the brickwork between the bays and balconies is whimsical and unnecessary	Please see Design section of this Report

One letter of support has been received, confirming that it is good to see more housing in an area which needs it; and the investment in the area.

Consultees Internal / External Bodies

London Underground

It has been advised that there are no objections in principle to the proposed development. However, given the close proximity to railway infrastructure, it is requested that a condition is imposed to secure details of design and method statements to ensure no impact on LU infrastructure.

It is advised that although the proposal is separated from Network Rail land by the LUL, Network Rail still need to be aware of any piling works on site or any tower crane working. In addition, the most appropriate

measures to mitigate noise and vibration from the existing operational railway to ensure that there will be no future issues for residents must be explored.

Historic England (GLAAS)

It has been advised that GLAAS do not wish to provide comment.

Thames Water

With regard to foul water sewage network infrastructure capacity and water network and water treatment infrastructure, no objections are raised based on the information provided. Concerns are raised over the existing surface water infrastructure to accommodate the needs of this development proposal and that it is expected that surface water is attenuated to Greenfield run off rates prior to discharge to the surface water sewer.

Community Protection

No objections subject to conditions.

Environmental Health – Air Quality

The methodology of the Aether AQ report and the conclusions drawn are considered acceptable. Conditions are proposed in relation to securing a Construction Method Statement

Environmental Health – Noise

The measurements and methodology of the Environmental Noise Assessment are considered acceptable. Conditions are proposed in relation to securing details of noise mitigation measures.

Local Lead Flood Authority

It is also advised that the site is within Flood Zone 1 and the risk of flooding is considered very low, with no historical records of flooding in the area. The scheme reduces the impermeable area and also includes permeable paving and a storage tank. No objections are raised.

Transportation

No objections are raised.

POLICY CONSIDERATIONS

The London Plan

Policy 3.1	Ensuring equal life chances for all
Policy 3.3	Increasing housing supply
Policy 3.4	Optimising housing potential
Policy 3.5	Quality and design of housing developments
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
Policy 3.13	Affordable housing thresholds
Policy 4.3	Mixed use development and offices
Policy 4.8	Supporting a successful and diverse retail sector and related facilities and services
Policy 5.1	Climate change mitigation
Policy 5.2	Minimising carbon dioxide emissions
Policy 5.3	Sustainable design and construction
Policy 5.5	Decentralised energy networks
Policy 5.6	Decentralised energy in development proposals
Policy 5.7	Renewable energy

Policy 5.8	Innovative energy technologies
Policy 5.9	Overheating and cooling
Policy 5.10	Urban greening
Policy 5.11	Green roofs and development site environs
Policy 5.12	Flood risk management
Policy 5.13	Sustainable drainage
Policy 5.14	Water quality and wastewater infrastructure
Policy 5.15	Water use and supplies
Policy 5.16	Waste net self-sufficiency
Policy 5.18	Construction, excavation and demolition waste
Policy 5.19	Hazardous waste
Policy 5.21	Contaminated Land
Policy 6.3	Assessing the effects of development on transport capacity
Policy 6.9	Cycling
Policy 6.12	Road network capacity
Policy 6.13	Parking
Policy 7.1	Lifetime neighbourhoods
Policy 7.2	An inclusive environment
Policy 7.3	Designing out crime
Policy 7.4	Local character
Policy 7.6	Architecture
Policy 7.8	Heritage assets and archaeology
Policy 7.14	Improving air quality
Policy 7.15	Reducing noise and enhancing soundscapes
Policy 7.18	Protecting open space and addressing deficiency
Policy 7.19	Biodiversity and access to nature

Core Strategy

CP1	Spatial Development Strategy
CP2	Population and Housing Growth
CP6	Design & Density in Place Shaping
CP15	Infrastructure to Support Development
CP17	Protecting and Enhancing the Suburban Character of Brent
CP18	Protection and Enhancement of Open Space, Sports and Biodiversity
CP19	Brent Strategic Climate Change Mitigation and Adaptation Measures
CP21	A Balanced Housing Stock
CP23	Protection of existing and provision of new Community and Cultural Facilities

Development Management Document

DMP 1	Development Management General Policy
DMP4a	Shop Front Design and Forecourt Trading
DMP9a	Managing Flood Risk
DMP9b	On Site Water Management and Surface Water Attenuation
DMP12	Parking
DMP13	Movement of Goods and Materials
DMP15	Affordable Housing
DMP18	Dwelling Size and Outbuildings
DMP19	Residential Amenity Space
DMP21	Public Houses

Other Relevant Policy Considerations

National Planning Policy Framework (NPPF)
 Planning Practice Guidance (PPG)
 Technical housing standards – nationally described space standards (2015)
 draft London Plan (2017)
 Mayor of London - A City for all Londoners
 LB Brent S106 Planning Obligations SPD (2013)
 LB Brent Design Guide for New Development (SPD1)
 LB Brent Residential Extensions & Alterations (SPD2)
 LB Brent Shopfronts SPD (SPD3)

LB Brent Basement SPD (Jun 2017)
LB Brent Willesden Green Conservation Area Character Appraisal (2006)
LB Brent Mapesbury Conservation Area Character Appraisal (2006)
LB Brent Mapesbury Conservation Area Design Guide (2018)
LB Brent Waste Planning Guide SPG
Community Infrastructure Levy Regulations 2010
London Cycling Design Standards

DETAILED CONSIDERATIONS

Heritage Considerations

Statutory Background and the NPPF

1. Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (“Listed Buildings Act”) confirm that special attention shall be paid to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses (s.66) and preserving or enhancing the character or appearance of that area (s.72). As confirmed by the Court of Appeal (Civil Division), the decision in *Barnwell Manor Wind Energy Ltd v East Northamptonshire District Council* [2014] EWCA Civ 137 confirmed that where an authority finds that a development proposal would harm the setting of a listed building or the character and appearance of a conservation area, it must give that harm “*considerable importance and weight*”. Further case law has reconfirmed the Barnwell decision and the considerations to be undertaken by a planning authority: *The Forge Field Society & Ors, R v Sevenoaks District Council* [2014] EWHC 1895 (Admin), *Pugh v Secretary of State for Communities and Local Government* [2015] EWHC 3 (Admin).
2. Section 16 of the NPPF (“Conserving and enhancing the historic environment”) (paras. 184 to 202) advises Local Planning Authorities to recognise heritage assets as an “irreplaceable resource” and to “conserve them in a manner appropriate to their significance” (para.184). In determining applications, LPA’s at para.192 take in to account of:
 - a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - c) the desirability of new development making a positive contribution to local character and distinctiveness
3. When considering the impact of a proposed development on the significance of a designated heritage asset, it is advised at para.193 that “*great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance*”. Consent should be refused where there is substantial harm or total loss of significance, unless there are substantial public benefits that outweigh that harm or loss (NPPF, para.195). Where there is less than substantial harm, the harm is to be weighed against the public benefits of the proposal (NPPF, para.196) and with regard to non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset (NPPF, para.197). Whilst being encouraged to look for new development opportunities within Conservation Areas (para.200), it is also advised at para.201 that not all elements of a Conservation Area will necessarily contribute to significance. Loss of a building or other element, which makes a positive contribution to the areas significance, should be treated either as substantial harm under para.195, or less than substantial harm under para.196 (the harm to be weighed against the public benefits of the proposal). For the avoidance of doubt, it should be noted that the term “public benefit” is set out with the Planning Practice Guidance (Paragraph: 020 Reference ID: 18a-020-20140306):

Public benefits may follow from many developments and could be anything that delivers economic, social or environmental progress as described in the National Planning Policy Framework (paragraph 8). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and should not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits.

Public benefits may include heritage benefits, such as:

- *sustaining or enhancing the significance of a heritage asset and the contribution of its setting*
- *reducing or removing risks to a heritage asset*
- *securing the optimum viable use of a heritage asset in support of its long term conservation*

4. A “benefit” is not limited solely to heritage benefits but to all material planning benefits arising from a particular scheme, providing that they meet with the relevant policy tests for conditions and obligations.
5. It is also important for Members to note that with regard to the legislation, the term “setting” only refers to listed buildings and not to Conservation Areas. The NPPF defines the setting of a heritage asset as:

The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.

The Local Plan

6. Policy 7.8 of the London Plan (“Heritage Assets and Archaeology”) advises what boroughs should do at a strategic level to identify, preserve, and enhance London’s heritage assets. The supporting text to Policy CP17 (“Protecting and Enhancing the Suburban Character of Brent”) of the Core Strategy confirms that the Borough’s historical assets need to be protected and conserved. Policies DMP1 (“Development Management General Policy”) and DMP7 (“Brent’s Heritage Assets”) confirms the statutory duty of the Council and provides some guidance on how to present and assess applications affecting heritage assets.
7. There are several heritage assets against which the proposed development should again be considered. These include:
 - The Mapesbury Conservation Area;
 - The Willesden Green Conservation Area; and
 - Willesden Green Underground Station (grade II listed)
 - St Gabriel’s Church

What must therefore be determined is whether the proposed development will harm the significance of the aforementioned heritage assets, having regard to the statutory requirement to give special attention to the desirability of preserving a listed building or its setting (s.66) and preserving or enhancing the character or appearance of a conservation area (s.72).

The proposal will have a greater or lesser impact on individual heritage assets. The factors for consideration will be:

- Proximity
- Visibility
- Compatibility of the proposal with the context and setting of the asset
- The significance of the asset
- The sensitivity to harm of the asset

Assessment Against Significance of Heritage Assets and Consideration of any Public Benefits

The Mapesbury Conservation Area

8. The Mapesbury Conservation Area, designated in 1982, derives its significance (see Character Appraisal and Design Guide) from the area being largely unaltered from when development largely took place from just before the turn of the 19th Century. The area is characterised by wide tree-lined streets and town houses of high architectural quality with intricate detailing. It is also acknowledged that the inter-war houses are of a similar quality and integrate well with those earlier houses. What sets the Mapesbury Conservation Area apart from developments in the local and wider context is:
 - The scale of the buildings;
 - Quality of the architecture and detailing with largely unaltered building frontages;
 - The views between the houses and the open nature of the rear gardens being relatively exposed to

view giving the area its characteristic green and open vista

9. The significance of the Conservation Area is “*under pressure from insidious small scale change through erosion of building detail*” (section 6.7, Character Appraisal). Prior to the implementation of the Article 4 Direction in November 1987, some harm had been caused on some properties through insensitive changes to front gardens (including boundary walls), fenestration, and extensions.
10. The sites positioning in the south west corner of the Mapesbury Conservation Area and north of the railway line and elevated above street level, results in it acting as a gateway to the conservation area and as a local landmark. In the appealed application (ref:13/3503), the Inspector described how the buildings scale and use of materials are an important highly prominent announcement of the character of the Mapesbury area and due to its location, a cornerstone that provides a marker of the area’s history and character. Although the Inspector acknowledged that the existing building is not of outstanding design merit, it was considered that the building is still sufficiently distinctive and pleasing in its design to carry off its local landmark function. The Inspector considered that the building makes a positive contribution to the character and appearance of the conservation area and that the preservation of this contribution would be desirable. Importantly, the Inspector concluded that although the building does make a positive contribution, its importance is not absolutely integral to the quality of the area as a whole. This sentiment is echoed by the Council’s Heritage Officer, who whilst recognising some positive design features of the building (detailed façade with coursed tile hanging, multi-paned windows and red brick dressings characteristic of Mapesbury), considers that the Queensbury is not integral to the character or appearance of the conservation area and its demolition should be seen as resulting in “less than substantial harm”.
11. From certain vantage points (approaching the site from the north and standing directly in front), views of the existing building are obscured by existing development or trees in front of the building. The prominence of the existing building is derived partly from its elevated ground level but more so from its views when approached from the south, as it is located next to the cutting for the railway lines (approximately 40m wide) and with only three single storey shop units at the front with their front building line angled towards the site, resulting in no intervening buildings to obscure views of it. This view reveals a large catslide roof and the upper floors of the building. Views into the site at the point of the existing vehicular access point reveal a 2 storey extension which whilst brick-built, appears incongruous, signage for the various other activities on site which only contribute to visual clutter, and part of the car park. These elements detract from the setting of the existing building. Views of the rear of the site are only afforded from the surrounding multi storey buildings and reveal more of the car park, the unsympathetic extensions, and the impact of the scale and massing of No.112 Walm Lane.
12. In identifying any public benefits to help justify the loss of the existing building, which is considered to make a positive contribution to the Conservation Area, the following is advanced:
 - The redevelopment of the site would remove all of the negative features experienced from the public realm, described above, thus enhancing the character and appearance of this part of the Conservation Area.
 - It will improve the outlook from the neighbouring properties.
 - Glimpses towards the rear would be maintained and improved upon through the pedestrian entrance.
 - Direct street-level access is provided
 - The proposal would contribute to increasing the stock of housing within the Borough through the provision of 48 residential units
 - The number of family units proposed will be a policy compliant 25%
 - A minimum 35% of habitable rooms will be affordable housing.
 - The applicant will formally provide a community space within the re-provided public house, in place of the informal existing arrangement, with the arrangement secured through a Community Use Agreement.
13. It is considered that the public benefits identified above are significant and sufficient to outweigh the less than substantial harm that would be caused through the loss of the existing building.
14. In addition, to ensure that the site is not left vacant, it is considered appropriate to impose a condition requiring evidence of a contract for works, prior to the demolition of the building. A further condition is proposed to record and provide a public record of the building, which could take the form of a display panel within the new building. To ensure that the quality of materials and detailing remains acceptable, conditions will be imposed to secure those details.

Willesden Green Conservation Area

15. The Willesden Green Conservation Area was designated in January 1993. The junction of High Road and Walm Lane, together with the junction at the original library are considered to be the foci, with tributary roads offering nodes of activity and interest. The predominant character is one of commercial uses with offices and residential above. The main exception being Heathfield Park, a residential area of large town houses and villas separated from the high street by Walm Lane. At section 4.1 of the Appraisal, it advises that the only significant modern development within the Conservation Area, located opposite the station, has been "*sympathetically designed and is in keeping with its surrounds*".
16. Although the application site is opposite part of the Conservation Area, the nearest of the foci (the junction of High Road and Walm Lane) is some 360m to the south. From this junction, and due to the curvature of the road, it is not possible to view the application site, with only the tallest element of Erin House looming in the distance. Although the development site sits opposite the northern extremity of this Conservation Area, it is considered that the development would not cause harm to its significance.

Willesden Green Underground Station

17. The grade II listed Willesden Green Underground Station was listed in 2006 (List Entry No. 1391808), with the principle elements worthy of listing being: the materials ("*a distinctive cream terracotta tiling...dressed with moulded terracotta architraves, quoins, and raised panels. Windows are metal-framed casements paired along the front with cross mullions*"); the exterior facing Walm Lane which includes the original serif upper-case lettering announcing the station name on the cornice and the solid diamond motif of the Metropolitan Railway Company, the two original cantilevered entrance canopies with late C20 dark blue fascia, two original shops with quadrant shopfronts with curved glass, and the cantilevered diamond-shaped clock; and the interior booking hall. It should be noted that the listing considers that the south elevation and the areas beneath the ticket office are not of special interest.
18. The architectural significance of the station is largely derived from the design and detailing of its front elevation. Although the views towards the application site is one of the first someone would experience when exiting the station, it is considered that the development proposal will not harm the elements which contribute to the significance of the building. However, it is considered that the application site falls within the setting of this listed building as both sites are clearly in view on approaches from the south and west (Station Parade). The overall design of the proposed scheme will not detract from this and will continue to preserve the setting.

Church of St Gabriel

19. Grade II listed Church of St Gabriel (List Entry No.1188738) is described in its list entry as:

Architects R P Day and W Bassett Smith. Circa 1898. Rubble ashlar dressings. Tiled roofs. Chancel, nave with clerestory and low side aisles. West tower of oblong plan with sloping tiled saddleback roof. Five bay nave. Contemporary fittings. Conspicuous among surrounding buildings.

20. The development site is approximately 345m south of St Gabriel's and is considered too distant to have any detrimental impact on the significance of this heritage asset. This is a view supported by the Inspector at the previous Appeal (paras.35 & 36, Decision Letter), although he did consider that the application site did form part of the setting of the Church and the impact on setting would not be severe (para.56, Decision Letter).

Summary of Heritage Considerations

21. When considering applications which will impact on heritage assets, the decision maker must give considerable importance and weight to the desirability of preserving the setting of a listed building (s.66) and preserving or enhancing the character and appearance of a conservation area (s.72). There is a presumption in law to refuse applications which would cause harm, as great weight must be given to the preservation of those heritage assets. As paragraph 93 of the NPPF confirms, the more important the asset, the greater the weight should be. Harm can potentially be outweighed where public benefits exist which are sufficiently powerful enough to outweigh the identified harm. It is considered that sufficient public benefits exist to outweigh the less than substantial harm that would arise through the loss of a building which makes a positive contribution to the Mapesbury Conservation Area and the development

scheme.

22. It is considered that that the proposed development, due to its design and siting, will not harm the significance of the identified heritage assets. In particular, the development would continue to conserve and enhance the character of this part of the Mapesbury Conservation Area and the setting of the grade II listed Willesden Green Station.
23. Having regard to the statutory requirement to give special attention to the desirability of preserving a listed building or its setting (s.66) and preserving or enhancing the character or appearance of a conservation area (s.72), the proposal has been assessed against the identified heritage assets as set out above. It is considered that the development proposal will not lead to any harm to the designated heritage assets having regard to Policy 7.8 of the London Plan, Core Policy 17, Policies DMP1 and DMP7 of the Development Management Policies, and with section 16 of the NPPF. The development proposals must therefore now be assessed against any other material considerations, in accordance with s.38(6) of the of the 2004 Act and s.70(2) of the T&CPA 1990.

Public House / Community Use

24. The existing public house is a designated Asset of Community Value (“ACV”), a designation that recognises the importance of the use to the community and its wellbeing. It is important to note that the designation does not mean that the site cannot be redeveloped but that the local community is given a six-month period to make a bid for the asset should it be sold. Policy 4.8B of the London Plan, together with DMP21 (“Public Houses”) have the overriding aim of protecting facilities which are valued by the community and seek to protect public houses. DMP21 sets out the criteria upon which an application for the loss of a public house would only be supported. Although the development proposal does involve the loss of the existing public house, and objections to this are noted, it is again proposed to re-provide a public house on the ground floor with ancillary basement accommodation. Designation does not prohibit any potential redevelopment of the site but instead requires an owner wishing to sell the ACV to give the community six months to raise funds and make an offer - a community right to bid. The application site is not being sold and the re-provision of the public house (with the benefit of a community space) would therefore accord with the aforementioned policies.
25. The existing floor space comprises of a bar with dining room, toilets and kitchen on the ground floor, providing a total of 286sqm. The basement (95sqm) houses the ancillary storage, kitchen and plant room. The pub, which is long (27.5m) and narrow (6.3m wall to wall) occupies an area of 194sqm, inclusive of 28sqm of space at the rear used by Busy Rascals on an informal basis in the mornings from Monday to Saturday.
26. The total floor area proposed for the ground floor will be approximately 300sqm, with a further 235sqm within the basement, inclusive of 176sqm for the ancillary back of house accommodation and the remainder as a plant room for the residential element. The pub will be 22m long and 6.8m wide (not including the depth of the three bay windows), and will occupy 205sqm while the additional 95sqm will be provided for a dual-use function room / community use, with access to toilet facilities at this level, and to an external area.
27. External seating will continue to be provided for the public house patrons on the Walm Lane frontage and as mentioned above, separate external space is provided for the function room/community use element. It is considered that the re-provided public house is acceptable in terms of the quantum of development and the quality of the spaces proposed. Moreover, level access is now provided to the seating area and into the building. The provision of raised planters on the site frontage will provide a level of screening.
28. Objectors have questioned the ownership and legal status of the community space, its management, and how access to toilet and kitchen facilities are managed. As with the current scenario, the owner of the building and/or public house would own the space. However, this is a legal matter and not a planning consideration. As with the current arrangement, access to the various amenities is still at the discretion of the owner/manager of the public house and given that there is not a permanent community use currently in place, there is no requirement in planning terms to re-provide one, although the owner is willing to provide one. The proposed space will be of an improved quantum and quality, as the existing space at the rear of the pub is approximately 32sqm compared to the 92sqm proposed. In addition, an outside space of approximately 85sqm is also proposed along the southern boundary. To provide some certainty around access, whether by Busy Rascals or any other community group, the applicant is also willing to provide a Community Access Plan, which would be secured through either condition or a legal agreement.

29. Although the existing pub has a kitchen, this is not a requirement for a pub and the provision of one remains a management decision. However, should a kitchen be provided, details of the design and siting of any extractor kit will need to be provided for approval, to ensure that there will not be any harm to residential and visual amenity. It should be noted that the roof plan does show a kitchen extraction vent.
30. The viability of the public house has been brought into question by objectors who are of the opinion that the floor to ceiling height is insufficient. In response to this the applicant has provided updated plans confirming that the floor to ceiling height will be 3.15m. Moreover, the ceiling depth above the pub is 450mm which is considered sufficient for providing a suitable thickness of acoustic insulation and relevant services. In addition, an email from Davis Coffey Lyons, Leisure Property Consultants, has confirmed that the proposed floor to ceiling height would be acceptable for bar use.
31. In summary, the proposed development will not result in the net loss of a community facility as a public house will be re-provided. Moreover, a dedicated, improved, space is being provided for the wider community and community groups (inclusive of Busy Rascals).

Density

32. The assessment of any development must acknowledge the NPPF and the London Plan, which encourage greater flexibility in the application of policies to promote higher densities. Policy 3.4 of the London Plan encourages the development of land to optimise housing potential but recognises this must be appropriate for the location taking into account local context, character, design and public transport capacity.
33. The site (approximately 0.218ha) is located within an area with a public transport accessibility level ("PTAL") of 6, suggesting that an appropriate level of density for this urban location is in the range of 200-450hr/ha or 70-170u/ha.
34. One hundred and forty one (141) habitable rooms proposed within 48 units, equating to a proposed density level of 646hr/ha or 220u/ha. From a numerical perspective, the proposed density exceeds the suggested range, however, adopted policy acknowledges that a numerical assessment of density is but one factor to consider in assessing whether the site is capable of accommodating the proposed development. Consideration must also be given to the design and quality of accommodation to be provided, the siting and scale of the development, its relationship to site boundaries and adjoining properties, the level and quality of amenity space to support the development, and any highways matters. These are considered below.

Design / Scale / Character / Appearance / Proximity to Boundaries

35. Issues raised with the scheme at Appeal related to the overly bulky appearance of the front elevation due to the 3-storey, 5.45m deep projection with bay windows and the large roof. The mixture of architectural styles was considered to accentuate the fact that the building would appear out of place in the streetscene, with the front elevation considered to be poorly proportioned and detailed. In addition, there was considered to be a lack of definition on the public house and residential elements, with the public house entrance lacking any legibility.
36. Whilst the roof remains large (similar to Scheme A and the Appeal scheme) this is considered acceptable, the removal of the projecting front dormer windows removes some bulk and helps provide a cleaner profile while the inset dormer windows also provide some visual interest in breaking up the massing when viewed from the front. In addition, its more traditional positioning towards the front elevation helps to better link it to the lower elements, giving the building a cohesive form. The gable ends of the roof are considered acceptable and are a modern interpretation of a gable form.
37. The removal of the previously proposed 5.45m deep front projection reduces the bulk at the front of the building and an otherwise unwelcome visual intrusion into the streetscene. There would be of course greater massing and bulk extending into the site, however the rear elements remain suitably subservient to the main block.
38. At ground floor level, a more traditional-looking public house is now provided. The façade of the public house will be dark blue, including the entablature, with grey doors, windows, and stall risers. The materials proposed for the public house façade will also wrap around the southern elevation to

incorporate the function room/ community use element. The traditional pub design features and the strong colour clearly differentiates the commercial/community elements from the residential and these materials will need to be conditioned to ensure an acceptable quality. It should be noted that whilst a proposed materials palette has been included (Drawing No. 4704/PA/400), different materials can be conditioned if Members were minded to approve the development.

39. The façade of the upper levels draws upon features common to both the Mapesbury and Willesden Green Conservation Areas, evident in the use of stone and red brick, full height bay windows.
40. The proposed building will be noticeably taller than the existing (c.3.9m taller than the existing ridge level and c.3.87m taller than the lift overrun at 112 Walm Lane) and not, as suggested within the Heritage Impact Assessment as being of an equivalent height (para.5.36). Notwithstanding, the height is considered acceptable and reflects the change in levels approaching the railway bridge and also reflects the gradual step up of building height from Westly Court and 112 Walm Lane.
41. With regard to the proximity to boundaries, it is considered appropriate for the Walm Lane block to be sited on the boundary with No.112 Walm Lane, and as discussed below, along this boundary, it does not project beyond the rear building line of No.112 Walm Lane. The massing will be greater towards the southern boundary (5.3m) however, although as discussed above, the railway cutting is approximately 40m in width, therefore capable of accommodating this greater massing. The rear block, is discussed below with regard to impact on neighbour amenity.
42. Some objectors have queried why the existing building could not be retained as part of any development of the site. The quantum of development required to provide a viable scheme would result in a massing and scale of development which would completely dominate the existing building and potentially cause harm to the amenity of neighbouring occupiers through overshadowing. In addition, the interventions that would be required to the existing building to ensure it complied with standards of accommodation and level access could unacceptably compromise the integrity of the existing building.
43. In summary, there is now a more consistent design approach to the building and one which is considered to have addressed previous concerns. The removal of the bulky front projection, results in a building which appears more coherent in the streetscene and in keeping, and the façade of the upper elements draws upon features found in the wider area. In addition, the overall design of the public house is now considered to be suitably distinctive from the residential elements. The applicant has reviewed other design options such as retaining the existing building, however as discussed above, a viable scheme would result in a development which would completely dominate the existing building, have unacceptable impacts on neighbouring occupiers or unacceptably alter the existing building. On balance, the proposed design is considered acceptable.

Quality of Accommodation

44. To improve the quality of new housing, new development must meet with or exceed the minimum internal space standards contained within the London Plan (Policy 3.5 Quality and design of housing developments), and the nationally described space standards ("Technical Standards"). Concerns were raised in relation to the refused scheme over the substandard size of some of the units and the layout of certain units due to their narrow widths and irregular shapes. The current scheme has addressed these matters with all units meeting or exceeding their respective floorspace standard and the layout of units has improved to ensure that minimum width standards for individual rooms comply with the Technical Standards. It should be noted that unit 4.03 is annotated to be a 3b5p although each of the bedrooms exceed the minimum standard for double rooms. As such, it falls short of the minimum GIA of a 3b6p (95sqm) unit by 3sqm which on balance, having regard to the layout and quality of accommodation is considered acceptable. Moreover, internal space does not necessarily imply occupancy but is a means of classification for planning purposes.
45. To ensure acceptable levels of light, north facing single-aspect units are discouraged, although it is recognised that this may not always be unavoidable. Similar to the refused scheme, there are no single aspect north-facing units. Three previously proposed units gave rise to concerns over their primary outlook facing the flank wall of the upper floor units on the block towards the rear at a distance of not more than 5m. Whilst this relationship had not changed, each of the respective units (2.06, 3.06 and 4.04) also have some outlook towards the south. In the case of units 2.06 and 3.06 this is provided in the form of balconies while that for unit 4.04 is a window. On balance, this is considered to sufficiently overcome the concerns previously raised.

46. Objectors have again raised questions over the impact of the pub on residents through noise disturbance. As discussed below, the scheme would need to meet with the Building Regulations.
47. To assist in the consideration of any potential noise impact, an *Environmental Noise Assessment* has been provided which has assessed the likely future noise climate on existing and future residents. This is discussed below. Paragraph 180 of the NPPF confirms that planning decisions should mitigate and reduce to a minimum any resulting impacts from noise.

Amenity Space Provision

48. New developments should be providing private amenity space to all dwellings (20sqm per flat), or where this is not achievable, in the form of communal space. Given the nature of the scheme, not all units in the upper floors will be provided with private amenity space which meets (or exceeds) the above standard, although each will be provided balcony or terrace space which exceeds the London Plan standard of 5sqm. Four ground floor affordable units (AF1 to AF4) are each provided with private gardens which range in size from approximately 40sqm to 60sqm. Communal space (c.356sqm) will also be provided in the courtyard to the rear of the proposed building. The overall provision of amenity space is considered to be acceptable.

Impact on Neighbour Amenity

Distancing / Loss of Outlook / Overlooking / Loss of Privacy .

49. Along the common boundary with No.112 Walm Lane the proposed development will not project beyond the rear building line of that adjoining building, therefore not compromising the 2:1 guidance within SPD2, therefore there will be no significant impact on the existing amenity of those immediately adjoining occupiers in terms of loss of light and outlook. Further into the site, units with some outlook towards the north will directly look towards the boundary and towards Westly Court. With distances of approximately 16.3m from the face of the building to the boundary (14.3m from the end of balconies) and a further 20m to the rear of Westly Court, it is again considered that the proposed levels of distancing will not lead to overlooking and a loss of privacy to those occupiers. Moreover, the level of distancing proposed exceeds the recommended 9m and 18m minima contained within SPD1.
50. The relationship to the properties on the opposite side of Walm Lane has not changed from the refused scheme (25m), where this level of distancing was considered acceptable. It should be noted that since the consideration of the refused scheme, distancing standards have been reduced from 20m to 18m.

Loss of Light / Overshadowing

51. A *Daylight and Sunlight Report* has been provided to assess the impact on neighbouring occupiers. The assessment has been undertaken in accordance with the recommendations of the Building Research Establishment ("BRE") report *Site Layout Planning for Daylight & Sunlight: a guide to good practice 2011* and the British Standard document *BS8206 Pt2*. The Report assesses the potential impact on: 112 Walm Lane; Westly Court; and 153 Dartmouth Road. Four recognised tests were undertaken: the Vertical Sky Component ("VSC") and Daylight Distribution ("DD") to assess daylight; Annual Probable Sunlight Hours ("APSH") to assess sunlight; and sun on the ground to measure sunlight on external amenity spaces.

Vertical Sky Component

All of the windows at 112 Walm Lane and 153 Dartmouth Road either pass or are improved. At Westly Court, four windows (x2 at ground, x2 at first floor level) fail the initial test, however this is due to a structure above those windows. BRE guidance advises that such obstructions can be removed, therefore once the test is re-run, all windows pass.

Daylight Distribution

52. Where room layouts are known (or estimated) the impact on daylighting distribution can be found by plotting what is known as the 'no sky line' in each of the main rooms. These are the same rooms as used for the VSC test. The no sky line effectively divides the points on the working plane (0.85m high for residential properties and 0.7m high for offices) that cannot see the sky. Therefore, areas beyond the no sky line will receive no direct daylight but will instead be lit from reflected light.
53. Following the construction of a new development, if the no sky line moves so that the area of the existing

room, which does not receive direct skylight, is reduced to less than 0.8 times its former value, this will be noticeable to the average occupant. All rooms within the aforementioned properties pass.

Available Sunlight Hours

54. Habitable rooms in domestic buildings that face within 90 degrees of due south are tested, as are rooms in non-domestic buildings that have a particular requirement for sunlight (there is no requirement for windows that face within 90 degrees of due north to be tested). The recommendations are that applicable windows should receive a minimum of 25 percent of the total annual probable sunshine hours, to include a minimum of 5 percent of that which is available during the winter months between 21st September to the 21st March (the approximate dates of the autumn and spring equinoxes).
55. If this is not possible (or the amount of sunlight is already reduced because of the effect of existing obstructions) then a further reduction in sunlight availability will be noticeable to an occupier if the total number of sunlight hours is below the target 25 percent of the total annual probable sunshine hours, to include a minimum of 5 percent of that which is available during the winter months, and is less than 0.8 times its former value prior to the development.
56. All of the windows at 112 Walm Lane and 153 Dartmouth Road pass. One window at Westly Court would compromise the guidance during the winter, however once the same obstruction encountered with the VSC test above is removed, all windows would pass.

Amenity Space

57. BRE Guidance recommends that at least 50% of the garden should receive 2 hours of sunlight on the 21st of March (Spring equinox). Each of the tested properties is considered to have passed the test, with it being noted that the amenity space at 112 Walm Lane would improve significantly.

Housing

Tenure / Mix / Affordable Housing

58. Core Policy 2 (“Population and Housing Growth”) confirms that at least 25% of new homes will be family-sized units (3-bed or larger), and CP21 (“A Balanced Housing Stock”) confirms the need to provide an appropriate range and mix of self-contained units. Core Policy 2 also confirms that the Borough will aim to achieve the London Plan’s target of 50% affordable housing and DMP15 (“Affordable Housing”) seeks 70% of new affordable units to be social/affordable rented and 30% intermediate housing at affordability levels meeting local needs. For the scheme, this should equate to x12 family units and x24 affordable units (x17 being social/affordable and x7 intermediate tenure).
59. The application proposes 1x studio, 13x 1-bed, 22x 2-bed, 11x 3-bed, and 1x 4-bed flats. The number of family units proposed equates to approximately 25% of the total provision, thus meeting with the policy target. In terms of the affordable element, 15 units (31%) are proposed, which equates to 35% by habitable room. The tenure split on the affordable would be 9 units (60%) social/affordable rented and x6 units (40%) shared ownership, although by habitable room the tenure split would meet with the 70/30 policy position. It should be noted that in terms of the intermediate units, these will be offered at London Living Rent rates.
60. A review of the FVA has been undertaken because the offer falls short of the adopted policy position, although it would accord with Policy H6 of the draft London Plan (“Threshold approach to applications”) and the direction of travel with the Council’s Local Plan Review. The Review has identified a surplus within the scheme and whilst there is some dispute over the level of the surplus (sales values being a factor), it is considered that this would best be captured through a post implementation review to capture actual sales values, with the sum secured to be used for affordable housing (family-size units) elsewhere in the Borough. Although the applicant has suggested that a review could take place after the sale of 10 open market housing units, this would be contrary to Mayoral advice on review mechanisms and would also fail to resolve questions over sales values.

Accessible and Adaptable Dwellings

61. The London Plan (Policy 3.8) requires that 90% of new dwellings meet with Building Regulation

requirement M4(2) (accessible and adaptable) and 10% are wheelchair user dwellings (M4(3)), that is, they are designed to be wheelchair accessible or easily adaptable. This would equate to at least 5 wheelchair units. This would be secured by an appropriately worded condition.

Highway Safety

62. Policy 6.3 of the London Plan confirms that the impact of development proposals on transport capacity and the transport network are fully assessed. The proposal must comply with policies relating to better streets (Policy 6.7), cycling (Policy 6.9), walking (Policy 6.10), tackling congestion (Policy 6.11), road network capacity (policy 6.12) and parking (Policy 6.13).

Parking

63. The site lies within a controlled parking zone (CPZ) and is limited to parking within designated bays, within the short-stay Pay and Display bays or the car club bays. The proposed public house would not generate a need for off-street parking whilst the proposed 48 residential units would normally be permitted up to 41 spaces. However, given the high PTAL, it is proposed that the development is parking permit restricted, which would comply with standards. Moreover, there are no particular standards for food and drink uses, rendering the existing car park at the rear of the site superfluous to parking requirements.
64. Car-borne visitors to the public house would again be able to make use of nearby pay and display bays on Walm Lane and Station Parade, although the excellent access to public transport means the site is readily accessible to staff and customers without requiring a car. The aforementioned CPZ would prevent overspill parking by staff in residential streets.
65. For the residential units, Policy DMP12 requires that any overspill parking that is generated can be safely accommodated on-street. However, Walm Lane is a busy distributor road and waiting restrictions thus prevent parking during the day along the site frontage. In order to mitigate any adverse impact on parking conditions in the area, a parking permit restriction is recommended (as encouraged in Policy DMP12) to withdraw the right of future residents to on-street parking permits. This has been acknowledged by the applicant and as before, it is recommended that a condition or legal agreement is attached to any planning consent to secure this. Blue badge holders would of course remain exempt from parking restrictions and would be eligible to obtain parking permits.

Cycle Parking

66. The London Plan requires the provision of one secure bicycle parking space for every 1-bed flat and two spaces for larger flats, giving a total requirement of 82 spaces for residents. Three long-stay spaces are also required for the public house, taking the total requirement to 85 long-term spaces. Eighty-four cycle spaces are proposed within three shelters at the rear, which exceeds the minimum requirements and is acceptable. Short-term cycle storage will also be required and it is recommended that eight 'Sheffield' stands be provided within the landscaped area at the front of the site. Details for the proposed cycle storage have not been provided but can be reasonably secured by conditioned, and to also show the additional spaces required.

Servicing

67. In terms of servicing, the public house will again require deliveries of beer barrels, which typically arrive on 10m long drays. Refuse collection for the flats is also required, along with occasional removals vehicles and furniture/white goods deliveries.
68. Servicing is proposed from Walm Lane, within a proposed loading bay. There is currently insufficient space available along the site frontage for the proposed loading bay, due to the presence of a mature street tree and pedestrian refuge. However, a public realm improvement scheme has been designed for Walm Lane in the vicinity of Willesden Green station, which will replace the existing refuge with a zebra crossing, widen the footway fronting the site, raise the carriageway surface onto a long speed table and reduce the speed limit to 20mph. Adequate funding has already been secured and although works were initially programmed for the 2018-19 financial year, their start has been held up by delays in getting approval for works on the adjacent railway bridge structure and is now expected to be undertaken in the summer of 2019. The proposed widening of the footway fronting the site again potentially provides the space for a loading bay and an amended plan (Drawing No.1707-39/PL01A) for a 3.5m x 12m bay has been included with the updated Transport Statement.

Road Safety

69. A Road Safety Audit has been undertaken to consider the layout in more detail. This raised three concerns, relating to: (i) the inter-visibility between pedestrians using the proposed zebra crossing and approaching southbound vehicles; (ii) the demarcation between the bay and the footway; and (iii) the swept path for delivery vehicles using the bay and their ability to manoeuvre into and out of the bay without reversing.
70. Issue (ii) would be addressed through the detailed approval of paving materials as part of the S278 highway works approval process anyway, whilst further tracking has been undertaken to address issue (iii) by demonstrating that 10m rigid lorries can access and leave the lay-by in a forward gear.
71. The primary concern therefore remains issue (i) (visibility to the future zebra crossing), with the Road Safety Audit requiring that this is assessed in detail. The applicant has therefore considered this further. For a 20mph approach (as is proposed once Brent's traffic calming scheme is in place), a minimum visibility splay of 1.5m x 25m is required along the kerblines of the road. However, the applicant has incorrectly drawn the splay to a point 1m into the carriageway, rather than along the kerblines. If drawn correctly, then any vehicle in the loading bay would need to be positioned at the very back of the bay (i.e. 1m from the carriageway edge) so as not to impede visibility.
72. It is therefore important that the bay is designed in such a way as to encourage all delivery lorries to pull up as far back from the carriageway edge as possible. To this end, previous transport comments recommended that if the visibility issue persisted, then a realignment of the kerblines to provide a narrower 3m wide loading bay positioned further back towards the site (thus effectively leaving a build-out on the southern side of the zebra crossing) could be pursued as a means of addressing the concern.
73. As previously mentioned, any final design also needs to ensure that adequate footway width (at least 3m) is retained behind the loading bay and this will require a narrow part of the site frontage to be offered for adoption to accommodate the increased footway width.
74. An agreement under S38/S278 of the Highways Act 1980 will therefore be required to undertake the highway works to form the loading bay and to widen the footway, in accordance with a slightly amended design.
75. As mentioned previously, the bay is also dependent upon the public realm improvement works coming forward. As such, if there is any further significant delay to the undertaking of the public realm works by the Council, it may be necessary to extend the scope of the S278 works accordingly. In any case, the building should not come into use until the loading bay has been completed.

Access

76. Fire access to the rear of the development would again exceed the maximum hose distance of 45m. A strategy for fire access will therefore need to be agreed with the London Fire Service, which is likely to entail provision of a sprinkler system.
77. Pedestrian access is again proposed via a re-landscaped forecourt area, which is also proposed to be used for external seating associated with the public house. Subject to incorporating the visitor cycle parking as discussed above, this is considered acceptable.

Trip Generation

78. The scale of the development remains as previously proposed, therefore estimates of future residential trip generation from the site also remain unchanged (i.e. 3 arrivals/24 departures during the morning peak hour (8-9am) and 14 arrivals/4 departures during the evening peak hour (5-6pm)). Trips to and from the public house are assumed to remain essentially unchanged from the existing site.
79. As previously noted, the absence of off-street parking means that car use can be assumed to be negligible and would be lower than for the existing site with its 35-space car park. The proposal is therefore again likely to have a beneficial impact on the local highway network.
80. For public transport, the development is again estimated to give rise to 18 rail/Underground trips in the morning peak hour and 12 in the evening peak hour, whilst bus trips would total 5 trips and 3 trips

respectively. With 60 buses and 50 Underground trains passing close to the site each hour, these volumes are again not considered large enough to have a noticeable impact on any particular bus or Underground service.

Travel Plan

81. Although the development will be car-free and does not trigger the need for a full Travel Plan under TfL's guidance, the previous Framework Travel Plan has been re-submitted. This aims to increase the share of walking and cycling trips by 5% each, at the expense of public transport trips. A Travel Plan Co-ordinator will be employed to manage the Travel Plan, which will include the provision of information on transport options through a Welcome Pack, noticeboards and promotion of online journey planning resources. Monitoring of the success of the Travel Plan is to be undertaken for five years from first occupation, in accordance with standard practice. No mention is made of nearby Car Clubs though and these should preferably be promoted too through the provision of subsidised membership for new residents. A legal agreement is recommended to secure this for two years.
82. Whilst the Travel Plan measures are welcomed, the securing of a full Travel Plan is not considered entirely necessary, so a simple commitment to employ the measures as set out can be secured through a planning condition, without any need to undertake future monitoring.

Sustainable Design

Carbon Reduction / Energy

83. Chapter five of the London Plan sets out a comprehensive range of policies to underpin London's response to climate change and mitigation, supported by policies within the Core Strategy (CP19) and the DMP (Chapters 6 & 7). The commercial element will be expected to achieve a BREEAM "Excellent" rating and the residential element, being a major development, should be achieving carbon emissions reduction targets leading to zero carbon, with any shortfall to be off-set through a financial contribution to the Council's Carbon Offsetting Fund.
84. The submitted Energy and Sustainability Statement outlines the approach to carbon emission savings and renewable energy. The proposed design approach is to minimise energy consumption through passive design, fabric performance and energy efficiency measures. Consideration has been given to the passive design of the scheme, including the orientation and layout of the building and units, glazing, lighting to be used, and stacking of balconies for shading.
85. The Statement confirms that the residential element should achieve a 36.3% saving, thus exceeding the minimum on site 35% reduction required. However, in accordance with the London Plan (policy 5.2E *Minimising carbon dioxide emissions*) the remaining regulated carbon dioxide emissions, to 100%, are required to be off-set through a cash in lieu contribution (£67,050) to secure delivery of carbon dioxide savings elsewhere. Whilst the Statement discusses this policy position, it does not confirm that the payment would be made, which would be contrary to the aforementioned policy. Such a payment could only be secured through a S106 Agreement while the targeted reduction can be conditioned.
86. With regard to the commercial element, the applicant has not submitted a BREEAM pre-assessment and has again commented that as this element is less than 1000sqm, "BREEAM is not relevant". A rating of "Excellent" is normally sought for non-residential development however the applicants' report states that due to the fact that the area of non-residential development proposed would be considerably below the threshold (1,000sqm) that BREEAM is not relevant. This reflects the approach taken by the Council and is considered to be acceptable.
87. In terms of renewable or low-carbon energy sources, the Statement confirms the feasibility of providing a 10.5kWp PV array on the rear block, with Drawing No. 4747/PA/306 B indicating an array of 53 panels on the roof. Details of the panels together with a maintenance plan, will need to be secured through an appropriately worded condition. Whilst the Statement advises that a communal heating system is not preferred, with individual units being provided with their own boilers, further consideration of this has resulted in an amendment to the submitted plans which now show additional space created within the basement level for the necessary plant to provide a communal heating system. Ducts would vent to the roof and importantly, would not be visible as they would sit behind a small parapet. This strategy is supported.

Flood Risk/Drainage/Water Consumption

88. London Plan policies 5.12 and 5.13 require the consideration of the effects of development on flood risk and sustainable drainage respectively while Policies DMP9A and 9B confirms the Councils approach. The site falls within the Flood Zone 1, with the risk of fluvial and surface water flooding considered to be low.
89. The *Foul and Surface Water Strategy* advises that the sustainable drainage hierarchy has been considered but due to site constraints, the drainage strategy will be limited to permeable paving with a geo-cellular attenuation tank located at the front of the site to limit flow into the public sewer to a rate of 25.7l/s. This would be a significant improvement on the existing un-attenuated flow. A condition will be imposed to secure the proposed SuDS measures.
90. In order to minimise any impact on water supply, and as acknowledged within the *Energy and Sustainability Statement*, major developments should be limiting consumption to a target of 105 litres or less per person, per day, although it advises that the indicative specification is 100 litres per person per day. An improvement on the minimum requirement is welcomed and a condition can be reasonably imposed to seek the details of such measures.

Ecology and Biodiversity

Bats

91. Policy 7.19 of the London Plan (“Biodiversity and access to nature”) requires development proposals to make a positive contribution, where possible, to the protection, enhancement, creation and management of biodiversity. Core Policy 18 of the Core Strategy (“Protection and Enhancement of Open Space, Sports and Biodiversity”) confirms the Borough’s commitment to promote and enhance biodiversity. The proposal involves the demolition of the existing building and the removal of some trees, therefore in support of the application, a *Preliminary Bat Roost Assessment* together with a *Preliminary Ecological Appraisal* has been submitted.
92. The *Bat Roost Assessment* advises that it was not possible to fully inspect all features on the building due to their height and location. In addition, a full inspection of the roof was not possible due to access constraints onto the roof itself. However, no evidence of roosting bats was recorded in areas that could be inspected. The internal assessment of the building identified the presence of features considered to provide potential access points into the buildings or suitable roosting locations within voids. Features identified included crevices beneath clay tiles and exposed beams. No evidence of bats were recorded within the two accessible voids or the internal areas of the flat. However, it was not possible to inspect the remainder of the building internals, including any potential voids beneath the three-storey pitched and hipped roofed segments. As such, the bat roosting status of the building could not be confirmed. Due to the features presented above and having regard to the surrounding habitat, it is considered that 110 Walm Lane has a high potential for roosting bats. It is therefore recommended that emergence/re-entry surveys be undertaken to determine the absence/presence of bats within the building. If a roost is discovered, a licence will have to be applied for from Natural England. The peak season for such surveys is between May and August.
93. In relation to trees, it has been advised that the majority of trees are not mature enough to contain features suitable for roosting bats. The mature Ash tree in the north-east corner of the site did not have any suitable features. The findings of the *Roost Assessment* are only valid for 12 months from the survey date (11/01/2018), therefore if works have not commenced on site within this timeframe, a further survey is required to ascertain whether the trees have developed features that could be used by roosting bats in the interim.
94. *Biodiversity*
95. The adjacent railway line is designated as a wildlife corridor and a Site of Importance for Nature Conservation (grade I), and as such, a Preliminary Ecological Appraisal recommends that a Construction Ecological Management Plan (CEMP) should be compiled for the site. In addition to this, it is recommended that biodiversity enhancement measures should be incorporated into any landscaping plans; that excavations should not be left overnight; that vegetation clearance should be undertaken outside nesting bird season; and that works should not cause snowberry and butterfly-bush to spread. A condition should be imposed to secure the recommendations as part of the CEMP, inclusive of a landscaping strategy.

Trees

96. The submitted *Arboricultural Survey & Impact Assessment* confirms the presence of thirteen trees within (x10) or immediately adjacent (x3) to the site that could be impacted by the proposed development. Four trees are considered to be Category 'B' trees, meaning that they are of a moderate quality with an expected life expectancy of at least 20 years, with the remaining trees given a Category 'C' classification meaning that they are of low quality with a life expectancy of less than 10 years. Trees of particular note (Category 'B') are: 'T3', a 14m tall Ash tree located in the north east corner of the site covered by a Tree Protection Order; an 11m tall Oak tree ('T8') located on the adjoining railway land; and a 10m tall London Plane tree located on the public footway at the front of the site. The remaining Category tree ('T9'), a 12m tall Ash tree is located near to T8 but within the site, will be removed as part of the development proposal as it is impacting upon the Oak tree, however replacement planting is advocated. The tree protection measures proposed will be secured by condition. The landscaping strategy is set out in Appendix D of the *Arboricultural Survey* and will also be secured by condition

Contamination

97. Policy 5.21 of the London Plan ("Contaminated Land") encourages the recycling of brownfield sites, inclusive of those affected by contamination, through remediation. Having regard to the historic uses of the site as a former "textile and dye" works and railway land, potential contaminants remain. To ensure that there is no risk to human health, conditions are recommended to require a site investigation to be undertaken, remediation, and verification.
98. Given the age of the buildings to be demolished it is possible that asbestos may be present. The applicant will 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. An Informative will be attached to any permission to remind the applicant of this.

Air Quality

99. Policy 7.14 of the London Plan requires boroughs to seek reductions in the level of air pollutants, with developments being 'air quality neutral'. The site falls within an Air Quality Management Area and as such, an Air Quality Assessment has been submitted in support of the application. The methodology employed is considered to be sound.
100. An air quality assessment has been carried out using the ADMS-Roads dispersion model to determine the impact of emissions from road traffic on sensitive receptors. Predicted concentrations have been compared with the air quality objectives. The results of the assessment indicate that annual mean NO₂ concentrations are below the objective in the baseline and future year development scenario. Concentrations of particulate matter (PM₁₀) are also predicted to be below the annual mean objective in the baseline and future year development scenario. Based on the evidence it is also estimated that there will be no exceedances of either short term objective for NO₂ or PM₁₀. Therefore, no mitigation is required as the air quality objectives are predicted to be met. The Report therefore recommends that instead, other measures such as providing secure and covered cycle storage, as has already been integrated into the development plans, should be considered to reduce the emissions arising from the development. In accordance with comments received from Environmental Health, conditions would need to be imposed to secure the details of domestic boilers, a Construction Method Statement, details of Non Road Mobile Machinery.

Noise

101. Road and rail noise are identified as the main sources of external noise, which the submitted *Environmental Noise Assessment* addresses. In relation to noise impact from the public house on the proposed residents, a further *Technical Note* has been provided. The *Noise Assessment* confirms that subject to sufficient noise mitigation, there will not be unacceptable harm on the internal environment from road and rail sources.
102. The *Technical Report*, which was requested because objectors considered that it would be inappropriate to have residential above a public house because of noise, confirms that this is not an uncommon scenario and the requirements set out within *Approved Document E* are a legal requirement to be achieved and verified through testing. Enhanced sound insulation could be conditioned although not

necessary as it is required under other legislation.

Site Waste Management

103. Policy 5.16 of the London Plan has stated goals of working towards managing the equivalent of 100% of London's waste within London by 2026, creating benefits from waste processing and zero biodegradable or recyclable waste to landfill by 2026. This will be achieved in part through exceeding recycling and reuse levels in construction, excavation and demolition ("CE&D") waste of 95% by 2020. In order to achieve the above, London Plan policy 5.18 confirms that through the Local Plan, developers should be required to produce site waste management plans to arrange for the efficient handling of CE&D.
104. The development proposal involves the demolition of the existing building and substantial excavations to help facilitate the proposed building. The *Energy and Sustainability Statement* advises that "*the demolition protocol could be followed where applicable to ensure that all arisings are suitably recycled*". Waste will not only be produced from excavation, but from demolition and construction. To ensure that all waste arising from demolition and construction is dealt with appropriately, a construction site waste management plan will be secured by condition.

Conclusions

105. The proposed development is considered to have addressed the issues identified with the scheme currently at Appeal. Whilst less than substantial harm has been identified in the loss of a building which is viewed as making a positive contribution to the character of the Mapesbury Conservation Area, the identified harm is outweighed by the significant public benefits which arise from the scheme. These include: the removal of visible negative public realm features such as signage and poorly designed extensions; direct street-level access; an increase in housing provision and affordable housing provision, the provision of a formal community space/ function room.
106. Whilst design will always be a subjective matter, the removal of the bulky and intrusive front elevation results in a building which appears more coherent in the streetscene and in keeping. Internally, the standard of accommodation of individual units is improved with more regular shaped rooms proposed and units meeting with the Technical Standards; and outlook and amenity space provision is also considered acceptable. No issues are again raised in relation to neighbour impact.
107. The overall design of the public house is now considered to be suitably distinctive from the residential elements. The applicant has reviewed other design options such as retaining the existing building, however as discussed above, a viable scheme would result in a scheme which would completely dominate the existing building, have unacceptable impacts on neighbouring occupiers or unacceptably alter the existing building.
108. The affordable housing offer of 35 % does not meet the 50 % target set out in current Council's adopted policy and there remains some disagreement in relation to the some of the variables and the associated potential surplus generated by the scheme. However, it is considered that this can be resolved through a post implementation review which would use actual sales values and build costs as opposed to hypothetical values. Any money received will contribute towards much needed affordable housing elsewhere in the Borough. It is also noted that the current offer by the applicant of 35% affordable by habitable room would comply with the draft London Plan and with emerging local policy.

S106 DETAILS

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

1. Payment of Council's legal and other professional costs in the preparation and management of the Agreement
2. Notice of Commencement of works
3. The securing of the affordable units
4. Late stage viability review
5. Community Access Plan
6. Training and employment
 - a. Prior to a material start on site, to inform in writing Brent Works of the projected amount of construction jobs, training opportunities and provide a copy of the Schedule of Works.

- b. Prior to a material start, to prepare and submit for the Council's approval an Employment Training Plan for the provision of training, skills and employment initiatives for residents of the Borough relating to the construction phase of the Development and in relation to the operational phase of the Development.
 - c. To offer an interview to any applicant who is a Brent resident and who also meets with the minimum job criteria
 - d. From material start, to provide monthly verification of the number of Brent residents employed or provided training during construction, and if the targets are not being met, to implement measures to achieve them
 - e. To use reasonable endeavours to achieve 1 in 10 of the projected construction jobs to be held by Brent residents and for every 1 in 100 construction jobs to provide training for a previously unemployed Brent resident/school leave for at least 6 months
7. Carbon offsetting
 - a. Contribution of £67,050 towards a local carbon off-setting scheme to achieve a zero carbon development based upon the carbon reduction measures set out in the Energy & Sustainability Statement dated December 2018.
 8. Considerate Constructors Scheme

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

CIL DETAILS

This application is liable to pay **£890,134.89** * 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): 1217.44 sq. m.

Total amount of floorspace on completion (G): 4815.69 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
(Brent) Drinking establishments (2004)	493.34		368.62	£40.00	£0.00	£14,973.06	£0.00
(Brent) Dwelling houses	4322.35		3229.63	£200.00	£0.00	£655,924.81	£0.00
(Mayoral) Drinking establishments (2004)	493.34		368.62	£0.00	£60.00	£0.00	£22,459.58
(Mayoral) Dwelling houses	4322.35		3229.63	£0.00	£60.00	£0.00	£196,777.44

BCIS figure for year in which the charging schedule took effect (Ic)	323	323
BCIS figure for year in which the planning permission was granted (Ip)	328	
TOTAL CHARGEABLE AMOUNT	£670,897.87	£219,237.02

*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: 18/4701

To: Mr Raistrick
Centro Planning Consultancy
55 St John Street
London
EC1M 4AN

I refer to your application dated **10/12/2018** proposing the following:

Replacement of existing building (containing public house and former members club) with a mixed use development within a part 4 and 5 storey building comprising public house and function room on ground floor (Use Class A4), 48 self-contained flats (14 x 1 bed, 22 x 2 bed, 11 x 3 bed & 1 x 4 bed), green roof and photovoltaics panels, bicycle and refuse storage, amenity space and landscaping (SCHEME B)(Amended Plans - Key changes to roof form, public house facade and internal layout).

and accompanied by plans or documents listed here:
see Condition 2

at **110 Walm Lane, London, NW2 4RS**

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: 11/06/2019

Signature:

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

Alice Lester
Head of Planning, Transport and Licensing

Notes

1. Your attention is drawn to Schedule A of this notice which sets out the rights of applicants who are aggrieved by the decisions of the Local Planning Authority.
2. This decision does not purport to convey any approval or consent which may be required under the Building Regulations or under any enactment other than the Town and Country Planning Act 1990.

DnStdG

SUMMARY OF REASONS FOR APPROVAL

- 1 The 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 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004

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

4704/PA/001	Site Location Plan
4704/PA/002	Site Photos
4704/PA/010	Existing Site Plan
4704/PA/011	Existing Floor Plan
4704/PA/015	Existing Elevations 1
4704/PA/016	Existing Elevations 2
4704/PA/200B	Proposed Site & Ground Floor Plan
4704/PA/201B	Proposed First Floor Plan
4704/PA/202B	Proposed Second Floor Plan
4704/PA/203B	Proposed Third Floor Plan
4704/PA/204B	Proposed Fourth Floor Plan
4704/PA/205B	Proposed Fifth Floor Plan
4704/PA/206C	Proposed Roof Plan
4704/PA/207C	Proposed Basement Floor Plan
4704/PA/210C	Proposed Floor Plans
4704/PA/220A	Proposed Walm Lane Elevation
4704/PA/221A	Proposed South Elevation
4704/PA/222A	North Elevation C-C
4704/PA/223A	East Elevation D-D
4704/PA/225A	Walm Lane Street Elevation
4704/PA/230A	Proposed Sections
4704/PA/231	Proposed Sections
4704/PA/400	Material Palette
4704/PA/401	Local Precedents and Materiality
4704/PA/410B	Proposed Site & Ground Floor Plan
4704/PA/411	Elevation - Pub Study
4704/PA/501	CGI Views - 1
4704/PA/502	CGI Views - 2
4704/PA/503	CGI Views - 3 Summer
4704/PA/504	CGI Views - 3 Winter
4704/PA/505A	CGI Views - 4
4704/PA/511	CGI Views - 1 (Amended Roof)
4704/PA/512	CGI Views - 2 (Amended Roof)
4704/PA/513	CGI Views - 3 (Amended Roof) Summer
4704/PA/514	CGI Views - 3 (Amended Roof) Winter
4704/PA/515	CGI Views - 4 (Amended Roof)

Air Quality Assessment (January 2018)
 Arboricultural Survey & Impact Assessment (December 2018)
 Daylight/Sunlight Report (December 2018)
 Design & Access Statement (V2) (April 2019)
 Energy and Sustainability Assessment (December 2018)
 Environmental Noise Assessment (November 2018)
 Financial Viability Appraisal (March 2019)
 Foul and Surface Water Drainage Strategy (December 2018)

Heritage Impact Assessment (November 2018)
Planning Statement (December 2018)
Preliminary Bat Roost Assessment (January 2018)
Preliminary Ecological Appraisal (January 2018)
Pub Ceiling Height (Email 03 June 2019)
Statement of Community Involvement (November 2018)
Technical Note Insulation (April 2019)
Transport Statement (December 2018)

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

3 The demolition hereby approved shall not commence before:

- A. a contract for the carrying out of the works of redevelopment of the site has been entered into, and
- B. planning permission has been granted for the redevelopment for which that contract makes provision.

Reason: To ensure the demolition is followed by immediate rebuilding and to ensure the character and appearance of the Conservation Area is not harmed by a vacant site

4 No demolition will take place before the applicant, or his/her agent or successors in title, has secured the implementation of a programme of building recording and salvage. Details are to be submitted to and approved in writing by the Local Planning Authority prior to demolition/development commencing. The recording is to be carried out by a professional archaeological/building recording consultant or organisation in accordance with the approved details. This shall be to Historic England Level 3 specification. Following completion of the on-site recording the report will need to be supplied to the Greater London Historic Environment Record and other relevant parties .

Reason: To ensure that a full record is retained of the building's historical heritage

5 Within 6 months of completion, a suitable display board giving details of the Queensbury (to include images) will be installed on the new building in a public place and displaced so thereafter in perpetuity.

Reason: To provide patrons and visitors an understanding of the existing building's historical heritage.

6 No less than five of the units hereby approved shall be constructed as wheelchair user dwellings (Requirement M4(3) of the Building Regulations) and the remainder (x43 units) shall be built in accordance with Requirement M4(2) of Building Regulations and shall be maintained as such thereafter. Prior to occupation evidence of compliance with Requirement M4(2) across the development shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the needs of all users are met and optional national technical standard will ensure that the development allows for the future adaptability of the home to meet with the needs of future residents over their lifetime in accordance with Policy CP21 of the Core Strategy, DMP1 of the Development Management Document and Policy 3.8 of the London Plan.

7 Notwithstanding the provisions of Schedule 2 Part 3 Class L of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order), the residential units hereby approved shall at no time be converted from C3 residential to a C4 small HMO, without the express planning permission having first been granted in writing by the Local Planning Authority.

Reason: To ensure that an adequate standard of accommodation is maintained in all of the residential units and having regard to the need to provide appropriate levels of bin/cycle storage and amenity space.

8 Notwithstanding the provisions of the Town and Country Planning (General Permitted

Development) Order 2015, or any amending Order, the ground floor with ancillary basement space, shall only be used for purposes within Use Class A4 as defined by the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification, together with ancillary function/community room.

Reason: To ensure that the use of the site remains consistent with the designation as an Asset of Community Value, and having regard to adopted parking and servicing standards.

- 9 No external plant, fittings, plumbing or pipes other than those shown on the approved drawings shall be fixed to any external element of the buildings unless otherwise approved in writing by the Local Planning Authority in advance of any work being carried out.

Reason: To ensure an acceptable appearance having regard to the harm that would otherwise be caused to the character and appearance of the surrounding Conservation Area and the setting of the grade II listed Willesden Green Station.

- 10 All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance. Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority. The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>

Reason: To protect local amenity and air quality in accordance with London Plan policies 5.3 and 7.14 and Policy CP19 of the Core Strategy

- 11 The public house and ancillary function room hereby approved shall only be open for business between the following hours:

11:30am to 11pm	Monday to Wednesday
11:30am to 11:30pm	Thursday
11:30am to midnight	Fridays and Saturdays
11:30am to 10:30pm	Sundays

All activity associated with the use shall cease within 1 hour of the closing time.

Reason: To safeguard the amenities of the occupiers of adjoining and nearby residential properties, and having regard to the opening hours of the existing premises

- 12 The aims, objectives, measures, monitoring and review mechanism contained within the submitted Framework Residential Travel Plan shall be implemented in full throughout the lifetime of the development.

Reason: In the interest of promoting sustainable travel

- 13 Prior to the commencement of the use, where domestic boilers are installed, the applicant shall provide details demonstrating that the rated emissions of Oxides of Nitrogen (NOx) do not exceed 30 mg/kWh, in writing for the approval of the Local Planning Authority.

Reason: To protect local air quality.

- 14 Unless required by any other condition attached to this permission, the development shall be undertaken in accordance with all of the recommendations contained within Section 7 of the Preliminary Ecological Survey (Middlemarch Environmental) dated 15/01/2018 and those within Section 6 of the Preliminary Bat Roost Assessment (Middlemarch Environmental) dated 15/01/2018.

Reason: To ensure that areas and species of value are appropriately protected and the site is enhanced post development in accordance with CP18 of the Core Strategy, and having regard to the recommendations of the submitted Ecological Assessment

- 15 Prior to any above ground works commencing but excluding demolition, details of materials for all external work, inclusive of sample panels, shall be made available for viewing on site or within another location as agreed, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure an acceptable appearance having regard to the harm that would otherwise be caused to the character and appearance of the surrounding conservation area and the setting of the grade II listed Willesden Green Station.

- 16 Notwithstanding any submitted plan or supporting document, no above ground works shall be undertaken until full details of the following (at scale 1:10, together with sections) has been submitted to and approved in writing by the Local Planning Authority.
- A. Junction of the new roof and the parapets
 - B. Junction of the new roof and side walls
 - C. Downpipes and guttering
 - D. Window joinery

Rooflights shall be flush fitting.

Reason: To ensure an acceptable appearance having regard to the harm that would otherwise be caused to the character and appearance of the surrounding Conservation Area and the setting of the grade II listed Willesden Green Station.

- 17 The developer shall provide details of a scheme of glazing and trickle ventilation that meets or exceeds the recommendation provided in paragraph 4.13 of the Environmental Noise Assessment prepared by Sharps Gaylor, dated 19 November 2018.

Reason: To protect the amenity of residential occupiers.

- 18 A scheme of sound insulation measures shall be submitted to the Local Planning Authority for approval in writing prior to the commencement of above ground works, with the insulation of the separating ceiling and walls between the public house / function room on the ground floor and adjoining residential units being designed to meet the standards of Building Regulations Approved Document E 'Resistance to the passage of sound'. The approved measures shall thereafter be implemented in full.

Reason: To minimise noise transference between the C4 and C3 uses in the interest of amenity

- 19 Any plant shall be installed, together with any associated ducting, so as to prevent the transmission of noise and vibration into any neighbouring premises. The noise level from any plant shall be 10 dB(A) or greater below the measured background noise level at the nearest noise sensitive premises. The method of assessment should be carried out in accordance with BS4142:2014 'Methods for rating and assessing industrial and commercial sound.' An assessment of the expected noise levels and any mitigation measures necessary to achieve the required noise levels shall be submitted to and approved in writing by the Local Planning Authority prior to installation of such plant. All plant shall thereafter be installed and maintained in accordance with the approved details.

Reason: To safeguard the amenity of neighbouring occupiers.

- 20 Prior to the commencement of building works, a site investigation shall be carried out by competent persons to determine the nature and extent of any soil contamination present. The investigation shall be carried out in accordance with the principles of BS 10175:2011 + A2:2017 and 'Model Procedures of for the Management of Land Contamination – Contaminated Lane Report 11' (CLR 11). A report shall be submitted to the Local Planning Authority, that includes the results of any research and analysis undertaken as well as an assessment of the risks posed by any identified contamination. It shall include an appraisal of remediation options should any contamination be found that presents an unacceptable risk to any identified receptors. The written report is subject to the approval in writing of the Local Planning Authority.

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

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

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

- 22 Prior to any above ground works commencing but excluding demolition, detailed design and method statements (in consultation with London Underground) for all of the foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent), shall be submitted to and approved in writing by the Local Planning Authority.

The development shall be undertaken in accordance with the approved details only.

Reason: To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with London Plan 2015 Table 6.1

- 23 Within three months of the commencement of above ground superstructure works, details of any external lighting to be provided, inclusive of the design, height, siting, and lux levels shall be submitted to the Local Planning Authority for approval in writing. The submitted details shall also include how the external lighting scheme has been designed to minimise light spillage and its impact on wildlife particularly along the southern boundary of the site. The external lighting shall be provided prior to first occupation and maintained at all times thereafter.

Reason: In the interests of visual amenity, safety, residential amenity and to ensure that light sensitive receptors are not unduly affected

- 24 Prior to development commencing, details to be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include:
- a) a photographic condition survey of the roads, footways and verges leading to the site;
 - b) wheel cleaning methodology and facilities (inclusive of how waste water will be collected /managed on site);
 - c) the estimated number and type of vehicles per day/week;
 - d) details of any vehicle holding area;
 - e) details of any vehicle call up procedure;
 - f) Hours of deliveries / collections;
 - g) Hours of work;
 - h) A Construction Management Plan written in accordance with the 'London Best Practice Guidance: The control of dust and emission from construction and demolition'.

The development shall be carried out in accordance with the approved detail.

Reason: To minimise the impact of construction works upon highway safety, congestion and parking availability, to ensure the implementation of the development does not lead to damage to the existing highway, and to minimise disruption to neighbouring properties and the environment.

These details are required pre-commencement because the impacts of construction commence when the development commences and as such, the need to mitigate those impacts accordingly arises at this time.

- 25 Prior to any development commencing, inclusive of site clearance, details of a Construction Waste Management Plan shall be submitted to the Local Planning Authority for approval in writing. The Construction Waste Management Plan shall include as a minimum:

- a) Target benchmarks for resource efficiency set in accordance with best practice;
- b) Procedures and commitments to minimize non-hazardous construction waste at design stage. Specify waste minimisation actions relating to at least 3 waste groups and support them by appropriate monitoring of waste;
- c) Procedures for minimising hazardous waste;
- d) Monitoring, measuring and reporting of hazardous and non-hazardous site waste production according to the defined waste groups (according to the waste streams generated by the scope of the works);
- e) Procedures and commitments to sort and divert waste from landfill in accordance with the waste hierarchy (reduce; reuse; recycle; recover) according to the defined waste groups; and
- f) No less than 95% by weight or by volume of non-hazardous construction, excavation and demolition waste generated by the development has been diverted from landfill

Reason: To maximise the amount of waste diverted from landfill consistent with the waste hierarchy and strategic targets set by Policies 5.16, 5.18, 5.19 of the London Plan, CP19 of the Core Strategy, DMP1 of the Development Management Policies.

These details are required pre-commencement because the impacts of construction commence when the development commences and as such, the need to mitigate those impacts accordingly arises at this time.

- 26 Within six months of development commencing, the following details shall be provided to the Local Planning Authority for approval in writing:
- A. Details (including elevational details) for the covered cycle parking for the storage of a minimum of 84no. bicycles as shown on Drawing No. 4747/PA/300
 - B.
 - B. The location of a minimum of 8no. 'Sheffield' stands at the front of the site

The approved bicycle parking shall be provided prior to first occupation or use commences and permanently maintained. The approved bicycle storage shall be kept free from obstruction, and available for the parking of bicycles only.

Reason: To provide secure cycle storage facilities free from obstruction in the interest of promoting sustainable travel for residents and employees.

- 27 A. Notwithstanding the submitted Energy and Sustainability Assessment (December 2018), prior to any above ground works commencing but excluding demolition, a revised Energy Strategy shall be submitted to the Local Planning Authority for approval in writing. The revised Strategy shall demonstrate to the satisfaction of the Local Authority how the approved scheme will meet with adopted Policy, demonstrating a clear adherence to the Energy Hierarchy inclusive of details for the use of renewable/zero carbon technologies and the provision for future connection to a heat network.
- B. Details of the chosen zero / low carbon technologies shall be provided, including the design, size, siting, maintenance strategy/schedule (inclusive of times, frequency and method)

The development shall only be undertaken in accordance with the approved details prior to first occupation or use of the development and permanently maintained thereafter.

Reason: In the interest of sustainable development and to ensure that the Local Planning Authority may be satisfied that CO2 emission reduction targets by renewable energy are met in accordance with adopted Policy.

- 28 Prior to the commencement of above ground works, details of the measures to limit the internal consumption of water to 100 litres or less per head per day has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out strictly in

accordance with the details so approved and maintained as such thereafter.

Reason: To promote water conservation and efficiency measures in all new developments in accordance with policy 5.15 of the London Plan, and DMP9b of the Development Management Policies and having regard to the objectives within the submitted Energy and Sustainability Statement.

- 29 Prior to any above ground works commencing but excluding demolition, details of the proposed SuDS measures shall be submitted to the Local Planning Authority for approval in writing. The submitted detail shall include:
- A. Location, design, substrate (extensive substrate base with a minimum depth 80-150mm), vegetation mix and density, and a cross-section of the proposed green roof
 - B. Location, size, storage volumes, cross-sections, long-sections (where appropriate) and specifications of all the source control SuDS measures including rain gardens, raised planters, green roofs, water butts, geocellular storage, and permeable paving;
 - C. Final sizes, storage volumes, invert levels, cross-sections and specifications of all site control SuDS measures including ponds and underground tanks
 - D. Where appropriate, provide calculations to demonstrate that the SuDS provided will function for 1 in 1 year and 1 in 100 year (with the allowance of climate change) events;
 - E. A management plan for future maintenance for all of the drainage features
 - F. Details of how the chosen strategy conforms with the Landscaping Strategy

All SuDS measures shall be implemented in accordance with the approved detail.

Reason: To ensure the sustainable management of water, minimise flood risk, minimise discharge of surface water outside of the curtilage of the property and to ensure the development provides the maximum possible provision towards the creation of habitats and valuable areas for biodiversity in accordance with adopted Policy

- 30 Prior to first occupation/first use of the development approved, a Verification Report demonstrating that the approved drainage / SuDS measures have been fully implemented shall be submitted to the Local Planning Authority for approval in writing. The Verification Report must include
- A. As built drawings of the sustainable drainage systems
 - B. Level surveys of completed works
 - C. Photographs of the completed sustainable drainage systems
 - D. Any relevant certificates from manufacturers/ suppliers of any drainage features
 - E. A confirmation statement of the above signed by a chartered engineer

Reason: To ensure the sustainable management of water, minimise flood risk, minimise discharge of surface water outside of the curtilage of the property and ensure that the drainage system will remain functional throughout the lifetime of the development in accordance with Policy.

- 31 No above ground works, other than site clearance, shall take place until full details of both hard and soft landscape proposals have been submitted to and approved in writing by the Local Planning Authority. Details shall include:
- A. Planting plans;
 - B. Written specifications (including cultivation and other operations associated with plant and grass establishment);
 - C. Schedules of plants and trees, to include native, wildlife friendly species and large canopy trees in appropriate locations (noting species, planting sizes and proposed numbers / densities);
 - D. Implementation timetables;
 - E. Wildlife friendly plants and trees of local or national provenance;

- F. Details of hardsurfacing materials;
- G. Details of any external furniture
- H. Details of how the Landscaping Strategy conforms with the SuDS Strategy.

All hard landscaping shall be provided prior to first occupation and soft landscaping in shall be completed / planted during the first planting season following practical completion of the development hereby approved. The landscaping and tree planting detail shall set out a plan for the continued management and maintenance of the site and any planting which dies, becomes severely damaged or diseased within five years of completion of the development shall be replaced with new planting in accordance with the approved details or an approved alternative and to the satisfaction of the Local Planning Authority.

Reason: To ensure that the ecological value of the site is enhanced post development in line with the Biodiversity Action Plan, and in accordance with DMP8 of the Development Management Policies, CP18 of the Core Strategy, and Policies 5.10, 5.11 and 7.19 the London Plan.

- 32 The site shall be enclosed in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The submitted details must include:
- A. specifications for a trespass-proof fence of a minimum height of 1.8m and set back from the boundary with the railway land by at least 0.5m;
 - B. design and type of fencing between the gardens for the ground floor residential units and the function/community room

The means of enclosure shall be erected in accordance with the approved detail before the development is occupied.

Reason: To ensure a satisfactory appearance and safeguard the privacy, amenity and safety of adjoining occupiers and the public and in the interest of highway and railway operational safety; and to ensure that any potential maintenance can occur wholly within the site boundary and not impact on Network Rail land

- 33 The development, including demolition and site clearance, shall not commence until an updated bat survey has been carried out and a report detailing the results of the survey is to be submitted to and approved in writing by the Local Planning Authority. Should a bat roost be found, no development is to commence until the relevant licence for development works affecting a European protected species has been obtained and a copy submitted to and approved in writing by the Local Planning Authority.

Reason: In accordance with the recommendation contained within the submitted Preliminary Bat Roost Assessment that additional surveys are required if demolition has not occurred within 12 months of the original survey date. Bats can occupy buildings and other suitable habitat within a short time period

- 34 Prior to the commencement of above ground works but excluding demolition, details for the provision of a communal television system/satellite dish have been submitted to and approved in writing by the Local Planning Authority. The development shall only be undertaken in accordance with the approved detail.

Reason: In order to mitigate the possibility of numerous satellite dishes being installed on the development hereby approved in the interests of the visual appearance of the development, in particular, and the character and appearance of the Conservation Area and the setting of the grade II listed Willesden Green Station

INFORMATIVES

- 1 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.

- 2 Given the age of the buildings to be demolished it is possible that asbestos may be present. The applicant is reminded of hazards caused by asbestos materials especially during demolition and removal works and attention is drawn to your 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.
- 3 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.
- 4 If the development is carried out it will be necessary for a crossing to be formed over the public highway by the Council as Highway Authority. This will be done at the applicant's expense in accordance with Section 184 of the Highways Act 1980. An application for these works should be made to the Council's Head of Highways & Infrastructure 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. The grant of planning permission, whether by the Local Planning Authority or on appeal, does not indicate that consent will be given under the Highways Act.
- 5 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.
- 6 The Council recommends that the maximum standards for fire safety are achieved within the development.
- 7 The applicant is reminded that nesting birds are protected under the Wildlife & Countryside Act, 1981 (as amended). All buildings and areas of trees, hedges, scrub or similar vegetation where birds may nest which are to be removed as part of the development approved, should only be cleared outside of the bird-nesting season (March - August inclusive) or if clearance during the bird-nesting season cannot reasonably be avoided, a suitably qualified ecologist must check the buildings and vegetation to be removed immediately prior to clearance and advise whether nesting birds are present.
- 8 The quality of imported soil must be verified by means of in-situ soil sampling and analysis. The Local Authority does not accept soil quality certificates from the soil supplier as proof of soil quality.
- 9 The applicant is advised to contact London Underground Infrastructure Protection in advance of preparation of final design and associated method statements, in particular with regard to: demolition; drainage; excavation; construction methods; tall plant; scaffolding; security; boundary treatment; safety barriers; landscaping and lighting.
- 10 Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

Any person wishing to inspect the above papers should contact Sean Newton, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5166