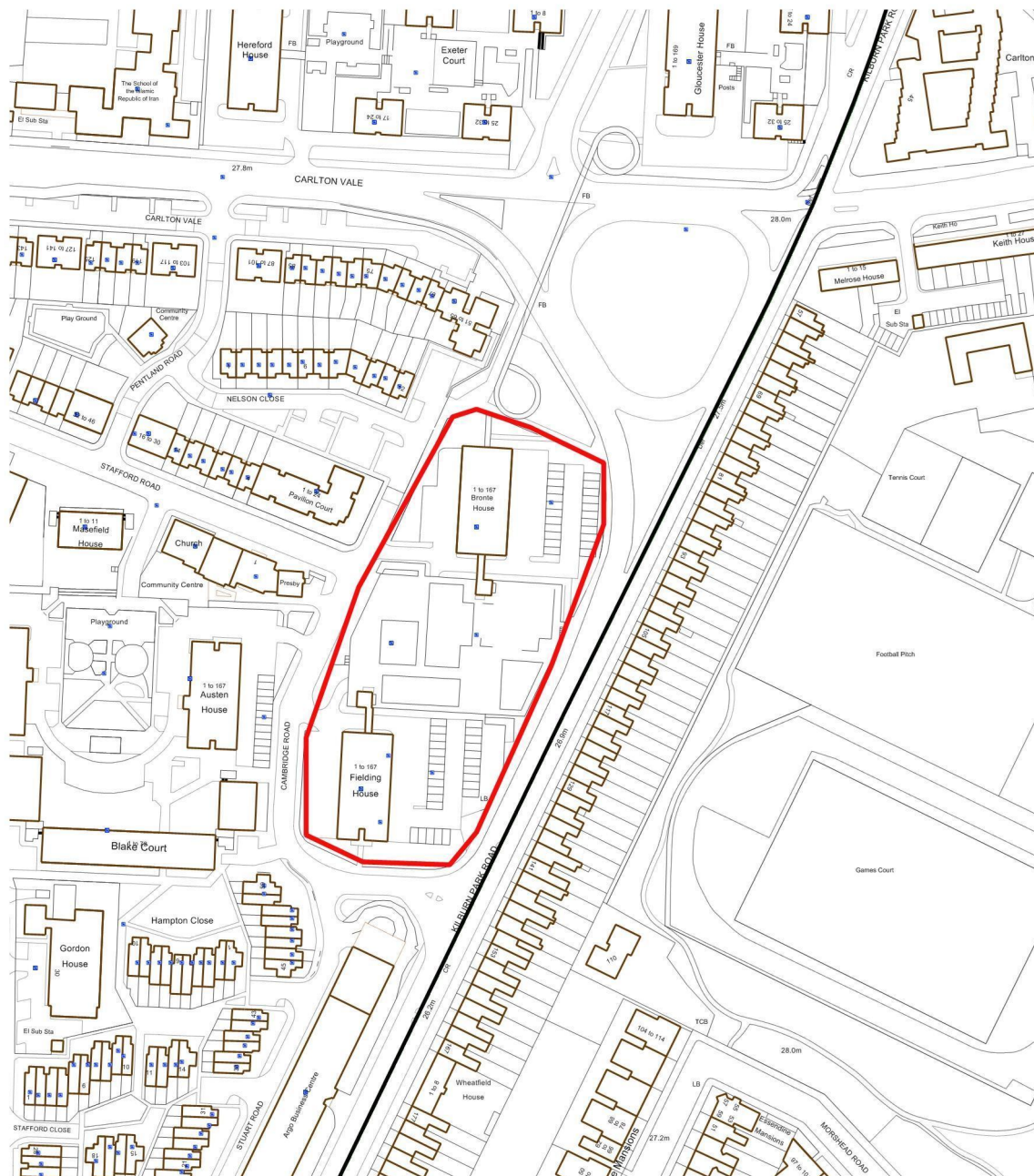




Planning Committee Map

Site address: Bronte House & Fielding House, Cambridge Road, London, NW6

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This map is indicative only.

RECEIVED: 20 February, 2012

WARD: Kilburn

PLANNING AREA: Kilburn & Kensal Consultative Forum

LOCATION: Bronte House & Fielding House, Cambridge Road, London, NW6

PROPOSAL: Demolition of buildings on Bronte House and Fielding House site and erection of 229 flats (126 market/103 social rented) together with associated landscaping, private & communal amenity space, car parking, new public pedestrian route & square. Development includes the stopping up of Cambridge Road and the formation of a new access road through the rearrangement of existing Cambridge Road/Kilburn Park Road junction

APPLICANT: London Borough of Brent.

CONTACT: Lifschutz Davidson Sandilands

PLAN NO'S:
see condition 2

RECOMMENDATION

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

SECTION 106 DETAILS

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

- Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance
- Affordable Housing (45%)
- A contribution of £18 000 (£3k per additional bedroom) for Education, Sustainable Transportation and Open Space & Sports in the local area, due on Material Start, which will include £60,000 dedicated to improving play provision for older children, with the remainder of the contribution not limited to works to children's play facilities in the local area. index-linked from the date of Committee.
- A contribution of £824 400 (£3.6k per unit) to be used for Sustainability measures to enable the development to reach Code 4 and provide 17% of the site's energy use through renewable energy measures including connections to a Decentralised Energy Network, or retrofitting the proposed development or retrofitting surrounding properties to mitigate the energy impact of this development. Due 1 year after Material Start.
- Sustainability - submission and compliance with the Sustainability check-list ensuring a minimum of 50% score is achieved and Code for Sustainable Homes Level 3 in addition to adhering to the Demolition Protocol, with compensation should it not be delivered.
- Tree survey upon Material Start, 4:1 trees replacement prior to Occupation for any reduction in the number of Trees.
- Join and adhere to the Considerate Contractors scheme.
- Part Permit Free- Remove the rights of residents to apply for parking permits in accordance with a scheme to be agreed.
- Notwithstanding submitted draft Travel Plan, a framework Travel Plan shall be submitted and approved within three months of the commencement of works and a full Travel Plan shall be submitted and approved prior to first occupation.
- To notify "Brent In2 Work" of all job vacancies, including those during construction and operation of the building.
- To sign up Registered Social Landlords to the measures in the local employment/ training scheme.
- And, to authorise the Director of Environment and Culture, 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.

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.

A Mayoral CIL contribution of £32,000 as a result of the 920sqm increase in floor space as a result of the proposed development.

EXISTING

The existing site has an area of 1.22 hectares and is currently occupied by two 18 storey 1960s tower blocks with an undercroft parking area with playspace above at a half storey level.

The site is within the Village Quarter of the South Kilburn Master Plan Area. The eastern boundary is formed by Kilburn Park Road on the opposite side of which are two/three storey terraced Victorian residential building within the borough of Westminster.

To the south is the junction of Cambridge Avenue with Kilburn Park Road. On the opposite side of this is the two-storey Argo Business Centre. Planning permission has been granted earlier this year for the demolition of this and the construction of a mixed use commercial and residential scheme. To the west of the site is Cambridge Avenue on the opposite side of this is the high rise Austen House, the Mariam community centre and the 1980s Pavillion Court residential development. These sites all fall within the regeneration area.

PROPOSAL

See description above.

HISTORY

No relevant planning history

POLICY CONSIDERATIONS

National Planning Policy Framework

The NPPF was published on 27th March and replaces Planning Policy Guidance and Planning Policy Statements with immediate effect. It is intended to make the planning system less complex and more accessible, to protect the environment and to promote sustainable growth. It includes a presumption in favour of sustainable development in both plan making and decision making and its publication.

Saved policies from the adopted UDP will have increasingly less weight unless they are in conformity with the NPPF and can be demonstrated to be still relevant. Core Strategy policies will also need to be in conformity with both the London Plan and the NPPF and have considerable weight.

Where PPG's, PPS's, LDF Core Strategy, SPD's, SPG's and UDP saved policies are referred to in the report below they have been considered in the assessment of the application. However, the recommendation is considered to comply with the NPPF.

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

This applies to relevant developments from 01/04/2012

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

- London Borough of Brent Core Strategy 2010
- London Borough of Brent Unitary Development Plan 2004 (UDP)
- Supplementary Planning Document (SPD) for South Kilburn (Adopted April 2005).
- Supplementary Planning Guidance Note (SPG) 17 "Design Guide for New Development"
- Supplementary Planning Guidance Note (SPG) 19 "Sustainable Construction & Pollution Control"

- The Masterplan for the Regeneration of South Kilburn (2004)
- Supplementary Planning Document: Planning Obligations

Unitary Development Plan 2004 The development plan for the purposes of S54A of the Town and Country Planning Act is the Adopted Brent Unitary Development Plan 2004. Within that plan the following list of policies are considered to be the most pertinent to the application.

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

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

BE3 Proposals should have regard to the existing urban grain, development patterns and density in the layout of the development sites, and should be designed to ensure that spaces are satisfactorily enclosed by the built form; its layout is defined by pedestrian circulation; emphasis is placed upon prominent corner sites, entrance points etc; it respects the form of the street of which it is part by building to established frontages unless there is a clear urban design justification; connections are established where appropriate to open space.

BE4 Access for disabled people.

BE5 Development shall be designed to be understandable to users, free from physical hazards and to reduce opportunities for crime.

BE6 High standards of landscape design is required as an integral element of development schemes.

BE7 A high quality of design and materials will be required for the street environment.

BE9 Creative and high-quality design solutions specific to site's shape, size, location and development opportunities. Scale/massing and height should be appropriate to their setting and/or townscape location, respect, whilst not necessarily replicating, the positive local design characteristics of adjoining development and satisfactorily relate to them, exhibit a consistent and well considered application of principles of a chosen style, have attractive front elevations which address the street at ground level with well proportioned windows and habitable rooms and entrances on the frontage, wherever possible, be laid out to ensure the buildings and spaces are of a scale, design and relationship to promote the amenity of users providing satisfactory sunlight, daylight, privacy and outlook for existing and proposed residents and use high quality and durable materials of compatible or complementary colour/texture to the surrounding area.

BE13 Particular regard will be had to the design and attractiveness of all development proposals in Areas of Low Townscape or Public Realm Quality (such as the majority of South Kilburn).

H7 In the Major Estate Regeneration Areas, refurbishment and/or redevelopment is sought and supported, and should; demonstrate the full involvement of local residents; be according to the masterplan; involve the minimum loss of existing affordable housing; include a mix of house types and tenures; ensure through an overall landscape design framework; be exemplars in terms of their approach towards design, energy/renewables and water use, re-use of materials and measures to reduce the use of the car.

H9 Requires a mix of family and non-family units on sites capable of accommodating 10 units or more, having regard to local circumstances and site characteristics.

H12 Seeks to ensure that all residential development has a high quality layout, has an appropriate level of car parking and features housing facing onto streets.

H13 The density of development is design led, where higher density developments are more appropriate in areas where there is very good public transport accessibility. Surrounding densities should be at least matched unless this would harm residential amenity.

TRN3 Environmental Impact of Traffic

TRN10 Walkable Environments

TRN23 Parking Standards – Residential Developments

TRN35 Transport Access for Disabled People and others with Mobility Difficulties

PS14 Car Parking Standards – Residential Development □ PS15 Parking for Disabled People

PS16 Bicycle Parking

Core Strategy

CP 19 Brent Strategic Climate Change Mitigation and Adaptation Measures

CP 21 A balanced Housing Stock

SUSTAINABILITY ASSESSMENT

CODE FOR SUSTAINABLE HOMES & ENERGY ASSESSMENT

The application is accompanied by a completed Brent Sustainability Checklist, Code for Sustainable Homes report, environmental and sustainability report and a site waste management plan prepared by consultants PRP Environmental.

The reports conclude that the following is achievable:

- Achieves the Code for Sustainable Homes Level 3 and will meet Level 4 if it is connected to the area wide decentralised energy network. Therefore it will meet the Code for Sustainable Homes Level 4 requirement in the Core Strategy Policy CP19 for growth areas.
- All proposed blocks apart from the East block which falls short by less than 2% will meet the CO₂ emissions target for Part L Building Regulations of a 25% reduction in CO₂ emissions. To further reduce the CO₂ for the East block, photovoltaics panel array on the roof will be included to provide 0.3% reduction in total CO₂ emissions for the development. This ensures each block can comply with Part L Building Regulations 2010 before the CHP system is commissioned.
- Includes the use of CHP and connection to the South Kilburn District-wide CHP system. This would provide approximately 46% CO₂ emission reduction on regulated load. However this might not be delivered before the completion of the development. To ensure that appropriate measures are implemented a clause has been inserted within the section 106 for a contribution towards connecting up to the district wide system or for suitable remediation measures should this not be achieved.
- Achieves sustainability checklist list scoring of 50.5%.

ENVIRONMENTAL IMPACT ASSESSMENT

The screening opinion was provided having taken account of the Government's guidance on the types of case in which an EIA is likely to be required. This is contained within Annex A of Circular 2/99, Environmental Impact Assessments.

It is clear from this that only where potential impacts are judged to be significant, especially very large schemes in particular circumstances, require an EIA. Section A18 states that:

“EIA is unlikely to be required for the redevelopment of land unless the new development is on a significantly greater scale than the previous use or the types of impact are of a markedly different nature...”

The guidance provided by section A19 is even more pertinent which states that:

Development proposed for sites which have not previously been intensively developed are more likely to require EIA if:

*the site area of the scheme is more than 5 hectares; or
it would provide a total of more than 10,000 m2 of new commercial floorspace; or
the development would have significant urbanising effects in a previously non, urbanised area
(e.g. a new development of more than 1,000 dwellings*

As the proposal is for the redevelopment of an existing housing site which will result in a net decrease of dwellings, then this proposal, even when taken cumulatively with permissions already granted in South Kilburn, is unlikely to give rise to the level of impact where it is considered that an EIA is necessary.

DRAINAGE & FLOODING

The entirety of the subject site is located within a Flood Risk Zone 1 area where there is a low probability of flooding due to its proximity to any waterway. As the site area of 1.22ha hectares triggers the requirement for a Flood Risk Assessment (FRA) an assessment has been submitted as part of the application documents. This concludes that the proposed development does not increase flood risk on site or off-site. The proposals are therefore robust in terms of flood risk and comply with PPS 25 and the SPD

CONSULTATION

A comprehensive external consultation procedure has been undertaken for this application. This has included notifying over 900 local properties and businesses by letter, installing 4 site notices around the site and serving notice in the local press.

As a result of this consultation 4 comments have been received from members of the public.

The objections raised are summarised as follows:

- The proposed buildings fronting onto Kilburn Park Road are not in keeping with the character of the surrounding area and will create a poor visual outlook for residents on the opposite side of the road.
- The proposed buildings are of a height that will have a detrimental impact on the daylight and sunlight through to the properties on the opposite side of the road.
- There will be overlooking of neighbouring properties on Kilburn Park Road.
- The proposed development will have a detrimental impact on traffic conditions on roads in the local area during construction and once the development is occupied.

The Council also notified the following consultees of the planning application. Their comments are summarised under each heading:

GLA

The GLA have submitted a Stage 1 report on the proposed development they state that the application is broadly acceptable in strategic planning terms but that, on balance, the application does not comply with the London Plan. However changes to matters relating to affordable housing provision, provision of children's play space, energy and climate change mitigations and transport would overcome these concerns.

City of Westminster Council

Object to the proposal on the following grounds:

1. A construction management plan should be required to indicate what mitigation measures will be undertaken to reduce the exposure of current residents in adjacent residential areas to noise and air pollution in accordance with our policies ENV5, ENV6 of our Unitary Development Plan that we adopted January 2007 and CS28, CS30 and CS31 of our Core Strategy adopted in 2011

2. The City Council considers that the proposed development, when considered in combination with other redevelopment sites identified within the South Kilburn Supplementary Planning Document, represents development requiring an Environmental Impact Assessment (EIA) under the Environmental Impact Assessment under Town and Country Planning (Environmental Impact Assessment (England and Wales) Regulations 2011. Brent Council are urged to seriously re-consider the conclusion of their screening opinion that an EIA is not required before proceeding to determine this planning application.

Transportation

Subject to a Section 106 Agreement to secure:-

- (a) A 'car-free' agreement removing the right of future residents of the development (excepting the southern block (25 units) and the social rented units at the southern end of the eastern block, accessed through entrance E5 (15 units)) to on-street parking permits in the vicinity of the site;
- (b) Implementation of the submitted Framework Travel Plan, amended to include details of car park management and support for local Car Clubs;
- (c) An agreement under S38/S278 of the Highways Act 1980 to incorporate:- (i) realignment of the northern kerblines of Cambridge Road at its junction of Kilburn Park Road to meet the major road at a 90° angle with a reduced 6m kerb radius, including *either* removal of the existing pedestrian refuge in the junction *or* provision of a speed table entry treatment (dependent upon whether similar works have already been undertaken on the southern side of the junction); (ii) widening of the southern length of Cambridge Road to a minimum width of 7.3 metres; (iii) widening and repaving of public footways adjoining the site; (iv) construction of a new crossover to the basement car park (which may be provided with reduced 2m kerb radii) and reinstatement of all redundant crossovers onto Cambridge Road to footway including associated amendments to the adjoining parking bays, all in general accordance with planning application drawing 0865/P0101; and
- (d) A financial contribution towards non-car access/highway safety improvements and/or parking controls in the vicinity of the site;

together with a condition requiring submission and approval of further details of the proposed bicycle storage systems for the site, there would be no objections on transportation grounds to this proposal.

Landscape Design

No objection in principle to the proposed development but require further details of landscaping proposals by condition.

Urban Design and Regeneration

The scheme now incorporates a lot of the improvement that planning officers have requested. Further consideration could be given to emphasise the proposed entrances to the buildings.

Environmental Health

No objection to the proposed development but recommend that conditions are attached to the proposed development to ensure that there is no unacceptable environmental impact on neighbouring residential and prospective residents. The conditions relate to construction method statements, contaminated lands with remediations, best practice during construction and ventilation for the basement car park.

Policy and Research

No objections.

REMARKS

APPLICATION BACKGROUND

This proposal forms part the ongoing attempts on behalf of the Council to regenerate the South Kilburn Estate. The New Deals for Communities (NDC) programme is no longer in existence and an alternative approach to regeneration is being progressed by the Council. An update is provided below, by way of background.

SOUTH KILBURN CURRENT PLANNING CONTEXT

The original South Kilburn Masterplan SPD was adopted in 2005, based on a strategy of comprehensive redevelopment of 1400 dwellings, subsidised by the delivery of 1500 private dwellings. The Council appointed a consortium of housing organisations, which included Hyde Housing, Bellway and Taylor Wimpey, to redevelop South Kilburn. The business case was predicated on the consortium running the whole redevelopment from start to finish. In 2007 the Council submitted a bid to Central Government for £100m to fund the project, but was awarded only £50m. This lack of funding, coupled with the impact of the housing recession meant the Consortium was no longer able to deliver the regenerative development programme. As a result, the Council itself has been leading the regeneration programme bringing individual sites forward with a number of different partners with a wide range of different funding opportunities, but the key objective is delivery of the overall regeneration programme.

In 2012 the South Kilburn redevelopment is going well; the first phase of over 350 homes has or will be completed this year, 208 further homes have been approved and will start on site this summer. A planning application for a mixed use scheme with 137 units has been submitted on the Queens Park Station site, another mixed use scheme with 93 residential flats was approved subject to the signing of a legal agreement on the neighbouring Argo Business Centre site to the south (this is an entirely private site) and the council is considering how it can bring forward the redevelopment of the Stuart Road block immediately to the south of the Argo site. This would mean an almost complete transformation of the outward face of the South Kilburn estate along Kilburn Park road and send a strong signal of the council's firm intent to provide high quality homes set in a first class public realm.

MASTERPLAN & PRINCIPLE OF REDEVELOPMENT

The proposed redevelopment of the Bronte and Fielding House site is within Phase 2 of the South Kilburn Masterplan. The site proposals include the provision of 229 residential units with a split of 45% social rent and 55% market housing. The accommodation is arranged within 4 separate mansion block 2 and long six storey blocks fronting onto Kilburn Park Road and Cambridge Road and two 7 storey blocks on the north and south parts of the site. The masterplan anticipated the buildings being between 4-5 storeys along Kilburn Park Road and between 6-7 storeys on the corners. The height of the Kilburn Park Road and Cambridge Road frontages may appear as a departure from the masterplan however the design of the proposed buildings is such that there are set backs from the pavement edge of between 5-12m which limits their relationship to the immediate public realm and any detrimental impact on the amenity of neighbouring residential units while also helping to fit with the general character of the area. The anticipated density within the masterplan was between 750-900hrh. The proposal has a density of 571 hrh fitting with the design approach of optimization rather than maximisation of development provides further justification for the scale of the development proposed.

HOUSING ISSUES

EXISTING & PROPOSED HOUSING

The existing residential Bronte & Fielding House blocks contain only one bed and two bed dwellings, the vast majority of which are affordable dwellings. In total there are 271 residential units on the site. 256 units are affordable units, of which 131 are one bed units and 125 are two bed units. The remaining 16 units are privately owned, of which 7 are one bed units and 9 are 2 bed units.

The proposed development will result in the provision of 229 new dwellings. Thus the proposal will result in the net loss of 42 units. However, this net loss of housing units results from the provision of 3-bed and 4-bed dwellings, so that while there is a decrease in the number of dwellings there is still a net increase in the number of habitable rooms as a result of the proposed development. Policy 3.14 of the London Plan states that loss of housing should be resisted unless the housing is replaced at existing or higher densities with at least equivalent floor space. The existing buildings provide an estimated 16323sqm of residential floorspace while the proposed development will provide 17243sqm of residential floorspace.

The proposed unit mix for the affordable and the private units is set out in the table below.

	Unit Size				
Tenure	1-bed	2-bed	3-bed	4-bed	Total
Affordable	49	38	12	4	103
Private	47	52	25	2	126

Of the 229 proposed units, 103 units (45%) are to be affordable and will be offered to existing South Kilburn tenants under the new homes target rent regime. These provide a mix of housing types including 49 x 1-bed, 52 x 2-bed, 12 x 3-bed and 4 x 4-bed homes. The remaining 126 units (55%) will be available for market sale.

There will therefore be a net loss of 155 affordable units, although there will be a provision of a wider mix of units sizes within the affordable provision. The proposals should however be considered within the wider

context of the South Kilburn Regeneration programme which will involve the demolition of very poor quality 1960s council blocks to deliver a mixed and sustainable neighbourhood. The loss of affordable housing units is justified on the basis that the proposal is part of the South Kilburn Regeneration programme that proposes to approximately double the number of homes within the Growth Area. The South Kilburn Supplementary Planning Document sets out the regeneration proposals for South Kilburn and plans for the re-provision of the existing 1,200 affordable homes in the area through the delivery of an additional 1,200 private homes.

This development should also be seen in the context of other sites within the masterplan area where there has been a significant increase in the number of units proposed. The nature of the regeneration programme is such that there will be times when there is an increase in dwelling and occasions when this will not be the case. This site is within phase 2 of the regeneration programme. Phase 1, of which all sites are currently under construction or have completed, provided the following net change of dwellings, with Bronte and Fielding development added to these totals in brackets underneath:

	Previous	New	Net change
Total homes	150 (421)	494 (723)	+ 344 (+302)
Affordable Housing	108 (363)	310 (413)	+ 202 (+50)
Private Housing	42 (58)	184 (310)	+ 142 (+252)

When viewed within the context of phase 1 development the proposal still results in a net increase of 302 homes and a net increase of 50 affordable units. Of these 57.1% are affordable and 42.9% are private units.

LOCAL HOUSING NEEDS

The proposed housing mix of this application has been determined to ensure that the pipeline supply of new homes meets the needs of the existing tenants within the programme. This housing need is determined by assessments carried out by housing allocations officers who seek to understand the needs of tenants well in advance of the process of moving house so that the design process can be informed. Whilst the unit size mix proposed for Bronte & Fielding House fall short of the overall targets for family sized homes set out in the London Housing Strategy, consideration should be given to the local needs of the South Kilburn regeneration programme as follows:

- The existing baseline of 1 and 2 bedroom households within South Kilburn
- That the overwhelming majority of South Kilburn tenants wish to stay within South Kilburn and the council has committed to accommodating residents wishes
- The programme must ensure that it continues to provide an appropriate 'profile' of housing mix to ensure the programme can continue

It should also be noted that currently no larger family sized homes are provided on the existing site, whilst the proposed new development provides 28% three and four bedroom homes on habitable room basis, including 24% three and four bedroom homes within the affordable element of the scheme,

New affordable homes within South Kilburn area offered to tenants under the new homes Target Rent regime. This is in line with the position of paragraph 4.20 of The Homes and Communities Agency Affordable Homes Programme 2011 – 2015 which identifies that “social rent provision will only be supported in limited circumstances. For example, social rent could be considered in regeneration schemes where decanting existing social tenants into new homes is necessary.” Paragraph 7.11 states that “Providers will be expected to deliver a range of rents across their development proposals from homes let at target rents up to a maximum of 80% of the market rent. In order to maximise the number of new homes, it is expected that most will be let at, or close to, the 80% limit. However, there will be circumstances where rents may need to be set at lower levels. This may include areas where market rents are exceptionally high, in the provision of supported housing or in regeneration schemes where there is a clear pre-existing commitment to the re-provision of homes at target rent levels.”

The South Kilburn Regeneration Programme sets a commitment to provide new homes to tenants at rents that they can afford. Development Agreements with developer partners are engrossed on the basis of the South Kilburn tenancy and rent assumptions based upon the new homes target rent regime and this was agreed by the Council's Executive in February 2012 due to the particular circumstances for South Kilburn, those being that the programme is decanting tenants on a social rent regime to new homes; there has been a commitment to residents; local market rents are very high. One should also note that no GLA grant funding is currently assumed to subsidise the development of Bronte & Fielding House.

ECONOMIC VIABILITY

A Three Dragons toolkit has been prepared and this is considered to demonstrate that the proposed level of affordable housing is the maximum reasonable level of affordable housing that can be viably delivered by the scheme within the context of the wider regeneration programme, with any surplus generated by this scheme to be re-invested into the programme to ensure the delivery of the next phases. It is considered that this is in general accordance with London Plan policy 3.12 which states that the maximum reasonable amount of affordable housing should be sought on individual residential schemes, having regard to current and future requirements for affordable housing at local and regional levels, affordable housing targets, the need to encourage rather than restrain residential development, the need to promote mixed and balanced communities, the size and type of affordable housing in the location and the specific circumstances of individual sites.

URBAN DESIGN

LAYOUT & ACCESS

All buildings on the site will be demolished. The proposed development will be laid out to re-inforce the traditional street pattern that existed prior to the 1960s redevelopment with buildings arranged to address the relevant streets in a perimeter block design which also improves permeability and linkages with the wider South Kilburn Area.

The proposed development will consist of four separate buildings. The east block will front onto Kilburn Park Road this is set back 12m from the pavement edge and has a length of 114 m. This block is opposite the Victorian terraced residential properties on Kilburn Park Road which are within the Borough of Westminster. The front elevation of the proposed building will be 31m from the existing front elevation of the properties opposite. This block contains 75 units, split between affordable and market housing, and has 5 cores with pedestrian entrances from Kilburn Park Road.

The south block addresses the bend in Cambridge Road opposite the Argo Business Centre this has an irregular hexagonal shape and is more of tower shape than the other blocks which are standard perimeter blocks to an internal area of communal space. This block provides 24 units which are all accessed from a single central core with an entrance on the eastern elevation from Cambridge Road.

The west block fronts onto Cambridge Road opposite Austen House (a 18 storey tower block) and the more recent 1980s residential development. It is set back 5m from the pavement edge and has a frontage length of 95m. The proposed block contains 83 units with a mix of affordable and market housing. It is accessed from four residential cores from Cambridge Road. To the north of east and the west blocks there is a public pedestrian pathway linking Cambridge Road with Kilburn Park Road.

The north block is on the opposite side of the access way from these blocks and contains 46 market residential units accessed from to cores. The main elevations front to the north and south with a length of 47m. However the pedestrian entrances to the block are from the flank elevations fronting onto the public open space to the south and Cambridge Road to the north. To the north of the block there is an area of communal amenity space which acts as a buffer between the block and the neighbouring car park for the site 3c development currently under construction.

To the north of the east block and to the east of the north block there is an area of public open space within the development site adjacent to the junction of the access road to site 3c and Kilburn Park Road. The main area of amenity space is provided in the form of communal amenity space between the east and west blocks. This has a depth of 33m between the rear elevations of the two main blocks. This distance is similar to that found on other buildings in the area. There is also an area of amenity space separating the north block from the adjacent car park. A proposed basement level car park is also situated under the proposed central amenity space, this is to be accessed from Cambridge Road. To ensure that there is adequate headroom for

vehicles using the car park the roof of the access partly protrudes into the rear amenity space.

SCALE, MASSING & ELEVATIONAL TREATMENT

The east and west blocks are both 6 storeys in height with the south and north blocks being 7 storeys in height. The east and west blocks which are the most prominent blocks within the proposed development, are of considerable length and therefore it has been important design consideration as to how to break down the massing of these blocks.

A *mansion block* approach, which draws on the design characteristics of the mansion blocks of neighbouring Warwick Avenue and Maida Vale, has been taken towards the design of the proposed buildings. On the Kilburn Park Road frontage the enforced set back as a result of the mains sewer running under this part of the site, has ensured there is an appropriate setting for the scale of development when viewed from the main thoroughfare of this part of South Kilburn. The features that they have sought to replicate of the mansion block typology include the use of prominent communal front entrances accentuated by roof detailing, projecting bays and balconies and smaller upper floor detailing in proportion to the larger lower floor openings to reduce the impact of the upper floors. The next section will consider the scale and massing of each block and the means by which it is proposed to break this down.

East Block

The east block has a main four storey frontage with an additional two floors above this as a mansard roof type feature with five pairs of projecting roof bay features. These are positioned symmetrically at the roof level either side above the main two-storey front entrance. Projecting two storey bays linking second and third, first and second and ground and first floors are used in an irregular pattern along this frontage. It is considered that these features serve to break down the overall scale and massing of the building when viewed from Kilburn Park Road.

Given the prominence of Kilburn Park Road as a prominent route the treatment of the corners/wings of the proposed buildings is also important when considering the massing and appearance. On the south flank of the building is a projecting wing with a two-storey inset balcony at the roof level and inset horizontal balconies on each of the floors below. Irregularly positioned window are used to add further interest to this elevation which fronts the junction of Cambridge Road with Kilburn Park Road.

The west and north elevations of this building are given a more conventional treatment. The north flank wall is broken down through the use of fenestration with a vertical emphasis again set out in an irregular pattern. The roof level of the proposed building is arranged with recessed two-storey sections and full height six storey elements used to emphasis the rear entrance to the cores. A range of materials are proposed to break up the appearance of the rear elevation. A brick finish is proposed for the four-storey sections around the rear entrances. A metal rainscreen cladding is proposed for the two storeys directly above the brick for the part of the building where the upper floors are flush with the lower floors. The rains screen cladding is also proposed on the four storeys below the recessed upper floors. The recessed upper floor is then to be clad in a glazed coloured brick. Variation in the size and materials of balconies is also used break down the massing at the rear.

West Block

The western block is designed by Lifchutz Davidson and Sandilands architects. A different approach has been adopted in relation to the treatment of the different elevations of this building. The main frontage onto Cambridge Road is defined by the *mansard roof* used for the upper four storeys and four projecting six storey bays arranged around each core with an additional projecting two storey bay on the upper two floors to further accentuate each entrance. Also in contrast to the east block a strong rhythm runs along this frontage creating 4 distinct symmetrical blocks around each core entrance defined by the prominent entrances and arrangement of lantern windows which also have a vertical emphasis. The material pallet for this building also serves to break down the massing of this six storey block. The inclined roof will have a clay tile cladding while the groundfloor will have a stock brick. The projecting lantern windows will have a acoustically enhanced anodized aluminium framed top hinged dormer window with fixed zinc pane reveal component. To the rear a more conventional approach is used with a similar strong symmetrical rhythm created by prominent six storey bays for each rear entrance and balconies arranges around this. The rear elevation will have a stock brick finish with the rear projecting balconies have galvanized steel railings painted black. The north flank is a six storey brick wall punctuated with an irregular pattern of vertically emphasized windows. The southern flank has a projecting four storey element and is also finished in brick with an asymmetrical arrangements of

windows on the four storey element but none on the upper fourth and fifth floors.

North and South Blocks

The north and south blocks are smaller in footprint than the east and west blocks but are both 7 storeys in height. The south block is hexagonal in shape with some inverted walls. This layout and the use of inset balconies for each flat ensure that the building has a slender design and appearance in contrast to the larger east and west perimeter blocks. The north block adopts a standard apartment block design with the main elevations fronting north and south. The main entrances are in the flank elevations fronting onto the public square to the east and Cambridge Road to the West. The east flank is set back 22m from Kilburn Park Road and views from this road will be limited as a result of the proposed east block and the development currently under construction at site C3. The elevations on this building are treated similarly to the other block using the projections and recesses in the building line along variations in window design and balconies to create visual interest in the longer north and south elevations. The entrances on the flank walls are also emphasized by the use of double storey projecting windows on the top two floors.

MATERIALS

The success of the individual buildings in design terms will be significantly influenced by the quality of the proposed materials. A detailed approach has been taken by the Council towards the materials for the proposed development within the South Kilburn Regeneration Area. The predominant material for the proposed development is traditional stock brick although glazing with aluminium and zinc frames, rain screen cladding, glazed bricks and ceramic tiles are used frequently to break up the massing and to define parts of the building. Full details of the specified materials will be sought by condition.

SECURED BY DESIGN

The proposed development is considered to provide improvements to security and safety with the South Kilburn Area. Opportunities have been taken to introduce active frontages with entrances at the groundfloor level. The proposed layout in block forms addressing the main streets and pedestrian routes along with the high concentration of windows and balconies next to these results in a significant increase in informal surveillance of both public and private areas and particularly along the main Kilburn Park Road frontage which currently has very poor levels of informal surveillance.

OPEN SPACE

AMENITY SPACE & CHILDREN'S PLAY AREA

Detailed landscape drawings showing the design of the private, communal and public amenity areas have been provided. The main amenity provision for residents is in the form of a large communal garden, with childrens play space, between the west, east and south blocks and the pedestrian pathway from Cambridge Road to Kilburn Park Road to the north. Around this space there will be private gardens for the groundfloor residential units to ensure that each unit has access to private amenity space and also that there is an appropriate buffer to ensure the privacy of each resident.

The amenity space is laid out so that it is in the main divided between the private and the affordable units with a shared childrens play space in between the separate gardens. While the separation of amenity space between private and affordable housing is not always desirable it is often considered to be the most effective means of controlling and maintaining such space within a mixed development due to the maintenance charges and the separate management contracts of housing associations.

The proposed development will meet SPG17 requirements for 20sqm of amenity space per flat and 50sqm of amenity space for family units. This is provided in the form of private gardens, roof terraces and balconies and the provision of the communal amenity space in between the blocks and to the north of the north block.

A green roofs are proposed for each of the residential blocks which should also contribute to the ecological diversity of the proposed development.

The proposed development results in a significant improvement in the quality of public realm and amenity space in comparison to the existing proposals. Further details will be sought by condition to ensure that the proposals are of an acceptable quality.

TREES

Over 40 new trees are proposed in both the private and public realm of the proposed development. The Council's Landscape Design Team are satisfied that the locations of the proposed trees are acceptable however further details of the species proposed and a detailed planting schedule will be required by condition. Within the existing site there are 15 trees. 14 of these will be removed prior to developments as there are positioned within the development site. The proposed development will increase the provision of trees within the Regeneration Area which will improve the character and appearance of the development within the surrounding area. A clause has been included in the section 106 Heads of Terms which requires a 4:1 trees replacement strategy to offset the loss of any trees on site.

RESIDENTIAL AMENITY

DAYLIGHT/SUNLIGHT & OUTLOOK

A daylight and sunlight study was undertaken by PRP Environmental on behalf of the applicant to assess the potential impact of the proposed development on daylight and sunlight access to that currently experienced by surrounding adjacent properties and the levels within the proposed development.

Neighbouring Properties

Daylight

To assess the impact on daylight through to neighbouring properties three types of analysis were undertaken. The first method of analysis was the 25 degree line. Only on one property, the Western Block at Site 3C, complied with this. As such all properties that were non-compliant were then assessed in relation to the Vertical Sky Component (VSC). Most of the windows assessed had VSC values of more than 27% or the reduction in daylight compared to existing conditions were within allowable tolerances.

Where the windows did not comply with this they were assessed against the Average Daylight Factor (ADF). The only windows that required this analysis were the lower windows on the development on Kilburn Park Road. For the windows with the worst VSC an ADF of 2.26% was achieved. This exceeded the minimum ADF of 2% required under BRE guidelines. Therefore all neighbouring properties were considered to comply with BRE standards and will have acceptable levels of daylight.

All windows of neighbouring properties comply with BRE criteria while it should also be noted that with the demolition of the existing buildings there will be a beneficial impact on a number of buildings particularly in relation to VSC.

Nevertheless to ensure that the proposed development can be considered to be a full BRE study a full no sky line assessment is also required. As full compliance has been required of other sites within the regeneration area most notably on the redevelopment of the neighbouring ARGO development it has been requested in this instance. This study has been undertaken but full details are yet to be received. However the findings of the study have concluded that all rooms will comply with No Sky Line Parameters.

Sunlight

All of the properties were analysed in terms of Annual and Winter Probable Sunlight Hours (APSH & WPSH). The results show that all surrounding properties experience adequate sunlight access during the summer winter periods in accordance with the BRE criteria. As such the proposal will have an acceptable impact on levels of sunlight to the neighbouring properties.

Within the Development

Daylight

Within the development 483 windows had a VSC below 27%. Of these 9 do not meet ADF values (1.3%). This is considered to be a minor figure and is an acceptable percentage for a development.

Sunlight

91.7 % of windows comply with APSPH criteria. 8.3% fail to comply as a result of the geometry, orientation and massing of proposed buildings. This percentage, according to the lighting engineers is considered to be acceptable within a dense urban location. In terms of WPSH 93.3% of windows comply. Of the 6.7% that do not comply the main reason for this is due to their situation under balconies on the upper levels. Again this percentage of non-compliance is considered to be unfortunate but not unacceptable given the dense urban location while the proposed balconies provide further benefits in the form of additional amenity space for prospective residents and help prevent the risk of summer overheating.

The proposed development is considered therefore to have an acceptable impact in terms of the daylight and sunlight on neighbouring properties and also internally in terms of the proposed residential properties.

PRIVACY

There are no direct facing habitable room windows within 20m of each other to rear of the proposed blocks while there is also adequate separation distances between the frontages of each proposed block and the neighbouring developments. As such there will be no detrimental impact on the amenity of neighbouring residents in terms of privacy.

The nearest facing balconies are those on the rear elevation of the proposed east block and those on the east elevation of the south block with a separation distance of 16m. These are not directly facing balconies and within an urban environment such as the South Kilburn Regeneration Area it is considered that they are within what would be acceptable within such a location and thus in compliance with SPG 17 requirements. Notwithstanding this the benefit of each unit having its own private amenity space significantly outweighs the negligible impact of the distance between the balconies.

All the groundfloor residential units have their own private rear or front gardens. There is a suitable buffer zone of over 2m on all frontages and 5m on the rear to ensure that the privacy of the ground floor units is of an acceptable level. Full details of the boundary treatments will be sought by condition to ensure that each unit is effectively screened.

NOISE AND AIR QUALITY

Environmental Health officers have provided a condition to be attached to any permission to ensure acceptable noise levels are achieved within habitable rooms, post completion testing will be required to demonstrate this. Within the development the stacking of units does not always achieve the stacking of like uses (i.e. bedrooms over bedrooms), in order to ensure that this does not lead to disturbance between neighbouring occupiers a condition is recommended to demonstrate a high quality of noise insulation in walls and floors between neighbours.

A condition is recommended regarding the basement car park. While the applicant proposed only natural ventilation officers need confirmation that this will result in safe conditions within the enclosed car park and that carbon monoxide levels will not become excessive. A condition is recommended seeking predicted carbon monoxide levels.

TRANSPORTATION

HIGHWAY WORKS

The proposed development includes the provision of a basement car park the access for which is off Cambridge Road under the west block. The access to this is sufficiently set away from the junction with Stafford Road and has adequate sightlines. The basement layout is fine in terms of layout, with dimensions of spaces and aisle widths meeting standards and columns shown set back to ease manoeuvring into spaces. The access ramp is shown to an acceptable width and gradient (subject to the provision of 300mm margins on either side to protect the building structure).

The proposed widening of Cambridge Road is welcomed in principle and the proposed carriageway width of 7.3m will allow greater scope to accommodate parking along both sides of the street as mentioned above (although care will be needed to ensure that any new parking bays close to the bends in the road do not obstruct delivery vehicle access). The plans show a minimum footway width of 2m being retained (as required) to the rear of this widened stretch, but please bear in mind that this may require the dedication of

part of the site as highway through a S38 Agreement or a land transfer from Brent Housing Partnership.

Similarly, a future footway width of 4.5-4.8m is shown along the Kilburn Park Road frontage of the site, with a 2.8m verge behind. This contrasts with the existing footway, which varies in width from 3m to 6m. Clarification is therefore sought on where the future highway boundary will sit – if it is to lie along the rear of the new footway then an area of highway will need to be stopped up, whereas if it is to include the grass verge, then part of this area will need to be dedicated as highway under a Section 38 Agreement or land transfer.

With regard to the junction of Cambridge Road and Kilburn Park Road, the proposed reduction in its width is welcomed in terms of enhancing pedestrian safety and allowing the provision of additional landscaping. Similar treatment is also proposed on the southern side of the junction in connection with the redevelopment of Argo Business Centre (ref: 11/2403). It is therefore essential that the two application proposals are compatible with one another and it is confirmed that this is the case.

In terms of the undertaking of the works, it is considered preferable for construction to be carried by the developer(s) under Brent Council's supervision through a S278 Highway Agreement. In order that the works are fairly apportioned between each development (i.e. such that the first developer does not end up footing the bill for the entire works, to the benefit of the other development), it is suggested that each development is responsible for the altering of the kerbline adjoining their own development site. In this way, the junction will be narrowed in two stages, so will have a lop-sided arrangement for a temporary period. The first developer will need to arrange for the removal of the traffic island in the centre of the junction, whilst the second developer will need to install a new speed table as an entry treatment (not shown on the application drawings). In this way, the costs will be fairly evenly divided. The associated S106 Agreement will need to be carefully worded to this effect.

Once the works are undertaken, there would be no objections in principle to the redundant area of highway to the rear being stopped-up and incorporated into the landscaping of the site, subject to the necessary diversion of any affected statutory undertakers' equipment within this area of highway. However, it is essential that the proper stopping-up procedure is followed through S247 of the Town and Country Planning Act 1990 and that full consultation is carried out with all statutory undertakers' companies in the area. To speed the process up, it is recommended that this consultation exercise commences as soon as possible.

Ordinarily, it would be expected that this development also undertakes traffic calming/ streetscape improvement works along Cambridge Road, in line with Masterplan proposals. However, the Masterplan aspirations for the street network in this area remain a little unclear at present and will only become clear as proposals for site 2 come forward. It may therefore be preferable to simply secure a sum of money for future works at this stage and the usual calculation would suggest a figure of £250,000, although an allowance can be made for the highway works that are proposed around the site as part of the development.

The provision of a new east-west pedestrian/cycle route across the site is welcomed in terms of maintaining good permeability, but it is not anticipated at this stage that this route would be adopted as public highway – clarification on this matter is also sought.

CAR PARKING

Car parking allowances for residential use are set out in standard PS14 of the adopted UDP 2004. As the site has very good access to public transport services and is located within a Controlled Parking Zone, a reduced allowance of 0.7 spaces per 1-/2-bed flat and 1.2 spaces per 3-/4-bed property applies to this development. As such, up to 181 car parking spaces would be allowed for this proposal and the proposed overall provision of 120 basement spaces would comply with standards.

Of these 120 spaces, 90 are proposed to be allocated to the 126 private housing units, with the remaining 30 allocated to the 103 social rented housing units. This ratio of spaces between private and affordable units is considered appropriate, although further details of how the spaces will be allocated to individual properties and managed would be required as a condition of any approval (n.b. annual leasing of spaces would offer the greatest flexibility, so would be preferred).

Policy TRN23 nevertheless requires consideration to be given to the impact of any overspill parking on the free and safe flow of traffic in the area and in order to keep the amount of overspill parking to an acceptable level, it is recommended that a 'car-free' agreement be applied to the development, thereby ensuring that not all of the future residents of the development may apply for permits. This will help to prevent the parking spaces alongside the site being swamped and overspilling onto surrounding streets, which would jeopardise

parking provision for future phases of the South Kilburn development.

However, it is recognised from the submitted parking beat surveys that Cambridge Road and Kilburn Park Road do offer some limited spare parking capacity (currently up to 16 spaces, but with the proposed widening of Cambridge Road to 7.3m potentially allowing up to 20-24 spaces in the future), so there is scope to allow some of the units in this development to apply for permits (although not all of the 103 social rented units, as suggested by the applicant). Exemption for up to about 45 units would best match parking supply and demand, given current average car ownership in the area of about 0.5 cars/ household. To ensure this process can be easily administered by the Council's parking contractors though, it is essential that any exemption to the 'car-free' agreement is limited to easily identifiable blocks. In this respect, the southern block of 25 affordable flats, plus the 15 affordable units at the southern end of the eastern block (accessed via entrance core E5) would most closely match the above criteria in terms of size and location and it is therefore recommended that these blocks be exempted from the proposed 'car-free' agreement.

Standard PS15 requires at least 10% of the proposed parking spaces for the affordable units and 5% of the spaces for the private units to be widened and marked for disabled parking. Eleven such spaces have been indicated within the basement, which is sufficient to satisfy this requirement. The headroom within the basement is also sufficient to accommodate 'high-top conversion' vehicles, ensuring spaces are accessible to all disabled drivers.

The accompanying Transport Assessment states that at least 20% of spaces will be provided with electric vehicle charging points, with a further 20% having the ability to be provided with such facilities in the future. This will satisfy the requirements of the London Plan.

SERVICING

With regard to servicing, refuse stores are located to the front of all of the units, allowing easy access from the adjoining highways (only the southern block would significantly exceed the maximum wheeling distance of 10m for Eurobins). Similarly, the entrance cores to all units are easily accessible from the adjoining roads for fire access.

TRAVEL PLAN

A framework Travel Plan has been prepared by Motion Transport Planning and submitted with the application. This sets out a range of measures aimed at minimising car use to the site, with the success of these measures being monitored over a five year period under the remit of a Travel Plan Co-ordinator. The initial targets will be to reduce car/van driver trips from 26% (as gleaned from 2001 Census data) to 24% over three years and 21% over five years. These targets will be reviewed once initial baseline survey data has been gathered though (following occupancy of 75% of the units).

The Travel Plan has been assessed using TfL's ATTrBuTE programme and has scored a PASS rating. That said, a number of minor shortcomings could usefully be addressed to improve the Travel Plan, including the absence of details of how on-site car parking will be managed (even though a permit system is currently used) and how this (along with the car-free agreement) will be communicated to future residents, the absence of mention of how local Car Clubs might be promoted and the absence of details of the funding that will be provided to support the Travel Plan (such as subsidies for Car Club membership).

Nevertheless, it would be acceptable to append this Travel Plan in its current form to the proposed S106 Agreement and require its implementation, with the above points added in as the Travel Plan is developed.

CYCLE STORAGE

Standard PS16 requires the provision of at least one secure bicycle parking space per unit. A total of 272 such spaces are proposed within a double-deck system adjacent to building entrances, all of which will be secure and covered. As such, standards are more than satisfied, although further details of the precise bicycle parking system to be used would be welcomed.

Views of the London Mayor

The Council has now received the Mayor of London's Stage 1 response to the application. He is largely supportive of the application, save for four changes that he states are needed in order to lead to the

application being compliant with the London Plan. The four changes relate to affordable housing provision, children's play space, energy – climate change mitigation and transport.

The Mayor of London requires additional information on affordable housing to demonstrate that the proposed development provides the maximum reasonable amount of affordable housing and a tenure mix that are in compliance with London Plan Policies 3.4, 3.12 and 3.14. A Three Dragons Toolkit has been prepared and will be submitted to the Mayor to demonstrate that the proposed level of affordable housing provision is the maximum reasonable amount of affordable housing that can be viably delivered by the scheme within the context of the wider regeneration programme.

The Mayor of London also requires the applicant to provide additional information to show that the play space allocated will meet the child yield requirements. A different means of calculating child yield from that used by the GLA was used by the applicants. They have now sought to demonstrate how the proposed development meets the Mayor child play space provision standards using the recommended means of calculating child yield. The proposed development results in a shortfall of 160sqm. This however is off-set by the provision of private amenity space allocated to families, which reduces the shortfall to 94sqm, and the proximity of existing and proposed Locally Equipped Areas for Play (LEAPs). The proposed LEAPs within the Regeneration Area are identified at South Kilburn Open Space and as part of the redevelopment of Wordsworth House and Hampton close in later phases. These spaces are to be funded and delivered by new developments coming forward or will be paid for by pooled section 105 receipts secured from developments.

The Mayor requires more information on how the existing block will be switched over to a new district heating system and this will be provided as part of the Stage 2 referral to the Mayor if Members are minded to approve this application. A contribution of £824 400 is proposed as part of the section 106 to go towards measures to enable the development to reach Code 4 and provide 17% of the site's energy use through renewable energy measures including connections to a Decentralised Energy Network, or retrofitting the proposed development or retrofitting surrounding properties to mitigate the energy impact of this development.

The Mayor also wants the applicant to address the matters raised in relation to parking, improvements to the pedestrian and cycling environment, travel plan and construction logistics plan to ensure accordance with London Plan Policies 6.2, 6.3, 6.9, 6.10, 6.11, 6.13 and 6.14. The proposed parking provision complies with the Council's parking standards and works out at approximately 0.5 spaces per unit. A travel plan is also to be secured through the section 106 agreement. Further details of how the proposal improves pedestrian and cycle links through the regeneration area have also been provided..

As things stand the Mayor considers that the application does not comply with the London Plan for the reasons set out above. He states that there are remedies that could address these deficiencies. If the Council decides to make a decision on this application it must consult the Mayor, once again, and give him a period of 14 days within which to allow the draft decision to proceed unchanged, to direct the Council to refuse the application or to issue a direction that he is to act as the Local Planning Authority and proceed to determine the application. Officers are optimistic that having considered the proposal and the responses that have been made to the specific points of detail raised that the Mayor would allow the Council to issue the relevant decision.

Section 106 Agreement and Conclusions

The development proposal has wider implications for the locality that cannot, or are unlikely to, be addressed within the application site. As a result, a Section 106 agreement (or other agreement) controlling the benefits and financial contributions that might be required in relation to the proposed development would be required. As these are fundamental issues, the scheme would be rendered unacceptable if they were not adequately dealt with.

As part of the site is currently Council owned, the Council has more control over the matters set down in the proposed Heads of Terms than it otherwise would and will be able to ensure that the agreement is adhered to. The precise details over what goes into the agreement is set down at the head of this report. Highway works are also required to be agreed with the Highway Authority as part of the development proposal and they should be included in any agreement.

The principle of the redevelopment of the site for housing is considered to be acceptable in policy terms. The proposed development is considered to provide an interesting series of buildings in a prominent location. . The site is one of the key opportunities to provide an impetus to the wider proposals for the South Kilburn regeneration area. It can play a key role in instigating the regeneration of the former NDC area and for this reason there are a number of specific points

where flexibility needs to be applied to the form of this scheme, particularly as far as the development relates to existing residents within the South Kilburn Estate. However, the wider strategic matters serve to help justify the application proposal and the design, form, materials and height of the development are considered to be in accordance with the standard of architecture that has been sought so far during the regeneration project and that is expected within the South Kilburn area. The quality of accommodation is also considered, as explained above, to be very good, given the internal dimensions of each unit, as is treatment of external space and it will continue accord with the high standards sought for proposals within the area.

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

RECOMMENDATION: Grant Consent subject to Legal agreement

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

Brent Core Strategy 2010
Brent Unitary Development Plan 2004
Central Government Guidance
Council's Supplementary Planning Guidance 17

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

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

CONDITIONS/REASONS:

(1) The development hereby permitted shall be carried out in accordance with the following approved drawings:

0865 P0101 Demolition Site Plan; 0865 P1061; 0865 P0101 Proposed Site Plan; 0865 P0102; 0865 P0160; 0865 P0161; 0865 P0110; 0865 P0111; 0865 P0112; 0865 P0113; 0865 P0114; 0865 P0115; 0865 P0116; 0865 P0117; 0865 P0118; 2333 PL(-)01; 2333 PL00; 2333 PL01; 2333 PL02; 2333 PL03; 2333 PL04; 2333 P005; 2333 PL06; 2333 PL07; 0865 P0150; 0865 P0165; 0865 P0166; 2333 EL01; 2333 EL02; 2333 EL03; 0865 P1601; 0865 P1602; 0865 P1603; 0865 P1604; 0865 P1605; 0865 P1606; 0865 P1607; 0865 P6001; 0865; P6002; 2333 EL04; 2333 EL05; 2333 EL06; 2333 EL07; 0865 P1001; 0865 P1002; 0865 P1003; 0865 P1004; 0865 P1005; 0865 P1006; 0865 P1007; 0865 P1008; 0865 P1009; 0865 P1010; 0865 P1011; 0865 P1012; 2333 PL08; 2333 PL09

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

(2) The areas approved by the Local Planning Authority for car parking, loading, unloading and parking of service vehicles; vehicle turning space; and parking and access provision for disabled persons shall be used only for those purposes.

Reasons: To ensure that these areas are permanently retained for these uses in compliance with the Council's parking and servicing standards, in the interests of the general amenities of the locality and in the interests of the free flow of traffic and conditions of highway safety within the site and on the neighbouring highways.

- (3) During demolition and/or construction works on site:-
- (a) the operation of site equipment generating noise and other nuisance causing activities, audible at the site boundaries or in nearby residential properties, shall only be carried out between the hours of 0800 - 1700 Monday - Friday, 0800 - 1300 Saturday and at no time on Sunday or Bank Holidays;
 - (b) vehicular access to the adjoining and opposite premises shall not be impeded
 - (c) all plant and machinery associated with such works shall at all times be situated and operated within the curtilage of the site;
 - (c) no waste or other material shall be burnt on the application site;
 - (d) all excavated topsoil shall be stored on the site for reuse in connection with the landscape works scheme.
 - (e) a barrier shall be constructed around the site, to be erected prior to demolition
 - (f) a suitable and sufficient means of suppressing dust must be provided and maintained
 - (g) the best practical means available in accordance with BS5228: 1984 shall be employed at all times to minimise the emission of noise from the site
 - (h) all construction vehicles used during construction must meet European Emission Standards of Euro 3 during any works on site.
 - (i) all non-road mobile vehicle with compression ignition engines used on the site shall comply with the emission standard contained in EC Directive 97/68/EC.
 - (j).any diesel powered machines used on or otherwise serving the site shall be operated on ultra-low sulphur diesel meeting the specification BSEN950

Reason: To limit the detrimental effects of noise and disturbance from construction works on adjoining residential occupiers.

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

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

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

- (a) proposed walls and fences indicating materials and heights;
- (b) screen planting along the boundaries of the ground floor residential units;
- (c) details of drainage, irrigation and water points.
- (d) areas of hard landscape works and proposed materials;
- (e) details of the tree pits to ensure suitable soil depth
- (f) details of the childrens play space
- (g) details of the proposed arrangements for the maintenance of the landscape works.

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

variation.

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

- (6) Prior to the commencement of the development the applicant shall provide details of the predicted Carbon Monoxide levels in the underground car park shall not exceed 30 ppm averaged over any 8-hour period and shall also not exceed 90ppm averaged over 15 minutes. If the forecast does not achieve acceptable levels, mechanical ventilation will be needed. This information shall be submitted to and approved in writing by the LPA prior to commencement, and the development shall be undertaken in accordance with the approved detail.

Reason: To protect the amenity of residents of the proposed development.

- (7) In order to mitigate against the possibility of numerous satellite dishes being installed on the buildings hereby approved, details of a communal television system/satellite dish provision shall be submitted to, and approved in writing by, the Local Planning Authority. The approved details shall be fully implemented.

Reason: In the interests of the visual appearance of the development in particular and the locality in general

- (8) A Construction Method Statement (CMS) shall be submitted to and approved in writing by the Local Planning Authority, prior to commencement of any demolition or construction works on site. This shall include, but not be limited to, evidence of measures to adopt and implement the ICE Demolition Protocol, and Considerate Contractor Scheme registration and operation. The approved Statement shall be fully implemented.

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

- (9) The demolition/ building works hereby approved shall not commence until vehicle wheel washing facilities have been provided on site, in accordance with details of such facilities to be submitted to and approved in writing by the Local Planning Authority. Such facilities shall be used by all vehicles leaving the site and no work shall take place at any time the said facilities are not present or are otherwise incapable of use.

Reason: To ensure that the construction of the proposed development does not prejudice the conditions of safety and cleanliness along the neighbouring highway.

- (10) Following the demolition of the buildings and prior to the commencement of building works, a site investigation shall be carried out by competent persons to determine the nature and extent of any soil contamination present. The investigation shall be carried out in accordance with a scheme, which shall be submitted to and approved in writing by the Local Planning Authority, that includes the results of any research and analysis undertaken as well as an assessment of the risks posed by the contamination and an appraisal of remediation options required to contain, treat or remove any contamination found. 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 proposed for domestic use in accordance with policy EP6 of Brent's Unitary Development Plan 2004

- (11) Any 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 permitted for end use (unless the Planning Authority has previously confirmed that no remediation measures are required).

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

INFORMATIVES:

- (1) The applicant's attention is drawn to the need to stop-up areas of existing highway under Section 247 of the Town & Country Planning Act 1990. The applicant is therefore advised to contact the Head of Highway & Transport Delivery at the earliest opportunity to agree a detailed 1:200 survey plan showing the areas of highway that are to be stopped up and to request that this process is pursued on their behalf. The applicant is also advised to consult all statutory undertakers in the area on the stopping-up proposals at the earliest opportunity."

Any person wishing to inspect the above papers should contact Robin Sedgwick, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5229