

COMMITTEE REPORT

Planning Committee on

13 November, 2019

Item No

03

Case Number

18/3069

SITE INFORMATION

RECEIVED	2 August, 2018
WARD	Sudbury
PLANNING AREA	Sudbury Town Neighbourhood Forum
LOCATION	Keelers Service Centre, Harrow Road, Wembley, HA0 2LL
PROPOSAL	Demolition of existing M.O.T testing centre and erection of a part 5 and part 6 storey mixed use building comprising office (Use class B1) at ground floor and 22 residential units on the 1st to 5th floors (6 x 3 bed; 8 x 2 bed and 8 x 1 bed); plant room in basement; PV panels at roof level, cycle parking and waste storage (revised description)
PLAN NO'S	Please 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_141260</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 "18/3069" (i.e. Case Reference) into the search Box3. Click on "View Documents" tab

RECOMMENDATIONS

A. That the Committee resolve to GRANT planning permission subject to the prior completion of a legal agreement to secure the following planning obligations:

- 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 provision - 3 shared ownership units (2 x 1-bed and 1 x 2-bed) together with late stage viability review mechanism.
- A construction training and employment plan targeting Brent residents;
- Revised Energy Assessment and a contribution to Brent's carbon offsetting fund to mitigate any shortfall in achieving zero carbon emissions;
- Financial contribution to off-site amenity space provision;
- Financial contribution to implementation of Controlled Parking Zone(s) in the vicinity of the development;
- Parking permit restrictions and provision of car club membership for residents;
- Highway works necessitated by the development.

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

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

Conditions

1. Three year time limit
2. Approved plans
3. Commercial floorspace to be B1(a) office only
4. Withdraw PD rights to convert flats to C4 small HMOs
5. Water consumption not more than 105lpd
6. Cycle parking and refuse to be provided as per approved plans
7. Pre-commencement Construction Method Statement
8. Pre-commencement Construction Management Plan
9. Site investigation, remediation strategy and verification
10. Details of materials, screens and external plant
11. Details of M4(2) and M4(3) compliance
12. Details of marketing strategy
13. Details of revised loading bay and disabled parking space layout
14. Details of landscaping works
15. Details of PV panels
16. Satellite dishes
17. Internal noise levels
18. Noise and Vibration from Plant

Informatives

1. CIL liability
2. Building near boundary
3. Fire safety
4. London Living Wage
5. Party wall
6. Notify Highways pre-commencement
7. Planters outside of the application site do not form a part of the development and would not be considered acceptable.

C. That the Head of Planning is delegated authority to make changes to the wording of the committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the committee nor that such change(s) could reasonably have led to a different decision having been reached by the committee.

D. That, if by the "expiry date" of the planning application the legal agreement has not been completed, the Head of Planning is delegated authority to refuse planning permission.

E. That the Committee confirms that adequate provision has been made, by the imposition of conditions, for the preservation or planting of trees as required by Section 197 of the Town and Country Planning Act 1990.

SITE MAP



Planning Committee Map

Site address: Keelers Service Centre, Harrow Road, Wembley, HA0 2LL

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This map is indicative only.

PROPOSAL IN DETAIL

The proposal relates to the demolition of the existing single storey building on site, which is an MOT centre measuring 502sqm GIA. In its place it is proposed to erect a part five and part six storey building. The ground floor would contain 200sqm commercial office floorspace, entrances to the building's residential elements, and associated refuse storage and cycle storage. There is also external hardstanding proposed which includes a loading bay at the rear and a disabled parking space, alongside the boundary with Central Road. Above the ground floor would be residential uses, consisting of a mix of one, two and three bedroom residential units. There would be 22 new homes in total.

EXISTING

The site fronts on to the large roundabout where Harrow Road meets Bridgewater Road. The site has a side elevation onto District Road with the rear accessed from Central Road. Sudbury Baptist Church is a local landmark to the south. To the south and west the predominant character is suburban, generally with 2 storey houses. To the north is more commercial, but with residential led schemes forming the Barham Park Estate regeneration area in close proximity, and to the east is Barham Park.

The site is within the Sudbury Town Neighbourhood Area, and Sudbury Town Centre (which is classified in Brent's Core Strategy 2010 as a 'Local Centre'). Barham Park is designated as a Local Green Space and A Site of Nature Conservation Importance (Grade II). The site does not contain any listed buildings, and is not within a conservation area. The London Cycle Network TRN11 and the London Bus Priority Network are near to the site.

AMENDMENTS SINCE SUBMISSION

Amended plans were received on 30 January 2019, involving the following amendments:

- reduction in bulk and change in elevational treatment of sixth storey;
- removal of partial seventh storey and access to roof area;
- increased private terrace areas for sixth storey flats;
- reduction in number of flats from 24 to 22.

Further amended plans were received on 2 September 2019, involving the following amendments:

- red line site boundary altered to include garage forecourt, which is in the applicant's ownership;
- balconies on northernmost flats on first to fourth floors relocated further towards northern boundary, to improve outlook from north-facing bedroom windows.

SUMMARY OF KEY ISSUES

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

Objections received: A substantial number of objections were received (including 45 individual properties, 2 petitions, Sudbury Town Neighbourhood Residents Forum and Cllr Daly). These mainly relate to (i) traffic generation and added pressure on existing on-street parking and congestion on the highway network, (ii) the loss of the existing business and the most appropriate use of the ground floor, (iii) the design of the building including its overall height, (iv) bulk and mass and impact on the character of the area, and (v) concerns regarding loss of light and privacy to neighbouring properties. These issues are all addressed in the relevant sections of the main body of the report.

Principle of development: The proposal would contribute to the aims of the Sudbury Town Neighbourhood Plan by providing new B1(a) office floorspace within the extended town centre, and would also provide new housing to contribute to the borough's housing targets. On balance, your officers consider that concerns regarding the net loss of employment floorspace on the site would be outweighed by the benefits of redeveloping the site.

Viability, affordability and housing mix: The proposal would provide 22 residential units comprising 8 x

EXISTING (Flats û Intermediate)									
PROPOSED (Flats û Market)	6	7	6						19
PROPOSED (Flats û Intermediate)	2	1	0						3

RELEVANT SITE HISTORY

17/5117

Full Planning Permission

Application Withdrawn 24/01/2018

Demolition of the existing M.O.T testing centre and erection of a 6 storey mixed use building comprising offices at ground floor (Use Class B1 or A2); 29 residential units at 1st to 6th floors (10 x1 bed, 12 x 2bed, 7 x 3bed); plant room in basement; play area/PV panels at roof level with associated cycle parking and waste storage

CONSULTATIONS

101 neighbouring properties were notified of this proposal for a period of 21 days on 5 September 2018, together with the Sudbury Town Neighbourhood Forum. A site notice was erected outside the site on 5 November 2018 and a press notice was published on 29 November 2018.

Occupiers of 45 individual properties submitted letters of objection to the development.

- Occupiers of 1 individual property submitted a letter of support for the development.
- 2 petitions against the development were received, one which contained signatories from 33 separate properties and one which contained signatories from 153 separate properties (on behalf of the Central & District Road Action Group).
- The Sudbury Town Residents Association Forum submitted an objection to the development.
- Local Sudbury Ward Councillor Mary Daly submitted an objection to the development.

The red line site boundary was subsequently amended to include the garage forecourt, which is within the applicant's ownership. Neighbouring properties were reconsulted by letter on 9 September 2019, a site notice was erected on 10 September 2019 and a press notice was published on 19 September 2019. Fifteen further objections were received from individual properties, the Sudbury Town Neighbourhood Forum, in addition to one from Cllr Daly.

The responses received are summarised as follows:

Topic area	Objection	Response
Infrastructure	The area is overpopulated to the extent that schools and GPs are oversubscribed.	New developments contribute funding to the Community Infrastructure Levy to support related infrastructure provision. The Council's school places team monitors and forecasts the need for additional school places. They currently consider that there is sufficient capacity within primary schools, but that additional capacity will be needed in the short to medium term for secondary school places. A new secondary school is proposed to be delivered within Neasden to

		address this need.
Loss of existing business	The car repair services offered at the existing site are valuable to local residents and should not be removed.	See paragraphs 1 to 6 for the discussion of the loss of industrial floorspace. Adopted policies regarding the employment uses protect the use and floorspace of those premises, but not the specific type of employment use (e.g. car repairs vs an alternative industrial use).
	Keelers Garage is a viable business.	As above.
	The STRA would have expected the existing business to have been put up for sale or for an alternative business to have been encouraged.	The Council cannot prevent the closure of existing businesses where the owners choose to redevelop the site, other than through adopted planning policies. See paragraphs 1 to 6.
	An alternative use would be more valuable (e.g. community centre, nursery, medical facilities, care home)	Adopted policy does not require the provision of these uses on the site. See paragraphs 1 to 6.
	The shop use should be with an anchor tenant to prevent failures and ownership turnovers as seen in other shops in Sudbury.	Tenancy arrangements are outside the scope of the planning system and not a material planning consideration.
	The proposal will see a loss of skilled jobs and there is no need for another large commercial outlet along the high street.	See paragraphs 1 to 6.
Design/character	Six stories with a set in seventh storey is excessive and unsuitable for the area.	The proposal has been revised and now involves a five storey building with set in sixth storey. See paragraphs 21 to 25.
	The part seventh storey has been added at late notice and without explanation.	The proposal has been revised and now involves a five storey building with set in sixth storey. See paragraphs 21 to 25.
	Local character is for traditional two storey houses.	See paragraphs 21 to 25.
	The neighbourhood plan suggests proposals for new development are in the order of two to three storeys high with new homes that respond to local needs.	The Sudbury Town Neighbourhood Plan does not include any policies guiding residential development. See paragraphs 21 to 25.
	24 flats across six storeys is an overdevelopment of the site.	The proposal is now for 22 flats. See paragraphs 21 to 25.
	The new development will be an eyesore and will reduce the value of	Property values are not a material planning consideration. See

	nearby houses.	paragraphs 21 to 25.
	The building will obstruct views and lighting and damage the value of the local green spaces (e.g. Barham Park) from which the development will be visible.	See paragraphs 23 and 31 to 34. The view from Barham Park already includes a number of large buildings, along the opposite site of Harrow Road, including the Barham Park Estate development which is both larger and taller than the proposed building.
	The proposal does not confirm how it will fit with the local shop front and signage policy.	See paragraph 29.
	Additional height (up to 8 storeys) should be considered so that the development will relate to the 6-8 storey developments further north along Harrow Road. Relation to the terrace to the north is not relevant given the likelihood of future redevelopment.	See paragraphs 21 to 25.
	The basement should be made larger to avoid a lost opportunity to maximise floor areas which will be badly needed in the future.	A larger basement could affect the viability of the scheme and give rise to concerns about issues such as flood risk and drainage, and would be of limited use for commercial or residential uses.
	The bronze framing material has no local precedent – brown would work better.	See paragraphs 28 and 30.
	The large expanse of brickwork would result in an inappropriate dark mass.	See paragraphs 28 and 30.
	The building does not relate to other recent residential developments well in this local area or other key buildings (e.g. Sudbury Town Station and the Swan Public House).	Officers consider brick to be a preferable material as it has the ability to appear high quality and residential in nature. Materials condition to be applied. See paragraphs 30 and 31.
Neighbouring amenity	Problems of increased noise, smell, dust, traffic as a result of the use of the proposed building	See paragraphs 62, 63, 80 and 81.
	The development will incur losses of light, privacy and outlook to the surrounding occupiers.	See paragraphs 32 to 44.

	Noise disturbance and losses of privacy to neighbours from use of new balconies and any roof terrace	See paragraphs 32 to 44.
	Daylight and Sunlight Assessment has a number of inaccuracies and does not fully consider the impact on neighbouring properties	See paragraphs 35 to 44
Quality of accommodation	The plans do not have enough detail to show whether the proposed units and balconies meet the relevant space standards.	See paragraphs 45 to 54.
	The flats have poor internal layouts.	See paragraphs 45 to 50.
	The roof should not be made accessible to residents so as to further encourage active use of the adjacent park. The roof could be provided as an inaccessible green roof for biodiversity benefits.	The proposal no longer involves a roof terrace, and the roof will be used to generate renewable energy through PV panels. See paragraphs 55 to 58.
	The proposal should be greener than proposed, in line with Sudbury Neighbourhood Plan.	Officers consider that the proposal has optimised opportunities to develop the site in a sustainable way.
	Flats should be 1 to 2 person to detract families and children given local pollution being bad for children's health.	The Council's policies require family-sized housing to be provided on major developments. An Air Quality Assessment has been submitted and car free development should help to minimise local pollution.
Transportation related matters	New uses will bring additional traffic into local area and associated negative impacts. This has already been observed with other local developments (e.g. Parkside Place Estate) and from vehicles associated within Fishers Way blocking driveways in Central Road.	See paragraphs 80 and 81.
	No provision is made for parking of vehicles whilst the local area already has problems with insufficient parking availability. Parking capacity is strained by those who park to use local public transport facilities.	See paragraphs 66 to 71.
	The two closest residential streets are	See paragraphs 66 to 71.

outside a CPZ so the Council could not enforce against overspill parking in these roads. CPZ restrictions would only last until 6:30pm.	
Further CPZs will be resisted by residents.	See paragraphs 66 to 71.
Why is excessive cycle parking proposed with only minimal car parking?	See paragraphs 66 to 73.
There is not enough space on Harrow Road to add cycling spaces with the area already congested and pedestrians crossing and walking through the area.	See paragraphs 72 and 73.
There are no local cycle lanes.	Noted, however the proposal is required to comply with London Plan standards on cycle parking. The Brent Cycle Strategy identifies an east-west route along (or near to) the High Road as a long term aspiration.
How can it be guaranteed that new residents will not have cars? The surrounding area cannot accommodate additional parking.	See paragraphs 66 to 71.
A car free development cannot be enforced as there's nothing to stop residents/visitors using cars.	See paragraphs 66 to 71.
The submitted transport assessment is devoid of reality.	See paragraphs 79 to 82. The highway authority has been consulted on the transport assessment and has raised no concerns in relation to it.
The development will worsen local noise, traffic and pollution	A parking permit restricted development on a site which is currently heavily used by cars for the purposes of repair and MOT testing is likely to significantly reduce pollution at the site. See paragraphs 66 to 71.
Pedestrian safety has not been considered.	See paragraph 82..
The development should be entirely car free and the disabled parking space moved off site to free up development areas.	The proposal is required to meet London Plan standards for disabled parking spaces.
The residual pavement on District Road will be too narrow.	The proposal does not involve reducing the width of this pavement.
Inadequate space	See paragraphs 75 to 79.

	provided for loading and unloading on site.	
	The pavement on District Road gets congested and is too narrow for planters, whereas the area to the front of the site is neglected and would require remodelling.	The layout of planters and other elements of public realm outside the site boundary is indicative and a revised layout would be secured through the s106 agreement. See paragraphs 75 to 78.
	A zebra crossing on District Road has been proposed previously and should be funded by the developers.	Highway officers do not consider that this would be necessary to make the development acceptable in planning terms.
	The transport report excludes a consideration of traffic issues on the stretch of District Road from Harrow Road to Allendale Road which is used heavily as a cut through to Ealing.	The highway authority has been consulted on the transport assessment and has raised no concerns in relation to it.
	The crossing from the Baptist Church to the top of District Road is a hazardous junction with a history of accidents. The developer should provide more information about traffic at this site in their traffic report.	The development would reduce the use of this site by vehicles. It would turn it from a car repair business into a car free residential led development. This would therefore reduce local trips and the associated risk of accidents.
	It is not clear how servicing of the commercial unit would work and how refuse collection would work along Central Road from what is a residential environment.	See paragraphs 75 to 78.
	There is an urgent need for a consideration of the precise range of uses that could operate in the ground floor and for the impact of each on the local road network to be considered.	The ground floor would be secured for B1(a) office use. The impacts on the local road network of this use have been considered.
	The details of a potential CPZ should be made public by the developer and must include an offer to subsidise permits for existing residents.	See paragraphs 66 to 71. Introducing a CPZ would be carried out by the highway authority not by a developer.
	Some people need cars despite the policy for discouraging car use.	Parking permit restricted schemes do not prevent those with blue badges from parking locally.
	The local roads are dangerous for pedestrians.	See paragraphs 79 to 82.
Other considerations	Neighbour did not receive consultation letter.	The extent of consultation is described above and has

		exceeded statutory requirements for a scheme of this size.
	A statement of community involvement has not been submitted by the applicants.	Details of public consultation undertaken by the applicant are included in the Design & Access Statement.
	Building flats will increase crime in the area including increase in numbers of people drinking on the street and selling drugs.	There is no evidence that the new development would result in an increase in crime.
	Concern about subsidence to local properties as a result of the proposal.	Structural issues would be dealt with through the Building Regulations and Party Wall Act and is not a material planning consideration.
	Will the dwellings cater for the most disadvantaged home seekers?	The proposal will provide a mix of housing sizes and tenure types, but would not include Affordable Rented accommodation. See paragraphs 7 to 11.
	The Financial Viability Assessment should be made available for the view of the public and members.	There was a slight delay in submitting the Financial Viability Assessment, however this was available on the Council's website from November 2018.
	Indents on the District Road side will attract rubbish and create a conflict of ownership.	There is no evidence to support this view.
	Restrictive covenants on the site prevent it from coming forward for redevelopment	This is not a planning related matter.
	There are existing vacant flats in the area that could be used to house people.	The local planning authority is required to deliver new housing in accordance with its adopted plan targets, with a significant need for additional new housing identified.

Ground of support	Officer response
The development keeps in line with the improved and regenerated surrounding area and would be good for Sudbury	Noted
The plot is well placed between Sudbury Town Station, Sudbury & Harrow Road Station and bus links, meaning parking issues and congestion are likely to be less relevant as the development would benefit from its proximity to public transport	Noted

Internal Consultation

Environmental Health: no objection subject to conditions. These are discussed in the main body of the report.

Local Lead Flood Authority: no objection.

POLICY CONSIDERATIONS

For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the Development Plan in force for the area is the 2010 Brent Core Strategy, the 2016 Brent Development Management Policies Document, the 2016 London Plan (Consolidated with Alterations since 2011) and the 2015 Sudbury Town Neighbourhood Plan. Relevant policies include:

National Planning Policy Framework 2019

The London Plan 2016

Key policies include:

- 3.3 - Increasing Housing Supply
- 3.4 - Optimising housing potential
- 3.5 – Quality and Design of Housing Development
- 3.6 - Children and young person's play and informal recreation facilities
- 3.8 - Housing Choice
- 3.12 - Negotiating affordable housing on individual private residential and mixed use schemes -
- 5.2 - Minimising Carbon Dioxide emissions
- 5.12 - Flood Risk Management
- 5.13 - Sustainable Drainage
- 5.15 - Water Use and Supplies
- 6.3 - Assessing effects of development on transport capacity
- 6.9 - Cycling
- 6.10 - Walking
- 7.2 - An inclusive environment
- 7.8 – Heritage Assets and Archaeology

Brent Core Strategy (2010)

- CP1: Spatial Development Strategy
- CP2: Population and Housing Growth
- CP19: Brent Strategic Climate Change Mitigation and Adaptation Measures
- CP21: A Balanced Housing Stock

Brent Development Management Policies (2016)

- DMP 1: Development Management General Policy
- DMP 9 B: On Site Water Management and Surface Water Attenuation
- DMP 11: Forming an Access on to a Road
- DMP 13: Movement of Goods and Materials
- DMP14: Employment Sites
- DMP 15: Affordable Housing
- DMP 18: Dwelling Size and Residential Outbuildings
- DMP 19: Residential Amenity Space

Sudbury Town Neighbourhood Plan (2015)

- TCU1: Town Centre Uses
- PR1: Public Realm
- SFS1: Shop Fronts and Signage
- TCD1: Town Centre Development

Supplementary Planning Guidance

- Mayor's Affordable Housing and Viability SPG (2017)
- Mayor's Housing SPG (2016)
- Mayor's Shaping Neighbourhoods: Play and Informal Recreation SPG (2012)

DETAILED CONSIDERATIONS

Principle of Development

1. The site is identified within the Sudbury Town Neighbourhood Plan 2015 as forming part of an envisaged 'Extended High Street Area' at the southern extent of the town centre, which would then form part of the secondary shopping frontage. Although it does not currently form part of a primary or secondary frontage, the Neighbourhood Plan provides policy support for continuation of a town centre use at the site. Policy TCU1 requires that development provides an active ground floor frontage to contribute to the diversity of the High Street and add to the vitality and viability of the area. The proposal is for a ground floor commercial space which would activate the east and south frontages of the building, with an internal area of 200sqm.
2. The proposal was initially submitted with the ground floor shown as a retail unit, and the commercial space proposed could feasibly support a variety of retail uses. However, the existing use on the site also needs to be acknowledged. The car repair garage would fall into a sui generis use class but primarily with B2 (industrial) uses, and is considered to be an employment use. Policy DMP14 of the Development Management Policies is therefore of relevance, and this policy seeks to retain local employment sites unless robust marketing evidence can be provided to demonstrate that they are no longer viable. It is noted that no evidence of marketing has been submitted. However, given the aspirations of the Neighbourhood Plan to improve the town centre and to reuse the site for main town centre purposes at ground floor, the loss of the existing industrial floorspace is considered acceptable in this instance.
3. As the site is considered viable for continued town centre uses, it is suggested that there is greatest policy support for continued employment use on the site, and that a B1 office use would sit well alongside the residential uses above. The use of the floorspace for B1(a) office uses would be secured by condition, and a condition would also withdraw permitted development rights for its conversion to any other use.
4. Policy DMP14 seeks no net loss of employment floorspace, however the release of local employment sites can be acceptable where continued wholly employment use is unviable or significant benefits consistent with the wider objectives of the Development Plan are achieved. The quantum of commercial floorspace proposed (200sqm) would fall significantly short of the existing employment space on site (approximately 500sqm). However, redeveloping the site for mixed use inevitably constrains the scope for providing more commercial floorspace on the ground floor, and it is considered that increasing the commercial floorspace could potentially threaten the viability of the scheme in this location. Officers have sought to find a viable arrangement for the proposed floorspace to be delivered as affordable workspace (at 50% of market rate) to mitigate the loss of the existing employment floorspace, however this would impact on the viability of the development and the provision of affordable housing (this issue is discussed further in paragraphs 7 to 17).
5. The site is not identified in Brent's Employment Land Demand Study 2015 as being in a cluster of employment land that should be retained, and the proposed office use and enhanced public realm on the frontage would reflect the aspirations for the town centre set out in the Sudbury Town Neighbourhood Plan whilst the residential units would contribute to the borough's housing targets, in accordance with Core Strategy Policy CP2. The office floorspace could be configured in a variety of ways including subdivision into small units to support local businesses. Consequently it is considered that the benefits of redeveloping the site would help to deliver the objectives of the Development Plan and that these benefits outweigh the loss of employment floorspace in this case.
6. Further conditions are recommended to ensure the office floorspace successfully contributes to the aims of the extended town centre. Firstly to require a Marketing and Letting Strategy, including further details on the level of fit out to be provided for the office floorspace, independent verification from a commercial agent to demonstrate that it caters for any specific requirements within the local office market, and measures to minimise the risk of extended periods of vacancy. Secondly to prevent any obscuring of the frontage to ensure an active frontage is retained.

Viability, affordability and housing mix

Affordable Housing

7. London Plan Policy 3.12 requires boroughs to seek the maximum reasonable amount of affordable housing, taking account of a range of factors including local and regional requirements, the need to encourage rather than restrain development and viability. The policy requires boroughs to take account of economic viability when negotiating on affordable housing, and other individual circumstances.
8. Core Strategy Policy CP2 sets out a target that 50% of all new homes in the borough should be affordable, and Policy DMP15 reinforces this. The maximum reasonable amount of affordable housing will be sought on sites capable of providing ten units or more, such as this scheme. The tenure mix should include 70% of new affordable housing as social/affordable rented housing and 30% as intermediate housing at affordability levels meeting local needs. Where reduced affordable housing obligations are sought on economic viability grounds, the applicant is required to provide a financial viability appraisal to demonstrate that schemes are maximising affordable housing output, and a review of scheme viability will be required where significantly less than 50% is agreed.
9. The scheme has been submitted alongside a financial viability assessment which identified that the scheme could only support three shared ownership units (comprising two x 1bed and one x 2bed) as the maximum reasonable amount of affordable housing. This offer equates to a 13.6% provision of affordable housing by unit (11% by habitable room), weighted entirely towards intermediate affordable housing.
10. Officers have scrutinised this assessment in tandem with industry professionals and it is agreed that this is the maximum reasonable amount of affordable housing the scheme can offer given the projected costs and revenues of the development. The assessment submitted was based on the original proposal for 24 units, however your officers have sought further advice on the impact of reducing the scheme to 22 units and are confident on this basis that the reduced number of units has a negative impact on the viability of the scheme and that no additional affordable units could be provided if a revised assessment were submitted. Whilst falling significantly short of the policy target for affordable housing, officers are satisfied that the provision represents the maximum reasonable amount of affordable housing, thus still complying with Policy DMP15. Notwithstanding this, scheme viability can change over time and a number of assumptions must be made for viability assessments submitted to support planning applications. As recommended by GLA guidance, a late-stage review is therefore recommended to test actual scheme viability based on real build costs and sales values. Should scheme viability improve, contributions towards the provision of Affordable Housing would be secured.
11. Officers have discussed with the applicant opportunities to seek a reduction in the size of the basement to bring about increased viability, including a requirement to test an alternative energy strategy for the building in order to achieve a reduced basement build cost. However it is considered that given the land contamination on site, the basement space would need to be excavated in full regardless of whether a basement is delivered in the final scheme, resulting in the actual cost being attributable to the basement construction being minimal in this case.

Potential to provide affordable workspace

12. As discussed above the development would include the loss of a car repair garage, which is primarily a B2 use and consequently defined as an employment use in terms of Brent's Policy DMP14. This policy seeks to limit the loss of employment floorspace within the borough. It specifies that the release (to non-employment uses) will be allowed when the continued wholly employment use is unviable (part a of this policy) or there are significant benefits consistent with the objectives of the development plan are achieved (part b). It also specifies that where non-employment uses are proposed, the site shall incorporate the maximum amount possible of the existing floorspace or managed affordable workspace. The replacement commercial unit would be 200sqm in size, about 40% of the size of the existing car repair garage in terms of internal area. The loss of employment generating floor space clearly conflicts with part (a) of Policy DMP14 and while there are benefits consistent with the wider objectives of the development plan (in terms of the provision of housing in line with Policy CP2 and improvements to the public realm in accordance with policy PR1), officers have therefore sought an element of Affordable Workspace to offset the shortfall.
13. Officers initially secured agreement for the ground floor commercial unit to be provided as affordable workspace in the B1c use class. The 'affordable' designation of the space would result in the rents to

operators being at rates no greater than 50% of the local market rate and would also require the space to be managed by a bespoke affordable workspace provider. Officers consider that this arrangement would provide significant betterment that would largely offset the reduction in the size of the employment floor space.

14. Nonetheless, following an assessment of the scheme viability based on projected costs and revenues, it was found that the delivery of affordable workspace impacted viability to the extent that the affordable housing offer would be reduced from three shared ownership units to one shared ownership unit. On balance, officers consider that the delivery of affordable housing is of greater benefit to Brent and have therefore requested that the affordable housing is maximised in lieu of affordable workspace provision. This is in line with paragraph 9.3 of the Development Management Policies which supports policy DMP14 and specifies "Where the viability of delivery of affordable housing is being affected by the re-provision of employment space, the Council will seek to prioritise affordable housing delivery whilst recognising that successful places usually comprise a mix of uses, rather than being wholly residential".
15. Ultimately, this results in a net loss of employment generating floor space without a deliverable offsetting factor. Officers have sought suitable betterment, but, on balance, with respect to the scheme's viability, have deemed that affordable housing obligations would reasonably take precedence over this element.
16. Overall, whilst acknowledging the loss of employment floorspace, in conflict with DMP14, officers have taken reasonable steps to facilitate mitigation of this, although ultimately have deemed the mitigation of this of secondary importance to the delivery of affordable housing, on balance.

Housing Mix

17. The scheme would deliver a mixture of unit types and sizes. This includes 8 x 1-bed units, 8 x 2-bed units and 6 x 3-bed units. As discussed in paragraph 9 above, 2 x 1-bed and 1 x 2-bed units will be affordable as shared ownership units.
18. Policy CP2 of Brent's Core Strategy 2010 seeks for 25% of permanent units to be family sized (three bedrooms or more). The proposal achieves 27% family sized units, which exceeds the policy target. Given that many major residential schemes fall short of this target, the provision of family housing in this quantity is welcomed, especially given the site's location close to a suburban residential area, comprised largely of family homes.
19. Ultimately, officers consider that this proposal is acceptable in terms of the proposed residential unit mix.

Design and Appearance

Loss of existing building

20. There is no objection to the demolition of the existing building, which is considered to be a utilitarian design reflecting the existing use. The comments above on land use suggest that the basic premise of a commercial ground floor with residential above is an acceptable approach to the design of the replacement building. It therefore becomes a matter of the design of the building and how this is achieved in this location.

Height, scale and mass

21. The site has a prime and prominent location on an important corner representing the start of the designated town centre when approached from the south. The recent Barham Park Estate development to the north rises to a height of eight stories. However, the site is adjacent to a terrace of traditionally-scaled two-storey buildings with the surrounding context to the south and west being low rise residential properties. Nevertheless, consideration needs to be given to the emerging character, with Brent's proposed Local Plan seeking to promote buildings of 5 to 6 storeys within town centre locations. This is reflected within emerging policy BP7 of Brent's draft new Local Plan which supports taller buildings within "intensification corridors" and specifies that buildings of up to 5-6 storeys could be appropriate within the Sudbury Town Centre.
22. The main bulk of the proposed building would be five stories in height. A sixth storey would be well set

back on all sides and with a contrasting elevational treatment to emphasise its subservience to the main building and to minimise the visual impact of the additional height and bulk. The proposal originally included a partial seventh storey to accommodate a lift and stair housing to provide access to the roof terrace, but this no longer forms part of the proposals.

23. Although taller than the adjacent terrace, the building would sit marginally behind the existing building line of this terrace and in this respect it would appear less obtrusive than the bulky projecting canopy of the existing building. The terrace itself has a steep gable roof which adds to its three-storey height and consequently it is considered that the five to six stories of the proposal would not appear significantly taller than the adjacent building and would comply with Brent's draft Tall Buildings Strategy 2018. In terms of the relationship of the building to other buildings and features within the street scene, Sudbury Baptist Church sits to the south across District Road and is a large building of two- to three-storey height whilst Barham Park is an extensive green space separated from the site by the wide expanse of the main road and roundabout, and it is not considered that the proposed building would have an adverse visual impact on either.
24. The proposed building incorporates successive projecting elements on the southern and western elevations responding effectively to the angled boundary of the site and successfully modulating the overall bulk and mass of the building. The depth of the building would reduce towards the northern elevation, to respect the smaller scale of the adjoining terrace. The commercial frontage at ground floor would provide a distinct base for the building in comparison to the residential floors above, and the set back sixth storey would provide a well-defined top to the building. Overall, the bulk and massing is considered to be appropriate to the site and to provide a strong frontage on both the eastern and southern elevations.
25. Overall, officers have taken the context into consideration, noting that the plot has a natural prominence and position at the 'gateway' into the local centre whilst also appreciating that the plot is not within the 'central core' of the local centre and therefore also has an element of peripheral siting. The submitted design for a part five and part six storey building is considered to strike the right balance between prominence and restraint in this setting, being taller than its surroundings (justified by its corner/gateway setting) but not significantly taller and subservient to the tallest central elements in the core of the local centre.

Layout and setting

26. The overall layout of the ground floor is considered to be logical. The active frontage has been effectively maximised, with full active frontages across the eastern and southern elevations. The office floorspace would wrap around these two sides of the building, providing an opportunity for various layouts including a number of small units. On the western elevation (District Road), the residential entrance would be on a prominent corner element, helping to activate this corner further and responding to the residential character of the side streets, whilst the entrances to the bin stores and plant room would be further set back and less prominent towards the northern side of the elevation, and these ancillary spaces within the building would be clustered in the northwestern part of the building away from any road frontages.
27. The existing service road in front of the MOT service centre would no longer be required, and the proposed site layout shows this area being resurfaced along with other areas of adjoining footway, with bench seating, planters, two street trees and visitor cycle parking consisting of ten Sheffield style cycle stands. These improvements to the public realm would be an added benefit of the scheme (see paragraphs 74 to 78). It is noted that concerns have been raised by objectors regarding the planters on the relatively narrow southern footway contributing to pedestrian congestion at peak hours. These concerns are also held by officers. However, this footway is outside of the application site and the indication of planters within the location do not have any status. Officers do not support the provision of planters on the adopted highway in this location due to the footway width, but while indicated on the plans, granting planning permission for the development shown within the application site (denoted by the red line) would not grant permission for these planters which are outside of it. Any changes to the adopted highway would need to be approved by the Council's Highways team. An informative is recommended in relation to the planters indicated within the adopted highway to the south of the site.

Architecture and Materiality

28. The upper floors of the building would be mainly punctuated by a grid of large window openings and part projecting balconies which align with the pilasters on the commercial ground floor and together provide a

strong vertical emphasis and harmonious rhythm to the building. The building frame would be formed of dark red brick cladding at the mid-level, similarly coloured concrete cladding which denotes the ground level of the building, and the fifth floor in a lighter palette of metal-framed glass. Some stacked elements of recessed concrete panels would be included to help to provide some additional interest and to establish a stronger vertical emphasis for the building's features. Lighter coloured metal balustrades and window frames are proposed which would beneficially contrast with the darker features of the main building. Officers consider that the predominant use of brick with a traditional red colour palette, which has been used successfully in other recent developments in Wembley, would help to foster a residential feeling for the building.

29. Policy SFS1 of the Sudbury Town Neighbourhood Plan encourages well designed shop fronts that accord with Brent's Shopfronts SPD3. The site does not contain an existing shopfront of any historic or architectural merit and the proposal would include a modern commercial frontage that would continue the overall proportions and design language of the adjacent more traditional shopfronts, and would therefore integrate well with the retail terrace at ground floor level. Details of any signage would be subject to the controls set out in the Advertisement Regulations 2007.
30. The architecture and materiality of the building is considered to be positive and of a high quality that responds well to the character of the surrounding area. The overall design and materiality of the building is considered to be positive and to provide a simple but pleasing uniform appearance to the building. Specific material samples would be reviewed by officers to ensure they provide for a high quality finish and this will be required by condition.

Heritage

31. Heritage assets nearby include parts of Barham Park (the grade II listed "garden walls, gates, pergola of 2 portland stone ionic columns, sundial on Portland stone ionic columns at Barham Old Court) and the grade II* listed Sudbury Town Underground Station. The proposal is not considered to materially affect these heritage assets.

Impact on neighbouring properties

Privacy and Outlook

32. The potential impact on neighbours is an important material consideration, and Policy DMP1 seeks to ensure that this is acceptable. When creating new accommodation, the key requirements are to ensure that habitable room windows do not directly face each other at distances of less than 18m and that new habitable room windows are not able to overlook sensitive residential spaces (such as gardens or balconies) from any angle at a distance of less than 9m.
33. Due to the orientation and layout of the site, none of the proposed windows or balconies would directly face the main front or rear facing windows of nearby residential buildings, and they would all be separated from neighbouring properties by public highways. The only directly adjoining neighbour is the retail parade, with two stories of flats above, along Harrow Road, directly to the north of the proposed building.
34. To provide guidance on acceptable levels of outlook, consideration needs to be given to 1:2 rule. This is when the depth of a proposed building is restricted to no more than half the distance when measured from the middle of the nearest rear habitable room window of a neighbouring residential property to the flank wall of the proposed building. The distance from the middle of the nearest habitable room window at No. 709a to the flank wall of the proposed building would be 2.6m. In this case, outlook from the first floor windows at the adjoining property (No 709a Harrow Road) is already constrained by the existing building, which sits along the boundary at 4.75m high and 11.5m deep from the rear habitable room windows. The proposed building would be significantly reduced in depth (1.96m from the rear habitable room windows) but at four storeys high. Whilst the depth would still fail 1:2 rule by 0.66m, overall it is considered that sufficient outlook and sense of openness would be provided to the rear habitable room windows, and as such, the failure of 1:2 rule would not result in a significant negative impact on the amenities of No. 709a Harrow Road. The building would immediately adjoin public highways to the north, south and south-east. There are no other sensitive relationships with other sites, as the surrounding highways act as sufficiently wide buffers to ensure that no compromising relationships would be established alongside other sites.

Daylight and Sunlight

35. The applicant has submitted a Daylight and Sunlight Report to quantify the impacts that the proposed building would have on the affected nearby properties. A revised version of the report was submitted with the revised plans reducing the bulk of the fifth floor, and this amendment to the design is considered to have had an overall positive impact relative to the original proposal. It is concluded that the development would have an acceptable impact in all regards, with all impact testing meeting BRE guidelines for acceptable impact, as summarised below.

1a and 1b Central Road

36. All windows tested would retain a Vertical Sky Component (VSC) in excess of 27% and/or 0.8 times their former value. Daylight Distribution has not been carried out for this property. However, as this property is located to the north of the application site and directly overlooks the properties on Harrow Road rather than the application site, the flank wall windows are considered to be unaffected. All affected areas would also retain materially in excess of the BRE target recommendations of at least 25% annual probable sunlight hours (APSH), of which 5% are in winter months.
37. Overall, testing shows that there would be no material impact to existing daylight and sunlight enjoyed at this property post development.

2 Central Road

38. The majority of affected side windows in 2 Central Road would either experience no change or would retain in excess of the BRE minimum recommended target of at least 27% VSC. For the windows that would be affected beyond the 27% VSC criteria, most would experience changes slightly in excess of 20% difference compared to the existing VSC and six windows would experience changes in excess of 30% difference compared to the existing VSC. For clarity, 20% is the point at which the BRE considers that changes in VSC may mean noticeable differences in daylight amenity within rooms served by these windows. All of the affected windows serve rooms which have another means of daylight/sunlight and it is therefore considered that, whilst the impact on some windows would not meet BRE guidelines, the presence of additional windows in each room affected means that the impact on any existing living conditions would be minor. The windows pass all relevant tests for sunlight, by application of the BRE APSH methodology.
39. Overall, testing shows that impact to living conditions at 2 Central Road would be minor. Some windows would fail BRE testing, but in all cases they serve rooms with other sources of light which would retain their existing daylight/sunlight exposure.

709A and 709B Harrow Road

40. All affected windows pass relevant BRE tests, including passing the VSC target of 27% and there being no material losses in internal daylight when applying the Daylight Distribution criteria. All windows also pass the BRE APSH criteria for at least 25% annual hours of which 5% is during the winter months. Two windows would experience significant gains in sunlight availability compared to the existing situation due to reduced massing in certain areas under the terms of the proposal.
41. Overall, testing shows that there would be no material impact to existing daylight and sunlight enjoyed at this property post development.

711 Harrow Road

42. All affected windows pass relevant BRE tests, including passing the VSC target of 27% and there being no material losses in internal daylight when applying the Daylight Distribution criteria. All windows also pass the BRE APSH criteria for at least 25% annual hours of which 5% is during the winter months.
43. Overall, testing shows that there would be no material impact to existing daylight and sunlight enjoyed at

this property post development.

Conclusion

44. The measured impact of the development on surrounding existing living conditions has been measured as limited, especially given that it is for a multi-storey building in a town centre location.

Quality of Residential Accommodation

45. All development is required to comply with standards set out in the Mayor's Housing SPG (including minimum internal space standards based on Technical Housing Standards – Nationally Described Space Standard 2015), and with Brent Policy DMP19, which requires private amenity space of 20sqm per 1bed or 2bed flat and 50sqm for family housing including ground floor and 3bed or 4bed flats. London Plan Policy 3.6 requires play and recreation facilities to be provided based on the expected child yield. Balconies should have a minimum width and depth of 1.5m to be considered usable, and single aspect units should be avoided, particularly if north-facing, in order to ensure adequate light and ventilation to internal spaces.
46. The Mayor's Housing SPG also requires 90% of units to meet Building Regulations M4(2) 'accessible and adaptable homes' standards and 10% to meet M4(3) 'wheelchair accessible homes' standards.

Daylight, Sunlight and Overshadowing

47. The applicant's Daylight and Sunlight Report includes an assessment of the internal amenity that would be experienced in the proposed dwellings. The assessment confirms that all habitable rooms would achieve the British Standard target recommendations for daylight, notwithstanding the fact that four of the bedroom windows would face north and would therefore not receive direct sunlight. The BRE's guidance advises that sunlight provision is more important to living spaces than to bedrooms. In terms of sunlight provision, as set out in the BRE guidance, the majority of the proposed living areas would have southerly facing windows, and in these cases, sunlight provision would exceed the default BRE recommendation.
48. In overall terms, the proposed development would provide a high level of access to available daylight and sunlight, by virtue of the degree of compliance with the BRE recommendations.

Layout and Outlook

49. The proposed units are considered to be of a high quality with well considered layouts. The units would be arranged around one central core across the first to fifth floors, with five flats on each of the first to fourth floors and two flats on the fifth floor. The plot is surrounded by highways on three sides and the windows which would look across these highways would benefit from good and unobstructed viewing distances.
50. Although a number of the 1bed and 2bed units would be single aspect, these would be either east or west facing and so would avoid the problems associated with north and south facing single aspect units, and would have extensive glazed frontages to ensure good internal light levels. Each of the three bedroom units at first to fourth floor levels would include one of the bedrooms with a side-facing bedroom windows facing onto the adjacent terrace at a distance of 5.3m. Overall, it would still provide an acceptable standard of outlook from these bedroom windows whilst views onto the adjoining site would be prevented by privacy screens to the balconies nearer to the boundary and would not in any case include views onto private rear residential windows or gardens. All of the units would comply with minimum space standards, and four would be designed to wheelchair accessible standards. A condition is recommended to secure further details of compliance with M4(2) and M4(3) standards.

Amenity space

51. Each unit on the first to fourth floors would have direct, private access to between one and three private balconies with a minimum projection depth of 1.5m, ensuring good usability of the balconies. The minimum private external amenity space is 5.1sqm for the one bedroom units with the two bedroom units having between 9sqm and 11.1sqm of private external amenity space and the three bedroom units

having 8sqm of external amenity space. The two units on the fifth floor (both three bedroom units) would have access to larger areas of private terrace (of 40sqm and 63 sqm respectively).

52. Although this falls below the 20sqm and 50sqm standard set out in Policy DMP19 for the majority of the units (with the exception of the top floor flats), the scheme is across the road from Barham Park and it is considered that the amount of amenity space has been maximised given the constraints of the site. The scheme as originally presented included a communal rooftop terrace, however the additional height of the lift and stair housing to provide access to the roof was considered to appear incongruous and resulted in concerns relating to the overall height, mass and bulk of the building, whilst the additional set in of the fifth floor required to make the proposal acceptable in design terms has also reduced the area of roofspace so that it would no longer be viable as a communal amenity area. It is considered that precedence should be given to the use of the roof for photovoltaic panels to contribute to reducing carbon emissions, given the proximity to Barham Park.
53. Based on the GLA Population Yield Calculator, this development is expected to yield up to four children under the age of 10 (4.6 children in total), and the Mayor's Providing for Children and Young People's Play and Informal Recreation SPG sets a benchmark standard of 10sqm playspace per child. Whilst officers accept that the constrained nature of the site makes the provision of on-site play space impractical, Barham Park sits opposite the site, can be safely accessed via a pedestrian crossing approximately 20m to the north of the site, and includes a popular and well supplied childrens play area a short distance into the park.
54. Taking into account the town centre location where greater density would be expected, together with the proximity of the site to the extensive areas of open space at Barham Park, it is considered that the shortfall in amenity space provided can be adequately mitigated in this instance by means of a financial contribution to improving play facilities in Barham Park. Based on recent levels of contribution agreed on other comparable schemes and the associated improvements that can be made, it is considered that a sum of £10,000 would be appropriate in this case. This would be secured through the s106 agreement.

Sustainability and Energy

55. Applications for major development are required to be supported by a Sustainability Statement in accordance with Policy CP19, demonstrating at the design stage how sustainable design and construction measures will mitigate and adapt to climate change over the lifetime of the development, including limiting water use to 105 litres per person per day.
56. Major residential developments are expected to achieve zero carbon standards including a 35% reduction on the Building Regulations 2013 Target Emission Rates achieved on-site, in accordance with London Plan Policy 5.2, and for non-domestic floorspace, the policy target is a 35% on-site reduction, to be evidenced separately in the Energy Assessment.
57. The applicant's Energy and Sustainability Statement summarises the measures intended to achieve carbon reduction targets, including an improved building envelope, energy efficient lighting and controls, a highly efficient mechanical ventilation system with heat recovery, CHP and centralised gas boilers, a reversible heat pump to provide heating and cooling in retail areas and a photovoltaic panel array on the roof. As a result, the proposal is assessed as achieving 42.8% reduction in domestic carbon emissions and 34% reduction in non-domestic emissions. These are considered acceptable in the context of the London Plan policy targets. The Council's Sustainability and Energy officer has been consulted and has no objection to the proposals.
58. The remaining carbon emissions have been costed on the basis of the notional price of £60 per tonne of carbon, paid over a period of 30 years, which results in a carbon-offsetting payment to the Council of £28,443. A revised Energy and Sustainability Statement based on detailed construction drawings would be required prior to commencement through the s106 agreement, at which point 50% of the carbon-offsetting payment identified at that stage would be payable. A final version would then be required following completion, based on the development as built and adjusting the carbon-offsetting payment if necessary, at which point the balance of the payment would be required. This process is intended to incentivise further improvements in carbon reduction at the detailed design and construction stages, as these improvements would reduce the financial contribution payable.

Flooding and Drainage

59. London Plan Policy 5.13 requires development to utilise sustainable urban drainage systems (SUDS) unless there are practical reasons for not doing so, and to aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible, based on a hierarchy of options. Policy 5.11 encourages the use of green roofs where feasible. Brent's Policy DMP9B also requires sustainable drainage measures on major developments.
60. A Drainage Strategy and SUDS Statement has been submitted. This summarises the measures proposed, which include a green roof, rainwater harvesting and attenuation tanks. The Local Lead Flood Authority (LLFA) have been consulted and note that the risk of flooding to the site from surface water flooding is high, although the site is in a Flood Zone 1 as designated by the Environment Agency. There is a long history of flooding in the area and Harrow Road near the roundabout floods regularly, with flooding reported at this location most recently on 13th July 2018. This occurs mainly due to inadequate capacity in Thames Water's surface water sewer network.
61. The LLFA initially expressed concern that the development includes a basement plant room and that if the basement is not adequately protected, the plant room would be at high risk of flooding which may put occupants at risk. The applicant has confirmed that the basement would be pumped to the gravity drainage network by a private packaged foul pumping station, to include non-return valves as standard thus protecting the basement in the event of sewer surcharge. Whilst a non-return valve could be installed on the outfall manhole if necessary, the cover level at the rear of the site (where the outfall connection from the site is located) is approximately half a metre higher than the roundabout and consequently in the event of sewer surcharge, flooding would occur away from the site before causing an issue with the on-site drainage network. The LLFA has confirmed that this approach is acceptable.

Environmental Health Considerations

Noise and air quality

62. The site is located within an Air Quality Management Area and the application has been supported by an Air Quality Assessment demonstrating that the development would be air quality neutral, in accordance with the requirements of London Plan Policy 7.14. Environmental Health officers have reviewed the assessment, and have raised no objections subject to appropriate conditions being secured.
63. Environmental Health officers have reviewed the Noise Impact Assessment submitted, and have raised no objections subject to pre-occupation conditions to demonstrate that the residential units have been constructed in accordance with British Standards and that noise from plant and ancillary equipment will be within recommended limits. Further details of the ventilation and extraction system are required, including noise attenuation measures and the location and height of the discharge stack.

Land contamination

64. A Desk Study & Preliminary Site Investigation has been submitted, and Environmental Health officers have raised no objections on this matter, subject to further investigation and remediation measures being secured by condition.

Construction Management

65. Environmental Health officers have requested a construction method statement to address potential impacts of the construction process including dust and noise (this would have to be a pre-commencement condition, and the applicant has been notified of this and has not raised any objections to it), and a condition restricting emissions from non-road mobile machinery.

Impact on highways, parking and servicing

Car parking

66. As the site has very good access to public transport services (PTAL 5), the lower residential car parking

allowances set out in Appendix 1 of the Development Management Policies apply, whilst the location of the site means the higher employment parking standard also applies.

67. The existing car repair garage is therefore allowed up to two car parking spaces and whilst there is some external parking around the building, this is generally for operational parking for vehicles awaiting repair and/or collection. The 22 residential units would be allowed up to 19.2 spaces, whilst the office floorspace would be allowed a further space, taking the total allowance to 20 spaces. Just one disabled parking space is proposed to the rear of the site, so maximum standards would be complied with.
68. However, Policy DMP12 also requires that any overspill parking generated by a development should be able to be safely accommodated on-street. In this case, there is no available parking along the site frontages, due to the double yellow lines in place to maintain highway safety at the adjoining road junctions and the presence of a very long crossover along Central Road. Away from the site frontage, both Central Road and District Road are already heavily parked at night.
69. As parking cannot be safely accommodated within the site or on-street for the proposed units, the applicant has proposed that the flats are designated as 'permit-free', removing the right of future residents to on-street parking permits. This is welcomed in principle and is in accordance with Policy DMP12, which encourages 'permit-free' development in areas of high public transport accessibility. This would be secured as part of the S106 Agreement.
70. However, whilst the site is within a Controlled Parking Zone, the adjoining streets to the west are not within a year-round Controlled Parking Zone at present (although they are in the Wembley Stadium event day zone). As such, there is currently no means of preventing residents from units from parking in those streets and causing problems of obstructive and hazardous parking. To help to address this, a contribution of £15,000 towards the implementation of a Controlled Parking Zone for those two streets is recommended. This would be secured through a S106 Agreement. Some objectors have said that they would not support the introduction of further controlled parking zones should this be proposed. Overspill parking cannot be properly controlled where there are no CPZs in the local area. All Councils are required to meet their housing targets and are subject to the new Housing Delivery Test to ensure that they are achieved. The new housing would have a significant impact on the streets within Brent if the potential impacts of overspill parking cannot be controlled. The absence of a CPZ would therefore necessitate the provision of a significant amount of on-site parking which would result in very significant issues associated with traffic congestion and junction loadings, and would have significant air quality implications. As such, the introduction of CPZs to mitigate the potential of impact of over-spill parking is considered to be the best way to ensure the delivery of homes while mitigating the potential impacts.
71. A Car Club is currently in operation in nearby Williams Way, which would be of use to future residents of this development. Promotion of this Car Club to residents, including the offer of two years' initial membership, is recommended and would be secured through the S106 Agreement.

Cycle parking

72. The London Plan requires each 1bed flat to be provided with a secure cycle parking space and larger flats to be provided with two spaces, giving a total requirement for 39 spaces. The commercial use requires two long-stay spaces. Two internal storage rooms with capacity for 48 bicycles are shown on the ground floor, thus exceeding requirements.
73. For short-term cycle parking, the commercial floorspace requires five spaces and the indicative works to the site frontage show ten cycle stands, which again exceeds requirements.

Servicing and public realm improvements

74. Refuse storage is shown to the rear of the building within storage rooms for nine Eurobins, within 10m of Central Road. This provides more than adequate storage capacity in an easily accessible location, in line with the Council's standards.
75. Appendix 2 of the Development Management Policies 2016 requires office units of up to 500sqm to be serviced by 8m rigid vehicles. A loading bay is proposed at the rear of the site, however this would only cater for transit sized vans. To address this shortcoming and to also improve manoeuvrability into and out of the loading bay and disabled parking space, Transport officers have requested a revised site layout with a 8m loading bay and parking space reorientated by 90 degrees to sit perpendicular to Central Road.

There would be no objection to vehicles reversing out onto Central Road, which is a local residential access road and does not carry through traffic. This would also allow the amount of soft landscaping to be increased, to improve the drainage and appearance of the site. However, following further discussions with the applicant, officers accept that there is insufficient space within the site to accommodate an 8m loading bay in addition to a disabled parking space.

76. Fire appliance access requirements are met from the adjoining streets and pedestrian access is provided directly from Central Road.
77. The service road to the front of the site and the very wide crossover to the rear would no longer be required to serve the car repair garage. These would therefore need to be removed and the footways around the site resurfaced to improve safe pedestrian access to the site and improve its natural setting. An indicative arrangement showing new footway paving with street furniture, tree planting, soft landscaping and cycle stands, is shown on the proposed site layout plan, and Transport officers have welcomed this in principle.
78. The S106 Agreement would secure these highway works to be undertaken at the applicant's expense through a joint S38 (as the footway along District Road is indicatively shown as being widened) and S278 Agreement under the Highways Act 1980. The detailed layout of the public realm works would be agreed as part of negotiations on the s106 agreement, in consultation with landscape and highways officers. It is noted that concerns have been raised by objectors regarding the indicative layout shown on the plans that insufficient space will remain for pedestrians. The block plan and site plan do indicate planters in locations which would excessively block the footway and this concern is shared by officers. These spaces are within the adopted highway and are controlled by the Council. A balance of improvements to the frontage whilst maintaining good levels of access can be ensured through the Section 106 agreement and associated obligations.

Transport Statement

79. A Transport Statement has been submitted to examine future trip rates for the development. Based on comparisons with five other residential developments and two office developments in London, the development is considered likely to generate 11 arrivals and 8 departures in the am peak hour (8-9am), and 7 arrivals and 10 departures in the pm peak hour (5-6pm).
80. As very limited parking would be provided, no more than two vehicular trips per peak hour are anticipated, which is not significant enough to warrant any further consideration of impact on the local road network. This conclusion is reliant on a CPZ being introduced in Central Road and District Road, although even so, vehicular trips would still be likely to be reduced compared with the existing use as a car repair garage.
81. Similarly, trips by other modes are not shown as being significant enough to require any further improvements, beyond the footway improvements identified above.
82. The accident rate for the three year period spanning August 2014-July 2017 has also been considered. This revealed a total of 22 accidents within 200m of the site during that period – two of which resulted in serious injury. Seven accidents were noted at or close to the existing site accesses on Harrow Road and this development would have the benefit of removing those accesses and thus improving road safety along the site frontage.

Transportation Conclusion

83. Whilst the on-site servicing bay does not meet Brent's standards for a commercial unit of this size, servicing by smaller vehicles could take place on site which is considered to be acceptable given the size of the commercial unit. The proposal is considered to be acceptable on transportation grounds, subject to a S106 Agreement and conditions to secure the matters identified above.

Equalities

84. In line with the Public Sector Equality Duty, the Council must have due regard to the need to eliminate discrimination and advance equality of opportunity, as set out in section 149 of the Equality Act 2010. In making this recommendation, regard has been given to the Public Sector Equality Duty and the relevant

protected characteristics (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation).

Summary

85. Officers consider that the scheme meets planning policy objectives and is in general conformity with local, regional and national policy, having regard to material planning considerations including the benefits of the scheme including the provision of new homes within the borough. The proposal would make a positive contribution to the area, whilst having an acceptable impact on and relationship with the existing surrounding development. Officers recommend the application for approval subject to the conditions and obligations set out in this report.

CIL DETAILS

This application is liable to pay **£663,833.15** * 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): 530.84 sq. m.

Total amount of floorspace on completion (G): 2524.94 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) Dwelling houses	2278.09		1799.15	£200.00	£0.00	£530,105.93	£0.00
(Brent) General business use	246.85		194.95	£40.00	£0.00	£11,488.28	£0.00
(Mayoral) Dwelling houses	2278.09		1799.15	£0.00	£60.00	£0.00	£110,288.29
(Mayoral) General business use	246.85		194.95	£0.00	£60.00	£0.00	£11,950.65

BCIS figure for year in which the charging schedule took effect (Ic)	224	323
BCIS figure for year in which the planning permission was granted (Ip)	330	
TOTAL CHARGEABLE AMOUNT	£541,594.21	£122,238.94

*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: 18/3069

To: Mr Knight
Milligan Knight Architects
7 French Row
Hatfield
AL3 5DU

I refer to your application dated **02/08/2018** proposing the following:

Demolition of existing M.O.T testing centre and erection of a part 5 and part 6 storey mixed use building comprising office (Use class B1) at ground floor and 22 residential units on the 1st to 5th floors (6 x 3 bed; 8 x 2 bed and 8 x 1 bed); plant room in basement; PV panels at roof level, cycle parking and waste storage (revised description)

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

at **Keelers Service Centre, Harrow Road, Wembley, HA0 2LL**

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: 01/11/2019

Signature:

Gerry Ansell
Head of Planning and Development Services

Notes

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

DnStdG

SUMMARY OF REASONS FOR APPROVAL

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

London Plan 2016
Brent Core Strategy 2010
Brent Development Management Policies 2016
Sudbury Town Neighbourhood Plan 2015

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

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

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

107-KCH_07_001_P4
107-KCH_07_002_P4
107-KCH_07_003_P7
107-KCH_07_010_P9
107-KCH_07_109_P4
107-KCH_07_110_P12
107-KCH_07_111_P6
107-KCH_07_112_P10
107-KCH_07_113_P10
107-KCH_07_114_P7
107-KCH_07_115_P5
107-KCH_07_200_P3
107-KCH_07_201_P3
107-KCH_07_202_P3
107-KCH_07_203_P8
107-KCH_07_204_P6
107-KCH_07_205_P10
107-KCH_07_300_P6
107-KCH_07_500_P4
107-KCH_PDAS Addendum 190124

Supporting documents

Air Quality Assessment (Hamley Property Group, July 2018, Ref 70023557-EF4)
Desk Study, Preliminary Site Investigation and Risk Assessment Report (Southern Testing, 19 June 2017, Ref J13046)
Drainage Strategy and SuDS Statement (Elliott Wood, May 2018, Ref 2160157 Rev P2)
Noise Impact Assessment (WSP, July 2018, Ref 70025112-001)
Planning, Design and Access Statement (Milligan Knight Architects, July 2018)
Ventilation Strategy (Medland Metropolis, Ref L161015)
Wind Assessment Report (WSP, July 2018, Ref 70023557-100)

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

- 3 Notwithstanding any information provided in the approved plans and documents, and notwithstanding the provisions of Schedule 2 Part 3 Classes I, O and T of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order) the commercial floorspace hereby approved shall only be used for B1(a) office uses,

unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the retention of an adequate type and amount of employment-generating floorspace on the site, in accordance with Policy DMP14. In the interest of the viability and vitality of the extended Sudbury Town Centre, in accordance with the Sudbury Town Neighbourhood Plan 2015.

- 4 The residential units hereby approved shall at no time be converted from C3 residential to a C4 small HMO, 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) without express planning permission having first been granted by the Local Planning Authority.

Reason: To ensure that an adequate standard of accommodation is maintained in all of the residential units and in view of the restricted space within the site to accommodate additional bin or cycle storage.

- 5 The buildings shall be designed so that mains water consumption for the residential units does not exceed a target of 105 litres or less per person per day, using a fittings-based approach to determine the water consumption of the development in accordance with requirement G2 of Schedule 1 to the Building Regulations 2010.

Reason: In order to ensure a sustainable development by minimising water consumption.

- 6 Prior to first occupation or use of the building, the refuse storage and cycle storage shall be provided in full accordance with the details shown on the approved plans (unless otherwise agreed in writing by the Local Planning Authority). These facilities shall be permanently retained and used solely in connection with the development hereby approved.

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

- 7 The development hereby approved shall not commence until a Construction Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority, outlining how construction vehicle activity will be managed throughout the construction process.

The works shall thereafter be carried out in full accordance with the approved details.

Reason: In order to minimise any adverse impacts of the construction process upon the highway network in the area.

Reason for pre-commencement condition: Impacts arising from the construction process occur as soon as development commences and adequate controls need to be in place from this time.

- 8 Prior to the commencement of the development, a Construction Method Statement and Construction Management Plan shall be submitted to and agreed by the Local Planning Authority outlining measures that will be taken to control dust, noise and other environmental impacts of the development at each stage of the works including demolition, earthworks, construction and track out. This document shall include

- an Air Quality (Dust) Risk Assessment for each stage, based on the approved Air Quality Assessment and identifying suitable mitigation measures which should be justified by the classification of each risk as outlined in Chapter 4 of The Control of Dust and Emissions During Construction and Demolition Supplementary Planning Guidance, 2014;
- a method statement for the reduction of emissions from construction vehicles. All mobile vehicles associated with the demolition / construction should comply with the standard of the London Low Emission Zone and all HDVs/HGVs should aim to be Euro VI compliant for Particulate Matter).

The development shall be carried out strictly in accordance with the agreed details.

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

Reason for pre-commencement condition: Environmental nuisance caused by the construction process can occur at any time from commencement, and adequate controls need to be in place at this time.

- 9 (a) The development hereby approved shall not commence (other than site clearance and the demolition of the existing building) unless a site investigation is carried out and remediation strategy is prepared by an appropriate person in accordance with BS 10175:2011 + A2:2017 and 'Model Procedures for the Management of Land Contamination – Contaminated Land Report 11' (CLR 11) (or other such updated British Standard) to determine the nature and extent of any contamination present. The investigation and strategy shall be carried out in accordance with a scheme, which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works (other than site clearance and the demolition of the existing building), that includes the results of any research and analysis undertaken as well as details of remediation measures required to contain, treat or remove any contamination found.

If during works new areas of contamination are encountered, which have not previously been identified, then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the Local Planning Authority unless otherwise agreed in writing by the Local Planning Authority.

- (b) Prior to first residential occupation of the development, or the commencement of the approved use within the development hereby approved, a verification report written by a suitably qualified person in accordance with BS 10175:2011 + A2:2017 and 'Model Procedures for the Management of Land Contamination – Contaminated Land Report 11' (CLR 11) (or other such updated British Standard) must be submitted to and approved in writing by the Local Planning Authority stating that remediation has been carried out in accordance with the remediation scheme approved pursuant to condition 13 and the site is safe for end use.

Reason: To ensure the safe development and secure occupancy of the site proposed for use in accordance with Policy 5.21 of the London Plan (2016).

- 10 Prior to the commencement of the development (excluding any demolition, site clearance and the laying of foundations), details of the following shall be submitted to and approved in writing by the Local Planning Authority:

- (a) Details of materials for all external surfaces of the building, including samples which shall be made available for viewing on site or in another location as agreed;
- (b) Details of 1.8m high privacy screens to be installed on any balcony elevations in close proximity to the adjoining site;
- (c) Details of any externally installed plant, including locations, external appearance and any proposed screening;

The work shall thereafter be carried out in accordance with the approved details.

Reason: In the interests of the visual amenities of the locality.

- 11 Prior to the commencement of the development (excluding any demolition, site clearance and the laying of foundations), further details of how the development will be built so that 90% of the residential units will achieve Building Regulations requirement M4(2) - 'accessible and adaptable dwellings' and that the remaining 10% of the residential units will be easily adaptable to achieve Building Regulations requirement M4(3) - 'wheelchair user dwellings' shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full accordance with the approved details.

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

- 12 Prior to the commencement of the development (excluding any demolition, site clearance and the laying of foundations), a Marketing Strategy pertaining to the commercial floorspace shall be submitted to and approved in writing by the Local Planning Authority. This document shall include evidence of liaison with commercial estate agents in the locality and shall demonstrate that the facilities and level of fit out to be provided will be suitable for the needs of the local office market, and shall include measures to reduce the risk of long periods of vacancy.

Reason: To ensure the commercial floorspace is fit for purpose and contributes to the aims of the Sudbury Town Neighbourhood Plan.

- 13 Within six months of commencement of development, a revised forecourt plan shall be submitted to and approved in writing by the Local Planning Authority. This shall include provision for the loading bay and disabled parking space to be rotated to sit perpendicular to Central Road. The loading bay and disabled parking spaces shall thereafter be provided in accordance with the approved details prior to first occupation of the development, and thereafter retained throughout the lifetime of the development.

Reason: In the interests of providing satisfactory parking and servicing facilities.

- 14 Within six months of the commencement of works to the superstructure of the development as hereby approved, further details of landscaping works within the application site (reflecting the alterations secured as part of condition x) shall be submitted to and approved in writing by the local planning authority.

Such details shall include:

- (i) Proposed boundary treatments both within and around the site, indicating materials and heights and exact locations within the site;
- (ii) Details of materials and finishes proposed for hard landscaped areas. These shall have a permeable construction;
- (iii) Proposed species, locations and densities of soft landscaping including the use of native species where appropriate;
- (iv) Details of the proposed arrangements for maintenance of the landscaping;
- (v) Details of any external lighting proposed;
- (vi) Details of any CCTV scheme to be provided within the development.

The hard and soft landscape works shall be carried out in full accordance with the as approved details prior to the first occupation of the residential units hereby approved, unless alternative timescales have been submitted to and approved to be agreed in writing by the Local Planning Authority and the works shall thereafter be carried out in accordance with the approved timescales.

Any trees and shrubs planted in accordance with the landscaping scheme which, within 5 years of planting are removed, dying, seriously damaged or become diseased shall be replaced in similar positions by trees and shrubs of similar species and size to those originally planted unless otherwise agreed in writing with the Local Planning Authority.

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

- 15 Prior to topping out being reached on the building, further details of rooftop PV installations to achieve the carbon emissions reductions agreed through the s106 agreement shall be submitted to and approved in writing by the local planning authority, and thereafter implemented in accordance with the approved details.

Reason: To ensure the maximum reasonable carbon emissions reductions are achieved

on-site.

- 16 Prior to first occupation or use of the building, measures should be taken in order to mitigate against the possibility of numerous satellite dishes being installed on the building. Any external equipment required shall be located so as to have the least impact on the external appearance of the development, and details of any such equipment shall be submitted to and approved in writing by the Local Planning Authority, and thereafter implemented in accordance with the approved details.

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

- 17 Prior to first occupation of the residential units hereby approved, sufficient information (including the results of tests carried out within one room of each built facade type for a living and bedroom area over a four-day period) shall be submitted to and approved in writing by the local planning authority to demonstrate that the units have been designed in accordance with BS8233:2014 'Guidance on sound insulation and noise reduction for buildings' to attain the following internal noise levels:

Time	Area	Maximum noise level
Daytime 23:00	Living rooms and bedrooms	35 dB LAeq (16hr) 07:00 –
Night time 45 dB Lmax	Bedrooms	30 dB LAeq (8hr) 23:00 – 07:00

Reason: To obtain required sound insulation and prevent noise nuisance, in accordance with Brent Policy DMP1.

- 18 Any plant shall be installed, together with any associated ancillary equipment, so as to prevent the transmission of noise and vibration into neighbouring premises. The rated noise level from all plant and ancillary equipment shall be 10dB(A) below the measured background noise level when measured at the nearest noise sensitive premises. Prior to installation of any such equipment, the results of an assessment of the expected plant noise levels carried out in accordance with BS4142:2014 'Methods for rating and assessing industrial and commercial sound', together with details of any mitigation measures necessary to achieve the above required noise levels, shall be submitted to and approved in writing by the Local Planning Authority. The plant shall thereafter be installed and maintained in accordance with the approved details.

Reason: To protect acceptable local noise levels, in accordance with Brent Policy DMP1.

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 The applicant must ensure, before work commences, that the treatment/finishing of flank walls can be implemented as this may involve the use of adjoining land and should also ensure that all development, including foundations and roof/guttering treatment is carried out entirely within the application property.
- 3 In order to ensure adequate fireproofing of the building, the applicant is advised to contact the Fire Prevention Officer of the London Fire Brigade, Fire Prevention Branch, Fire Station, 500

Pinner Road, Pinner, Middlesex, HA5 5EW.

- 4 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 the development.
- 5 The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk
- 6 The applicant is advised to notify the Council's Highways Service of the intention to commence works prior to commencement. They shall include photographs showing the condition of the 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.
- 7 The submitted drawings indicate planters within the adopted footway to the south of the site. Those planters are outside of the application site and therefore do not form a part of the development proposed within this application. The Council's highways team have also specified that planters would not be supported as they would excessively narrow the footway in this location.

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