



Planning Committee

Wednesday 11 December 2013 at 7.00 pm

Conference Hall - Brent Civic Centre, Engineers Way,
Wembley, HA9 0FJ

Membership:

Members

Councillors:

Ketan Sheth (Chair)
John (Vice-Chair)
Aden
Baker
Cummins
Hashmi
Kabir
Kataria
CJ Patel
Powney
Singh

first alternates

Councillors:

R Moher
Van Kalwala
J Moher
Kansagra
Sneddon
Cheese
Oladapo
Long
Brown
Gladbaum
Hossain

second alternates

Councillors:

Adeyeye
Ogunro
Moloney
HB Patel
Hopkins
Beck
Al-Ebadi
Naheerathan
Lorber
Harrison
Mashari

For further information contact: Joe Kwateng, Democratic Services Officer
020 8937 1354, joe.kwateng@brent.gov.uk

For electronic copies of minutes, reports and agendas, and to be alerted when the minutes of this meeting have been published visit:

democracy.brent.gov.uk

The press and public are welcome to attend this meeting

Members' briefing will take place at 5.30pm in Boardrooms 7 and 8

Agenda

Introductions, if appropriate.

Apologies for absence and clarification of alternate members

ITEM	WARD	PAGE
1. Declarations of personal and prejudicial interests Members are invited to declare at this stage of the meeting, any relevant financial or other interest in the items on this agenda.		
2. Minutes of the previous meeting (to follow)		
Extract of Planning Code of Practice		
APPLICATIONS DEFERRED FROM THE PREVIOUS MEETING		
3. SKL House, 18 Beresford Avenue, Wembley, HA0 1YP (Ref. 12/3089)	Alperton	5 - 16
NORTHERN AREA		
4. 1-90 INC, Barons Court, Church Lane, London, NW9 8AD (Ref. 13/2453)	Fryent	17 - 32
SOUTHERN AREA		
5. Land next to Waverley Court, Brondesbury Park, Kilburn, London (Ref. 13/1773)	Brondesbury Park	33 - 42
6. Harlesden Primary School, Acton Lane, London, NW10 8UT (Ref. 13/2829)	Harlesden	43 - 56
WESTERN AREA		
7. Preston Park Primary School, College Road, Wembley, HA9 8RJ (Ref. 13/2903)	Preston	57 - 76
8. 19-29 ODDS, Linthorpe Avenue, Wembley, HA0 2ER (Ref. 13/3115)	Sudbury	77 - 86
9. Pop In Commercial Centre, South Way, Wembley, HA9 (Ref. 13/2601)	Tokington	87 - 92
10. Palace of Arts and Industry, Engineers Way, Wembley, HA9 (Ref. 13/2799)	Tokington	93 - 106
11. 311 East Lane, Wembley, HA0 3LG (Ref. 13/2201)	Sudbury	107 - 114
12. Land next to Victoria Centre, Acton Lane, London (Ref. 13/1296)	Stonebridge	115 - 126
PLANNING APPEALS		
13. Appeals decisions monitoring April - September 2013	All Wards	127 - 134

14. Any Other Urgent Business

Notice of items to be raised under this heading must be given in writing to the Democratic Services Manager or his representative before the meeting in accordance with Standing Order 64.

Site Visit

SITE VISITS – SATURDAY 7 DECEMBER 2013

Members are reminded that the coach leaves the Civic Centre at 9.30am

REF.	ADDRESS	ITEM	WARD	TIME	PAGE
13/3115	19-29 ODDS, Linthorpe Avenue, Wembley, HA0 2ER	8	Sudbury	9:40	77 - 86
13/2799	Palace of Arts and Industry, Engineers Way, Wembley, HA9	10	Tokyngham	10.10	93 - 106
13/2903	Preston Park Primary School, College Road, Wembley, HA9 8RJ	7	Preston	10:30	57 - 76
13/2453	1-90 INC, Barons Court, Church Lane, London, NW9 8AD	4	Fryent	10:50	17 - 32
13/1773	Land next to Waverley Court, Brondesbury Park, Kilburn, London	5	Brondesbury Park	11:30	33 - 42
13/2829	Harlesden Primary School, Acton Lane, London, NW10 8U	6	Harlesden	11:50	43 - 56

Date of the next meeting: Tuesday 14 January 2014

The site visits for that meeting will take place the preceding Saturday 11 January 2014 at 9.30am when the coach leaves the Civic Centre.



Please remember to ***SWITCH OFF*** your mobile phone during the meeting.

- The Conference Hall is accessible by lift and seats will be provided for members of the public on a first come first served principle.

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EXTRACT OF THE PLANNING CODE OF PRACTICE

Purpose of this Code

The Planning Code of Practice has been adopted by Brent Council to regulate the performance of its planning function. Its major objectives are to guide Members and officers of the Council in dealing with planning related matters and to inform potential developers and the public generally of the standards adopted by the Council in the exercise of its planning powers. The Planning Code of Practice is in addition to the Brent Members Code of Conduct adopted by the Council under the provisions of the Local Government Act 2000. The provisions of this code are designed to ensure that planning decisions are taken on proper planning grounds, are applied in a consistent and open manner and that Members making such decisions are, and are perceived as being, accountable for those decisions. Extracts from the Code and the Standing Orders are reproduced below as a reminder of their content.

Accountability and Interests

4. If an approach is made to a Member of the Planning Committee from an applicant or agent or other interested party in relation to a particular planning application or any matter which may give rise to a planning application, the Member shall:
 - a) inform the person making such an approach that such matters should be addressed to officers or to Members who are not Members of the Planning Committee;
 - b) disclose the fact and nature of such an approach at any meeting of the Planning Committee where the planning application or matter in question is considered.
7. If the Chair decides to allow a non-member of the Committee to speak, the non-member shall state the reason for wishing to speak. Such a Member shall disclose the fact he/she has been in contact with the applicant, agent or interested party if this be the case.
8. When the circumstances of any elected Member are such that they have
 - (i) a personal interest in any planning application or other matter, then the Member, if present, shall declare a personal interest at any meeting where the particular application or other matter is considered, and if the interest is also a prejudicial interest shall withdraw from the room where the meeting is being held and not take part in the discussion or vote on the application or other matter.
11. If any Member of the Council requests a Site Visit, prior to the debate at Planning Committee, their name shall be recorded. They shall provide and a

record kept of, their reason for the request and whether or not they have been approached concerning the application or other matter and if so, by whom.

Meetings of the Planning Committee

24. If the Planning Committee wishes to grant planning permission contrary to officers' recommendation the application shall be deferred to the next meeting of the Committee for further consideration. Following a resolution of "minded to grant contrary to the officers' recommendation", the Chair shall put to the meeting for approval a statement of why the officers recommendation for refusal should be overturned, which, when approved, shall then be formally recorded in the minutes. When a planning application has been deferred, following a resolution of "minded to grant contrary to the officers' recommendation", then at the subsequent meeting the responsible officer shall have the opportunity to respond both in a further written report and orally to the reasons formulated by the Committee for granting permission. If the Planning Committee is still of the same view, then it shall again consider its reasons for granting permission, and a summary of the planning reasons for that decision shall be given, which reasons shall then be formally recorded in the Minutes of the meeting.
25. When the Planning Committee vote to refuse an application contrary to the recommendation of officers, the Chair shall put to the meeting for approval a statement of the planning reasons for refusal of the application, which if approved shall be entered into the Minutes of that meeting. Where the reason for refusal proposed by the Chair is not approved by the meeting, or where in the Chair's view it is not then possible to formulate planning reasons for refusal, the application shall be deferred for further consideration at the next meeting of the Committee. At the next meeting of the Committee the application shall be accompanied by a further written report from officers, in which the officers shall advise on possible planning reasons for refusal and the evidence that would be available to substantiate those reasons. If the Committee is still of the same view then it shall again consider its reasons for refusing permission which shall be recorded in the Minutes of the Meeting.
29. The Minutes of the Planning Committee shall record the names of those voting in favour, against or abstaining:
 - (i) on any resolution of "Minded to Grant or minded to refuse contrary to Officers Recommendation";
 - (ii) on any approval or refusal of an application referred to a subsequent meeting following such a resolution.

STANDING ORDER 62 SPEAKING RIGHTS OF THE PLANNING COMMITTEE

- (a) At meetings of the Planning Committee when reports are being considered on applications for planning permission any member of the public other than the applicant or his agent or representative who wishes to object to or support the grant of permission or support or oppose the imposition of conditions may do

so for a maximum of 2 minutes. Where more than one person wishes to speak on the same application the Chair shall have the discretion to limit the number of speakers to no more than 2 people and in so doing will seek to give priority to occupiers nearest to the application site or representing a group of people or to one objector and one supporter if there are both. In addition (and after hearing any members of the public who wish to speak) the applicant (or one person on the applicant's behalf) may speak to the Committee for a maximum of 3 minutes. In respect of both members of the public and applicants the Chair and members of the sub-committee may ask them questions after they have spoken.

- (b) Persons wishing to speak to the Committee shall give notice to the Democratic Services Manager or his representatives prior to the commencement of the meeting. Normally such notice shall be given 24 hours before the commencement of the meeting. At the meeting the Chair shall call out the address of the application when it is reached and only if the applicant (or representative) and/or members of the public are present and then signify a desire to speak shall such persons be called to speak.
- (c) In the event that all persons present at the meeting who have indicated that they wish to speak on any matter under consideration indicate that they agree with the officers recommendations and if the members then indicate that they are minded to agree the officers recommendation in full without further debate the Chair may dispense with the calling member of the public to speak on that matter.

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Committee Report Planning Committee on 11 December, 2013

Item No. 03
Case No. 12/3089



Planning Committee Map

Site address: SKL House, 18 Beresford Avenue, Wembley, HA0 1YP

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This map is indicative only.

RECEIVED: 20 November, 2012

WARD: Alperton

PLANNING AREA: Wembley Consultative Forum

LOCATION: SKL House, 18 Beresford Avenue, Wembley, HA0 1YP

PROPOSAL: Erection of first floor extension to front of building, alterations to the front forecourt layout, reduction in width to existing vehicle access, retention of extraction plant and wood burner installation to the rear and change of use from office (B1a) to a mixed use with B2 (general industrial), B8 (warehouse & distribution) with ancillary office and ancillary showroom (as amended by revised plans).

APPLICANT: UKB Ltd

CONTACT: Mann Associates Ltd.

PLAN NO'S:
See Condition 2

INTRODUCTION

This application was deferred from Planning Committee on 18 September 2013 after it came to light that a database error had occurred which meant that not all interested parties had been notified of the Committee arrangements. In these circumstances it was considered appropriate to defer the application to allow the Committee notification issue to be rectified before the application is considered by Members.

Prior to this the application had been deferred from the Planning Committee meeting of 13 February 2013 in order to allow Members request to undertake a site visit. The intention at that time was to report to the March Committee.

Shortly before the Members site visit was due to take place in March 2013 Officers became aware that a large piece of plant equipment had recently been erected to the rear of the building. Local residents had brought this to Officers attention. It has since been established that this is a wood burner, and it had been transferred from another site owned by the applicant in Alperton. The applicant was advised that this equipment requires planning permission to be installed, and as it is critical to how the use of the building would operate on a day-to-day basis that it would need to be considered at the same time as proposals to extend the building and change its use. Revised details were requested so that the wood burner could also be considered. As this represents a material change to the original submission then it was deemed necessary to re-consult neighbouring properties on these amended proposals. So in light of the request for revised details and the need to go out to consultation again Officers had to request that Members deferred the application. A Members site visit still took place as arranged on 9 March 2013, and the application was deferred from the March committee.

Revised details (including plans and specification) relating to the wood burner were received in April and further consultation on these was then carried out on 14 May 2013.

Further discussion around the wood burner, its visual impact, what it is used for and the impact this has on local amenity is included in the 'remarks' section. Also in response to the re-consultation exercise further representations were received. These are also discussed in the main body of the report.

RECOMMENDATION

Approve

EXISTING

The site is located on the southern side of Beresford Avenue within the Northfield's Industrial Estate which is designated as a Strategic Industrial Location. Surrounding uses here are a mixture of commercial and industrial on the southern side of Beresford Avenue, with residential properties along the northern side of the street.

The site is mostly taken up by a two storey 1950s era brick commercial building with clad elevations. Formerly in use as a warehouse/industrial building it was converted to office use and subdivided into separate office suites sometime in the past. The building was vacant for a period before undergoing internal refurbishment and is now occupied by the current applicant's. A crossover provides access to frontage parking and a loading area.

The site is not within a Conservation Area, nor does the application related to a Listed Building.

PROPOSAL

Erection of first floor extension to front of building, alterations to the front forecourt layout, reduction in width to existing vehicle access, retention of extraction plant and wood burner installation to the rear and change of use from office (B1a) to a mixed use with B2 (general industrial), B8 (warehouse & distribution) with ancillary office and ancillary showroom (as amended by revised plans).

HISTORY

10/1604 – Refused – Appealed – Dismissed on Appeal

Retrospective application for change of use from offices (Use Class B1) to a college of further education (Use Class D1).

Reason for refusal:

The proposed change of use from offices (Use Class B1) to a college of further education (Use Class D1) is contrary to policies CP3, CP12 and CP20 of the Brent Core Strategy (adopted July 2010) and policy CF2 of Brent's Unitary Development Plan 2004, resulting in the loss of protected employment land.

06/0715 - Certificate of Lawful Development - Granted

Certificate of lawfulness for existing use for the use of the building as offices (Use Class B1(a)). This showed the building laid out internally into a number of self-contained office suites. It is now understood that this building has been gutted internally so this layout no longer exists.

POLICY CONSIDERATIONS

National Planning Policy Framework - 2012

London Plan 2011

Policy Considerations

Brent Unitary Development Plan 2004

BE2	Townscape: Local Context & Character
BE4	Access for Disabled People
BE9	Architectural Quality
EP2	Noise & Vibration
TRN3	Environmental Impact of Traffic
TRN22	Parking standards – non-residential development
TRN34	Servicing in New Development
PS6	Parking Standards – 1 space per 150m ² of floor area applies.
PS19	Servicing Standards

Brent Core Strategy – July 2010

CP20 Strategic Industrial Locations

Main Considerations:-

Acceptability of the use of the building
Impact on neighbouring properties
Impact on servicing and parking arrangements
Impact on local amenity
Size, scale and design of extensions & plant

CONSULTATION CONSULTATION

First round of consultation (Dec 2012):-

Letters were sent out to 21 properties on **6 December 2012**.

Three objections were received and a petition objecting to the proposal has been received from Heather Park Neighbourhood Watch, this is signed by 8 signatories. The reasons for objecting to the application have been summarised below:-

Grounds for Objection	Response
<i>The existing building works and associated vehicles are blocking traffic along Beresford Avenue</i>	Any disruption caused during building works, and vehicles associated with the construction period would be for a temporary period only. This would not be sufficient to justify a refusal, and it should be noted there is no Transport objection.
<i>Existing refuse provision is inadequate</i>	It is sought to improve this situation, and Condition No 10A requires the submission and approval of further details for this.
<i>Traffic and parking is an existing problem on Beresford Avenue, workers and visitors to the proposed use will worsen the situation</i>	Existing parking problems are likely to be caused by any number of nearby businesses within the Northfields Industrial Estate. There is no CPZ in place to restrict on-street parking along BA and there may be a case for introducing on-street parking controls, subject to funding and subject to a consultation process with residents and businesses in the area. As demonstrated within this report the scheme (as amended) meets adopted UDP parking and servicing standards for a building of this size and there are no objections on Transport grounds.
<i>Any reduction of off-street parking spaces on the application site will worsen the parking congestion on Beresford Avenue</i>	Presently there is capacity for up to 7 spaces to park on the frontage, though this is problematic as spaces are not formally laid out and the layout is neither safe or well designed. It is proposed to alter and formalise the front layout to provide 4 spaces. The UDP standard for a building of this size is for a maximum of 5 parking spaces, and Transportation will support 75% of the maximum standard being provided off-street. As such the provision of 4 parking spaces is acceptable as this represents 80% of the standard and the alterations to the front layout welcomed, as this provides the opportunity to formalise the layout to the benefit of pedestrian and highway safety.
<i>Objection to the use of the building as an education facility</i>	This is incorrect, there is no proposed change of use to a place of education
	.

Transportation & Highways comments:-

The site is currently served by up to 7 parking spaces, at the front of the site. These are accessed via an 8m wide crossover.

The application site is on the southern side of BA, a local distributor road. The site has moderate access, with a PTAL rating of level 3.

The proposed extensions will increase the total floor area of the building to 825sqm. This increase does not trigger an increase to the parking or servicing standards.

The existing depth between the front of building and back edge of highway is approximately 6m, and at present the building line is staggered which results in an area which is recessed and projects further back than the rest. This recess is deep enough for an 8m long rigid vehicle to stand clear of the highway, which is required by UDP servicing standard PS19.

As originally proposed the extension would have meant that it would no longer be possible for an 8m vehicle to stand clear of the highway without overhanging the footpath. The loss of this ability to service the building was objected to on transportation grounds. To address this objection the proposal has been amended, and the ground floor infill extension has been omitted from the revised scheme. So instead a recessed loading bay is proposed on the ground floor, with 8m depth maintained directly in front of this ensuring adequate servicing provision in line with PS19 remains.

The front forecourt layout has also been amended, this proposes to rationalise the parking layout so that four spaces will be clearly marked out perpendicular to the highway. These will have better access, unlike the current forecourt parking layout which due to the width of the crossover results in vehicles having to illegally cross the footpath to access certain spaces. This rationalisation will accommodate a reduced number of four spaces, which is considered acceptable to Transportation as this represents 75% of the maximum parking standard for a building of this size, which is 5 spaces. Furthermore the revised layout is considered to represent an improvement to pedestrian and highway safety, as vehicles will no longer need to illegally cross the footpath to access parking bays.

The existing 8.5m wide crossover is excessively wide and the applicant has agreed to Transportations request to reduce its width. The alterations to the kerb radii as shown on the revised plan will reduce the length of crossover and act as further prevention to vehicles from illegally crossing the footpath. Furthermore a new dwarf wall is to be erected either side of the crossover, this will run along the frontage and this will also help to prevent vehicles from crossing the footpath in the future. The reduction in crossover width, reinstatement of a section back to footway and these other measures are considered to represent an improvement to pedestrian and highway safety.

Details of refuse and recycling storage and collection arrangements have not been supplied at this stage, and are to be secured through planning condition. The same applies to cycle parking details, these too will be secured through condition.

Summary:-

Transportation confirmed that with the amendments that (i) see the retention of an adequate 8m deep servicing bay on the frontage (ii) improved front parking layout (iii) and reduction in width to the existing vehicle crossover and erection of dwarf wall that they remove their initial objection. The proposal can now be supported on Transportation grounds.

Second round of consultation following the installation of the wood burner; (May 2013)-

Letters were sent to 23 addresses inviting further comments to the revised plans, these letters were dated 14 May 2013.

The Heather Park Neighbourhood Watch Group (HPBNW), Brent Transportation and Environmental Health have also been re-consulted on the revised proposals.

Additional representation received:-

An additional objection has been received from a resident on Beresford Avenue. HPBNW objected again to the revised scheme (letter dated 13 June 2013) and submit a petition with 23 signatories, all opposing the application. This follows a letter of objection from HPBNW, dated 4 February 2013 and a petition with 31 signatories on it. It should be noted that there is a degree of overlap with these two petitions as some of the same signatories do appear on both.

In addition to the objections already summarised above HPBNW raise the following points:-

Grounds for Objection	Response
<i>The proposed reduction in parking numbers and the parking arrangement shown mean that access to spaces will be impractical when commercial vehicles visit the site.</i>	This is likely to have been the case with previous uses of the building as there is no formal layout in place. The frontage is constrained but the proposed layout is seen to be an improvement and has the support of Transportation Officer's.
<i>Again there is no provision for refuse bins, and it is likely these would be positioned on the frontage and would result in the loss of further parking spaces below the 4 shown.</i>	Further details for the storage of refuse bins will be secured through Condition 10A, and this will give the Council sufficient control over their location, so as not to obstruct parking spaces.
<i>The operation of the business involves manufacturing which is contrary to the supporting details set out in the initial submission.</i>	This has been recognised and since its initial submission the development description amended to take this into account. It now refers to a B2 use. This revised

	development description was set out in the second round of consultation letters that went out in May 2013.
<i>The wood burner was installed without planning permission, or a permit from Environmental Health. This is in breach of Environmental Health regulations and it may be detrimental to local resident's. Furthermore operation of this wood burner has continued in spite of the fact the operator's do not have all the necessary permissions to do so. Use of it was reported over the May bank holiday.</i>	This has been recognised and the development description amended to include this installation. Details of the wood burner have been submitted and assessed by Environmental Health Officer's, who have carried out a number of site visits since the use of the burner was reported. As discussed below and in the 'remarks' section EH Officer's have assessed this thoroughly and are satisfied that the plant can operate without unduly harming amenity. They have issued a draft Environmental Permit to operate, no further complaints have been received since and they are minded to issue the operator with the necessary permit (subject to robust conditions and regular inspections being carried out).
<i>The current operator's have shown complete disregard to the Council by failing to meet its requirements and to local resident's.</i>	It is regrettable that the applicant has carried out works before having the necessary authorisation however this is not a reason to refuse the application.

Transportation & Highways Comments:-

As previously stated, Transportation re-confirm that the proposed change of use and increase in floorspace does not trigger an increase to the parking or servicing requirements. Under UDP standard PS6 a building of this size would require 5 spaces, and with 75% of the parking standard to be met on the site frontage this is considered to be an acceptable arrangement. In terms of servicing then it is clear that the building was originally used as a form of factory/warehouse (Use Class B2/B8) without a 16.5m long bay suitable for articulated lorries, this was before it was converted into offices. So this proposal would see it reverting to its original use and on this basis it would be unreasonable to insist that a 16.5m loading bay be provided now. As an absolute minimum though an 8m length bay must be retained.

Revised plans received show that an 8m length loading area will be maintained on the frontage so this is sufficient to meet the servicing demands.

The same revised plans also propose the reduction in crossover width already discussed. This will be reduced to 4.5m which Transportation view as acceptable, along with the revisions to the car park layout and provision of 4 parking spaces. This is all as agreed previously.

No transportation objections to the revised plans subject to planning conditions being secured to submit further details of refuse and recycling storage arrangements and a minimum of 2 cycle spaces.

Environmental Health Comments:-

As a direct response to resident's reporting the installation and operation of the wood burner Environmental Health Officer's visited the premises, initially in April 2013. A number of follow up site visits have taken place in April, May and June 2013. On only one of these occasion's was the burner in operation. Officer's have also confirmed that they have received a small number of noise complaints about the operations on this site, particularly in respect of operations late in the evening and on Bank Holiday Monday's. However to date Nuisance Officer's have not established that a statutory nuisance has been caused in relation to these complaints, and have therefore not taken any formal action.

Due to the premises being located within an Air Quality Management Area (AQMA) and close to residential properties further details of the proposed extraction system were requested in order to establish that its emissions do not have a detrimental impact on air quality, or that it will not cause nuisance to nearby residents in terms of noise and odour.

In order to protect local residential amenity E.H Officer's recommend that an hours of operation condition be attached to any planning permission if granted. It is recommended that such a condition only allows the operation of the site equipment and other nuisance causing activities between the hours of 08:00 - 18:00 Monday to Friday and 08:00 - 13:00 on Saturday's and at no time on Sunday or Bank Holiday's unless otherwise agreed in writing by the LPA.

With regards to the extraction plant and wood burner E.H Officer's have confirmed that the operator's require a Environmental Permit (which is issued by Environmental Health) to operate this equipment. It is also confirmed that an application for this permit has been received, and on the basis of the information received

and in light of several site visits to the premises EH Officer's are minded to issue a permit for this.

If granted, the Environmental Permit will contain conditions designed to ensure that any potential for air pollution is minimised. In this case EH Officer's have advised that conditions would be attached to the permit that would include prohibition of any smoke from the burner, controls on the containment and handling of sawdust and wood waste, controls on ash handling and controls on what material can be burned. In addition the permit will contain management conditions designed to ensure proper control and maintenance of the equipment going forward.

In the event that a permit is granted the site would be subject to regular inspections from EH Officer's to ensure compliance with the permit conditions. Permit conditions are enforceable either directly by EH Officer's, or ultimately through the courts and can carry significantly higher penalties than statutory nuisance offences. EH Officer's are satisfied that the permitting scheme will provide a good level of continuous control over potential pollution from these premises.

REMARKS

Principle of development:-

1. This proposal is to extend the existing building for use by a company who are in the business of kitchen furniture production, assembly, packaging and distribution. An ancillary showroom will also be provided on the ground floor. Following Member's request for greater clarity on this showroom a floor plan has been submitted to confirm its size. The combined showroom and reception area is to 63sqm, this represents less than 10% of the floorspace of building which has an existing floor area of approximately 775sqm. Due to its size this is considered to be ancillary to the main use of the building. In any event this showroom will be restricted by condition for use by trade customers only and is not permitted for general visitors and members of the public (see Condition.No.8).
2. It has been confirmed that the day-to-day activities on site involves cutting and assembly of pre-manufactured wood, for kitchen furniture production. A wood burner is required on site to extract fine dust from wood cuttings and an internally located spray booth is used to absorb smells. This plant has already been installed on site.
3. Officer's consider that the type of operation here will include a mixture of B2 and B8 processes, with ancillary office space and ancillary showroom, and that it is not appropriate to describe the use as B1(c) light industrial, which the applicants had done initially when submitting their application. In any event, in policy terms this is an appropriate, policy compliant use within designated Strategic Industrial Land, it will bring back into use a vacant building, and will provide an economic benefit to the area.

Size, scale & design of extension:-

4. The ground floor infill extension has been omitted from the revised proposal now and it is proposed to maintain a loading bay in this area (with roller shutter access). On the first floor it is proposed to extend the front building across, eastwards. The additional floor space at first floor level will provide additional, ancillary office space.
5. The extensions are proposed to support the use of the building, and materials to be used will match those found on the existing building and the visual impact of the proposed extension is acceptable.

Transportation impacts:-

6. Officer's from Highways and Transport Delivery were initially concerned about the implications of the ground floor infill extension (now omitted). As discussed above in the 'consultation' section concerns were initially raised on servicing grounds, and to the vehicle access arrangements. In response to these concerns the infill extension has since been removed from the plans, this enables an 8m long servicing vehicle to stand.
7. The scheme as amended now addresses each of the concerns raised, how this has been achieved is briefly set out below:-
 - An 8m deep loading/servicing bay is to be maintained on the frontage. This will comply with UDP standard PS19.
 - The front parking layout is to be improved by formalising the layout, four parking spaces are proposed. The maximum standard, when applying standard PS6, is for five parking spaces. However Transportation will accept 75% of this standard being provided off-street, and they have confirmed this level of parking to be acceptable.

- The existing vehicle crossover is excessively wide at 8.5m. The applicant has agreed to reduce the crossover width in accordance with drg 02C and this is welcomed by Transportation. This should also prevent vehicles from illegally crossing the footway to access spaces in the future.
- A new dwarf wall is to be erected to the eastern side of the access, along the site frontage. This will prevent vehicles from illegally crossing the footpath in the future, at the moment there is no deterrent to doing this.

Impact on surrounding area, local air quality and residential amenity:-

8. The premises are bordered either side (and to the rear) by industrial and commercial premises. The proposed extension and associated works would not impact directly on these neighbours.
9. A material consideration is the impact of this proposal on highways safety. However this matter has now been addressed to Officer's satisfaction, the revised plans proposing servicing and off-street parking have the support of Transportation Officer's.
10. Local residents and the HPBNW have objected to the proposal. Their concerns are related to traffic and parking, with concerns being raised that this use will worsen traffic conditions on Beresford Avenue, and add to the local parking congestion that exists. Their other concern is related to the impact the use and the wood burner extraction system will have on local residential amenity in terms of increased noise and pollution.
11. In response to these concerns Officer's consider that the use of the building is appropriate in planning policy terms for a site situated within designated Strategic Industrial Land, this is in compliance with Core Strategy policy CP19, and London Plan policy as such uses are directed to designated SIL. The proposed extension to the building does not trigger an increase in the parking or servicing standards either. The application instead provides the opportunity to secure improvements to the servicing arrangements, front parking layout and the vehicle access arrangements, all of which are welcomed by Transportation.
12. Objectors refer to existing parking problems locally that are associated with nearby businesses parking vehicles along Beresford Avenue. However if other businesses locally are operating in a manner that is inconsiderate this on its own is not a reason to resist this proposal. It is appropriate to assess this application on its own merits, and Officer's are satisfied that it has been demonstrated that suitable parking and servicing arrangements will be provided off-street, in accordance with adopted UDP standards.
13. As previously discussed the application has been amended since its initial submission, one of the main reasons for this is to consider the wood burner that has been installed to the rear. Further consultation has taken place giving local residents and statutory consultees the opportunity to make further representation about this element.
14. Further details of the plant have been provided and it is understood that the plant is required to extract wood dust from the various cutting machines used in the furniture manufacturing and assembly processes. This wood waste, a mixture of chipboard, MDF and solid timber then undergoes a burning process. It is submitted that the plant equipment will burn 3200kg of waste wood over the course of a typical week. The actual piece of equipment installed has been transferred from a site used by the applicant's on Athlon Road, where it was subject to regular inspections by Environmental Health for safety and compliance.
15. The site is located within an Air Quality Management Area (AQMA) and close to residential properties on the opposite side of Beresford Avenue. Accordingly the impacts of the wood burner have been assessed by Environmental Health Officer's. Since the wood burner was installed on site Environmental Health Officer's have made a number of visits to the site, the first of these was on 18/04/13. Noise Officer's have visited on a number of different occasions since, and to date have not established that a statutory nuisance has been caused, therefore they have not followed this up with any formal action. As a safeguard measure a condition is recommended by EH Officer's to restrict the hours of operation to no later than 6pm, this is recommended in light of the proximity of the site to residential properties.
16. Following the installation of the wood burner at the rear it has since been confirmed by E.H Officer's that the applicant requires an Environmental Permit to operate the wood burner. This permit is issued by Environmental Health. It has been confirmed that permit application has been duly made by the operator's, further information was requested initially but E.H Officer's now advise that on the basis of the information received and in the light of several site visits to the property to inspect the premises they are

minded to issue an Environmental Permit to operate. So a draft permit was issued on 26/06/13, whereby Environmental Health agreed to the operation of the burner on a test basis. It should be noted that any Environmental Permit that may be issued is independent of any planning permission required. But it has been agreed by E.H Officer's that the operator can operate the burner on a trial basis for now so that they can assess their ability to comply with the permit conditions and monitor any effect they may have on neighbouring amenity. The wood burner has been operating since the temporary permit was issued and since this time it is understood that Environmental Health have not received further noise, smoke or odour complaints relating to the use here. The site was visited by EH Officer's on the 30th August in order to assess compliance with the permit conditions and they found the site to be well run and largely in compliance with the draft permit conditions. Consequently they are minded to formally grant the Environmental Permit for the operation of the wood burner.

17. The Environmental Permit will contain conditions designed to ensure that any potential for air pollution is minimised. In this case E.H Officer's confirm these conditions will prohibit any smoke from the burner, place controls on the handling of sawdust and wood waste, controls on ash handling and controls on what material can be burned. In addition the permit will contain management conditions designed to ensure proper control and maintenance of the equipment. These conditions should ensure its operation does not result in pollution, harm to local air quality or residential amenity going forward.
18. As this would be classed as a 'permitted installation' the site would be the subject of regular inspections to ensure compliance with the permit conditions. Any failure to comply with the conditions of the permit are enforceable by Environmental Health. However in their experience E.H Officer's advise that the permitting regime provides a good level of continuous control over potential pollution.
19. On the basis of the above advice, and with the robust permit conditions in place it is considered that the wood burner will not be harmful to air quality or residential amenity. Environmental Health raise no concerns to it being granted permission to remain.

Summary:-

20. There is no objection in principle to extending the premises and the use proposed is acceptable in planning policy terms as the site is designated Strategic Industrial Land. Objections to the scheme have been duly considered. The revised plans which omit the ground floor 'infill' extension, in order to retain a suitably sized servicing/loading area on the frontage are considered to be acceptable and with the revised parking layout and associated alterations to the access arrangements the scheme is assessed as being acceptable on transportation grounds. The impact of the wood burner on local air quality and residential amenity have both been duly considered. E.H Officer's have carried out a number of site visits, and have advised on the operator's requirement to be granted an Environmental Permit to operate the plant equipment. It is also confirmed that as a 'permitted installation' then any such permit would be subject to a number of conditions to ensure that any potential for air pollution is minimised. With this safeguard in place then the use of this plant equipment can be supported.
21. On balance it is considered that the operation will not result in undue harm to amenity or unacceptable transport impacts and it is recommended that planning permission be granted, subject to the attached conditions.

RECOMMENDATION: Grant Consent

REASON FOR GRANTING

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

National Planning Policy Framework 2012
LDF Core Strategy 2010
Brent Unitary Development Plan 2004
Central Government Guidance

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

Built Environment: in terms of the protection and enhancement of the environment

Employment: in terms of maintaining and sustaining a range of employment opportunities
Transport: in terms of sustainability, safety and servicing needs

CONDITIONS/REASONS:

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

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

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

Dwg 01A
Dwg 02C (dated Nov 2013)
Dwg 03A (dated April 2013)
Dwg 04A (dated Nov 2013)

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

- (3) All new external work shall be carried out in materials that match, in colour, texture and design detail those of the existing building.

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

- (4) The existing vehicle access shall be altered in width fully in accordance with the details hereby approved, as shown on drawing 02C (dated Nov 2013), and such works shall be fully completed within 3 months of the date of decision.

Reason: In the interests of the general amenities of the locality and the free flow of traffic and general conditions of the highway safety on the neighbouring highway.

- (5) The front forecourt area shown on the approved plans shall be retained and shall be used only for the purposes of parking and loading/unloading in association with the approved use of the building.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic or the conditions of general safety along the neighbouring highways and to maintain specified servicing area.

- (6) (a) Details including loading bays and accesses
All parking spaces, loading bays, access works and front boundary dwarf wall works shall be constructed and permanently marked out no later than 3 months from the date of decision.

(B) Parking spaces 2.4m x 4.8m

All parking spaces shall be laid out with minimum dimensions 2.4m x 4.8m.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic or the conditions of general safety within the site and along the neighbouring highway.

- (7) The office floorspace hereby approved shall be used only in conjunction with and ancillary to the main approved use of the building and for no other purpose.

Reason: To ensure that no separate use commences without the prior approval of the Local Planning Authority and to ensure that any subsequent use complies with the Council's adopted policies for the area.

- (8) The showroom floorspace shall be used/visited by trade customers only, and not by visiting members of the public for general retail sales, and shall not be separately occupied from the main premises, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the building is not occupied by a stand alone A1 retail use in Strategic Industrial Land and an out of centre location, in accordance with policies EMP8 and SH5 of Brent's Unitary Development Plan 2004.

- (9) The operation of plant and site equipment generating noise audible at the site boundaries shall only be carried out between the hours of 0800 - 1800 (Mon-Fri), 0800-1300 Saturday's and at no time on Sundays or Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

Reason; To protect the amenity of nearby neighbouring residents.

- (10) (a)Details of adequate arrangements for the storage and disposal of refuse and recyclable material shall be submitted within 1 month of the date of decision for approval, and implemented fully within 2 months of the date of approval in writing of the Local Planning Authority.

(b)Details of the provision of a minimum of 3 secure cycle parking spaces shall be submitted within 1 month of the date of decision for approval, and implemented fully within 2 months of the date of approval in writing of the Local Planning Authority and these facilities shall be fully retained thereafter.

Reason: To ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties and to ensure satisfactory facilities for cyclists

INFORMATIVES:

- (1) If the development is carried out it will be necessary for alterations to be made to the existing crossing over the public highway by the Council as Highway Authority. This will be done at the applicant's expense in accordance with Section 184 of the Highways Act 1980. Should an application for such works should be made to the Council's Safer Streets Department, Brent House, 349 High Road Wembley Middx. HA9 6BZ Tel 020 8937 5050. The grant of planning permission, whether by the Local Planning Authority or on appeal, does not indicate that consent will be given under the Highways Act.
- (2) Prior consent may be required under the Town and Country Planning (Control of Advertisements) Regulations 1990 for the erection or alteration of any
- (a) illuminated fascia signs
 - (b) projecting box signs
 - (c) advertising signs
 - (d) hoardings

Any person wishing to inspect the above papers should contact Gary Murphy, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5227

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Planning Committee Map

Site address: 1-90 INC, BARONS COURT, Church Lane, London, NW9 8AD

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This map is indicative only.

RECEIVED: 23 August, 2013

WARD: Fryent

PLANNING AREA: Kingsbury & Kenton Consultative Forum

LOCATION: 1-90 INC, BARONS COURT, Church Lane, London, NW9 8AD

PROPOSAL: Erection of 1 additional floor to each of the existing three storey residential blocks at 1-90 Barons Court to create 26 additional residential units (10 x one-bed, 8 x two-bed, 8 x three-bed), 34 additional car parking spaces and associated landscaping

APPLICANT: Brickfield Properties Ltd

CONTACT: Jones Lang LaSalle

PLAN NO'S:
See Condition 2.

RECOMMENDATION

To:

- (a) Resolve to Grant Planning Permission, subject to an appropriate form of Agreement in order to secure the measures set out in the Section 106 Details section of this report , or
- (b) If within a reasonable period the applicant fails to enter into an appropriate agreement in order to meet the policies of the Unitary Development Plan, Core Strategy and Section 106 Planning Obligations Supplementary Planning Document, to delegate authority to the Head of Area Planning, or other duly authorised person, to refuse planning permission

SECTION 106 DETAILS

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

- Payment of the Council's legal and other professional costs in (1) preparing and completing the agreement and (2) monitoring and enforcing its performance
- Affordable Housing Contribution:

(a) Following an independent review of the submitted Financial Viability Assessment, an appropriate commuted sum to be agreed towards offsite affordable housing provision to be delivered elsewhere in the borough and paid within an agreed timeframe. If an appropriate sum is not agreed, clause (b) applies as follows:

(b) Prior to occupation of the development, a Financial Viability Assessment shall be submitted on an open book basis, with appropriate evidence of actual build costs, payments and sales values, including certified build cost tender returns and RICS valuations and the provision of a commuted sum, as appropriate, determined through the assessment for offsite affordable housing provision to be delivered elsewhere in the borough and paid within an agreed timeframe.

- Sustainability - Submission and compliance with the council Sustainability Checklist ensuring a minimum of 50% score is achieved. Compliance with Code for Sustainable Homes Code Level 3, carbon reduction of 25% improvement on 2010 Building Regulation and adherence to the Demolition Protocol (with compensation should it not be delivered
- Join and adhere to the Considerate Contractors Scheme

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

EXISTING

The existing 1.075 hectare site is located on Church Lane, NW9, and comprises 3 x 3 storey U-shaped residential blocks of flats containing 90 existing residential units (54 x 2 bedroom units and 36 x 3 bedroom units). The residential blocks are sited within landscaped grounds providing 4,230sqm amenity space, off-street parking, redundant pram stores and bin stores to the rear of the site. The 3 blocks are served by two access points at either end of the frontage onto Church Lane. .

The U-shaped blocks lie in a north-to-south chain, and the site contains considerable mature landscaping including trees to the front and rear with hedges between the eastern boundary of the site and Church Lane. The northern-most block, is located 5m from the northern boundary; the neighbouring property (no. 442) is single storey. Adjoining that is a two storey terraced building comprising a shop with residential accommodation above. Beyond this to the north east lies the rear gardens and rear elevations of 2-10 Burgess Avenue.

The eastern boundary adjoins Kingsbury Green public open space (defined as such with the UDP) and the southern boundary abuts a wide access path to this open space, with the two-storey Pupil Referral Unit (PRU) beyond.

The site is located on a London Distributor Road with access to three bus routes. It lies within a Controlled Parking Zone and has a low public transport accessibility level (PTAL Level 2).

PROPOSAL

The application is for the erection of 1 additional floor to each of the existing three storey residential blocks at 1-90 Barons Court to create 26 additional residential units (10 x one-bed, 8 x two-bed, 8 x three-bed), 34 additional car parking spaces and associated landscaping.

HISTORY

96/0831 - Replacement UPVC windows – Granted, 13/08/1996

10162F 9119 - Erection of garages, pram store and access road – Granted, 17/05/1962

POLICY CONSIDERATIONS

National policy considerations

The NPPF, adopted in March 2012, sets out a “presumption in favour of sustainable development ” including the economic, social and environmental impacts of new development.

The relevant objectives within the NPPF are to:

Promote high quality design

Deliver a wide choice of quality homes

Protect and deliver social, recreational and cultural facilities and services

Promote sustainable travel

Ensuring inappropriate development in areas at risk of flooding are avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere

Regional policy considerations

The London Plan, adopted 2011, is legally part of the development plan for the 33 London boroughs of Greater London; their local development documents are required to be in general conformity with it, including any Supplementary Planning Guidance.

Relevant policies include:

Social Infrastructure

3.16 Protection and Enhancement of Social Infrastructure

London's Response to Climate Change

- 5.1 Climate change mitigation
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.7 Renewable Energy
- 5.8 Innovative energy technologies
- 5.9 Overheating and cooling
- 5.10 Urban Greening
- 5.11 Green roofs and development site environs
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage

London's Transport

- 6.1 Strategic approach
- 6.3 Assessing effects of development on transport capacity
- 6.7 Better streets and surface transport
- 6.9 Cycling
- 6.10 Walking
- 6.13 Parking
- 6.14 Freight

London's living places and spaces

- 3.11 Affordable Housing Targets
- 7.2 An inclusive environment
- 7.3 Designing out crime
- 7.4 Local Character
- 7.5 Public realm
- 7.6 Architecture
- 7.8 Heritage assets and archaeology
- 7.14 Improving air quality
- 7.15 Reducing noise and enhancing soundscapes
- 7.19 Biodiversity and access to nature
- 7.21 Trees and woodlands

London Plan SPG

The Mayor's Transport Strategy (May 2010)
 Sustainable Design and Construction – Supplementary Planning Guidance (2006)
 Accessible London: achieving an inclusive environment (April 2004)
 Planning for Equality and Diversity in London (October 2007)
 The Mayor's Housing Design Guide (November 2012)

Relevant Supplementary Planning Guidance

Local policy considerations

The local development plan for the purposes of S54A of the Town and Country Planning Act is the Brent Unitary Development Plan 2004 and the Brent Core Strategy 2010.

Further details of these policies are considered below.

Brent Core Strategy 2010

The following spatial policies are considered relevant to this application:

CP 1 Spatial development strategy

This sets out the spatial strategy, outlining where growth is to be focused.

CP2 Population and Housing Growth

Sets out the mix and level of affordable housing for the borough as well as the overall housing target.

CP 5 Place making

Sets out requirements for place making when major development schemes are considered

CP 6 Design & density in place shaping

Sets out the requirements for appropriate design and density levels for development

CP 15 Infrastructure to support development

Requires that the infrastructure requirements of new development are met

CP18 Protection and enhancement of Open Space, Sports & Biodiversity

Protects all open space from inappropriate development. Promotes enhancements to open space, sports and biodiversity, particularly in areas of deficiency and where additional pressure on open space will be created

CP 19 Brent strategic climate mitigation and adaptation measures

Highlights the need for new development to embody or contribute to climate mitigation objectives, especially in growth areas

Brent Unitary Development Plan 2004

Strategic

STR3 In the interests of achieving sustainable development (including protecting greenfield sites), development of previously developed urban land will be maximised (including from conversions and changes of use).

STR5 Reduces the need to travel, especially by car.

STR6 Parking controls

STR12 Planning decisions should protect public health and safety and in particular, support the achievements of targets within the National Air Quality Strategy.

STR13 Environmentally sensitive forms of development will be sought

STR14 New development should make a positive contribution to improving the quality of the urban environment

STR15 Major development should enhance the public realm

Built Environment

BE2 Townscape: Local Context & Character

BE3 Urban Structure: Space & Movement

BE4 Access for Disabled People

BE5 Urban Clarity & Safety

BE6 Public Realm: Landscape Design

BE7 Public Realm: Streetscape

BE9 Architectural Quality

BE12 Sustainable Design Principles

BE19 Telecommunications

Transport

TRN1 Planning applications will be assessed, as appropriate for their transport impact on all transport modes including walking and cycling.

TRN3 Directs a refusal where an application would cause or worsen an unacceptable environmental impact from traffic, noise, pollution it generates or if it was not easily and safely accessible to cyclists and pedestrians.

TRN4 Measures to make transport impact acceptable

TRN10 Walkable environments

TRN11 The London cycle network, schemes should comply with PS16

TRN12 Road safety and traffic management

TRN13 Traffic calming

TRN14 New highway layouts, visibility splayed and accesses to and within development should be designed to a satisfactory standard in terms of safety, function, acceptable speeds, lighting and appearance.

TRN16 The London Road Network

TRN20 London Distributor Roads

TRN22 On parking standards for non-residential developments requires that developments should provide no more parking than the levels listed for that type of development.

TRN23 Parking Standards – Residential Developments

TRN30 Coaches and taxis should be accommodated to ensure unloading or alighting does not obstruct the highway

TRN35 On transport access for disabled people and people with mobility difficulties states that development

should have sufficient access to parking areas and public transport for disabled people, and that designated parking spaces should be set aside for disabled people in compliance with levels listed in PS15.

PS12 Car parking standards – Class D1

PS15 Parking standards for disabled people

PS16 Cycle parking standards

Housing

H13 Residential Density

H22 Protection of residential amenity

Environmental Protection

EP2 Noise and Vibration

EP3 Local Air Quality Management

Brent Supplementary Planning Guidance

SPG 17 “Design Guide for New Development” Adopted October 2001

Provides comprehensive and detailed design guidance for new development within the borough.

The guidance specifically sets out advice relating to siting, landscaping, parking, design, scale, density and layout.

SPG19 “Sustainable Design, Construction & Pollution Control” Adopted April 2003

This supplementary planning guidance focuses on the principles and practice of designs that save energy, sustainable materials and recycling, saving water and controlling pollutants. It emphasises environmentally sensitive, forward-looking design, and is consistent with current government policy and industry best practice, aiming to be practicable and cost-effective.

CONSULTATION

Public Consultation

The application has been subject to widespread public consultation.

The Council consulted within a radius of 100sqm of the site and as such 315 adjoining neighbours and those residents of Baron's Court were consulted by letter on 20/09/2013 and 31/10/2013. A Site Notice was placed outside the site on 08/10/2013, and a Press Notice was placed in the local paper on 19/09/2013.

Six objections have been received on the following grounds:

Resident Comment	Officer's response to objection
The building is too old and the foundations are unsound for an extra floor and there are already issues of damp	See main report paragraphs 21 to 25
The development will reduce daylight and sunlight to habitable rooms	See main report paragraphs 4 to 25
The development would reduce the value of the flat	This is not a material planning consideration.
The development would result in an overdevelopment of the area	See main report paragraphs 4 to 25
The building would be too high	See main report paragraphs 4 to 8
Increase in pressure on on-street parking. The increase in proposed parking is not enough to meet demand.	See main report paragraphs 26 to 38
Local infrastructure will not support the increased traffic and population.	See main report paragraphs 26 to 38
A 4th floor will set a precedent in the area for other blocks of flats to be raised causing overdevelopment.	See main report paragraphs 4 to 8
The construction of the development will cause issues of noise and disturbance to	See main report paragraphs 21 to 25

Statutory Consultees

The Environment Agency

No objections subject to the inclusion of a condition relation to surface water drainage system required to be submitted prior to commencement that is in line with the Flood Risk Assessment.

Internal Consultees

Environmental Health

No objection subject to conditions being included as part of the permission in relation to noise and air quality.

Landscape

No objections subject to full hard landscaping details being provided for all surfaces secured via condition.

Tree Officer

No objection subject to works being carried out in accordance with relevant tree surveys.

Transportation

No objection subject to further details being provided on refuse collection points in consideration that the northern vehicular access does not allow for adequate turning points for refuse vehicles.

Streetcare

No objections subject to provision of street side collection point for refuse collection.

Design

No objection raised subject to submission of materials for main building provided that appropriately match the existing building.

REMARKS

1. Main Considerations

2. It is considered that the main planning consideration in relation to the determination of the application are:-

- Density, design, scale and massing;
- Proposed residential mix and tenure;
- Quality of residential accommodation and amenity for future occupiers;
- Impact on the amenities of existing adjoining residents, including development process;
- Vehicular and cycle parking standards;
- Vehicular, emergency and refuse access;
- Sustainability and renewable energy;
- Trees and landscaping;
- Flood risk;
- Community Infrastructure Levy and Legal Agreement.

3. The application should be determined in accordance with the development plan and any other material planning considerations as set out in this report.

4. Density, design, scale and massing

5. The proposed development will provide an additional 102 habitable rooms thus the density of the development would be just over 380 hrh/ha when taking into account the existing number of habitable rooms. The site is considered to be located in an urban location with low access to public transport (PTAL 2); it thus

meets the density guidance within the London Plan, which is 150-450hrh for such a location.

6. With regard to scale and massing, guidance contained in SPG17 states that in general the building envelope should be set below a line of 30 degrees from the nearest rear habitable room window of the adjoining existing property measured from a height of 2m which in this case are Nos. 2 and 4 Burgess Avenue at a distance of over 25m away, and thus this general requirement is comfortably complied with. It is also set out in SPG17 that where proposed development adjoins private amenity/garden areas, the height of new development should normally be set below a line of 45 degrees at the garden edge, measured from a height of 2m. The additional floor will add an overall maximum height of 4.2m to the existing building thus allowing for an overall maximum height of 12.95m to each block. The nearest existing gardens, also to Nos. 2 and 4 Burgess Avenue, are just over 10m away from the corner of the northern-most block 1 and the development complies with this guidance.

7. It is noted that there are no residential properties to the east, and in consideration of the set back from the road of over 10m with residential and mixed uses the other side of Church Lane, the proposed extension will not have any significant impact on properties to the west in terms of scale and massing. To the south, the nearest habitable rooms and gardens are over 35m away and thus the proposed density, scale and massing is acceptable and meets SPG17. Whilst it is noted these SPG17 guidance lines are not met in terms of the relationship in between the 3 x U-shaped blocks, given that the extension is sited atop an existing building with the same internal relationship, an additional floor is considered acceptable.

8. The application proposes an additional floor on each of the existing blocks and the design, fenestration and materials of the existing building will be replicated. The applicant proposes a sympathetically designed extension which follows closely the attractive aesthetic of the original building. Whilst in some cases a set back for the additional storey is requested to provide subservience, in this case it is considered that the resultant buildings at 4 storeys will sit comfortably in the street scene and a successful development will be achieved without requiring a set back.

9. Proposed residential mix and tenure

10. The proposed development seeks to provide 10 x one-bed, 8 x two-bed, 8 x three-bed units for private rent and/ or sale. The residential mix thus fully complies with Brent's Core Strategy policy CP2 to provide a minimum of 25% family housing.

11. Affordable housing is expected to be provided for developments over 10 units. No affordable housing is proposed and the justification for this is that the development would not otherwise be viable. This justification has been supported by a submitted Affordable Housing Viability Assessment.

12. It is generally acknowledged that a minimum profit margin of 20% is required to enable to procure finance for residential development, and whilst the council's policy position in relation to affordable housing provision is to seek 50%, this is dependent on viability and is sought borough wide and is applied to specific development only where viability allows.

13. The Affordable Housing Viability Assessment submitted with the planning application proposes zero affordable housing.

14. The Council has appointed external consultants to assess the viability of the scheme to ascertain whether some affordable housing may be deliverable through a S106 commuted sum to the Council. It is noted that the build costs for the proposed development appear to be fairly high, and the consultants have been requested to report on the accuracy of the build costs and independently assess the overall viability of the scheme. As such, it is intended to secure the following through the S106 agreement:

(a) Following an independent review of the submitted Financial Viability Assessment, an appropriate commuted sum to be agreed towards offsite affordable housing provision to be delivered elsewhere in the borough and paid within an agreed timeframe. If an appropriate sum is not agreed, clause (b) applies as follows:

(b) Prior to occupation of the development, a Financial Viability Assessment shall be submitted on an open book basis, with appropriate evidence of actual build costs, payments and sales values, including certified build cost tender returns and RICS valuations and the provision of a commuted sum, as appropriate, determined through the assessment for offsite affordable housing provision to be delivered elsewhere in the borough and paid within an agreed timeframe.

15. Quality of residential accommodation and amenity for future occupiers

16. The proposed residential accommodation will be provided in the form of 26 self-contained flats, 8 flats above Blocks 1 and 2 and 10 flats above Block 3. The existing stair core locations will be used for access and existing external fire escape extended to the upper floor.

17. All of the proposed units will meet London Plan floorspace standards. Whilst it is noted that there will be habitable rooms facing each other within the development at 6m separation, it is noted that as this relationship already exists within the current flats. All units have dual aspect and receive generally good light and outlook.

18. The schedule of accommodation and proposed units are outlined below:

Unit Type	N o units	Total unit Size/ London Plan m i n i m u m requirement (sqm)	Amenity Space/ Minimum SPG17 requirement (sqm)
1 bed 2person 50sqm	6	50 (50)	20sqm
1bed 2person 53sqm	2	53 (50)	20sqm
1bed 2person 54sqm	1	54 (50)	20sqm
1bed 2person 55sqm	1	55 (50)	20sqm
2bed 3person 61sqm	2	61 (61)	20sqm
2bed 3person 62sqm	2	62 (61)	20sqm
2bed 3person 63sqm	2	63 (61)	20sqm
2bed 3person 71sqm	2	71 (61)	20sqm
3bed 5person 88sqm	4	88 (86)	50sqm
3bed 5person 92sqm	4	92 (86)	50sqm

19. The existing typical floorplan layouts for each block provided by the applicant shows that as existing the site contains 84 flats, 27 of which are family units. The existing amenity space requirement is thus 2,570sqm, and when considering the proposed units the total amount of required amenity space is 3,294 sqm. The existing site has 4,230sqm of amenity space however this will be reduced to accommodate additional parking and servicing.

20. Notwithstanding this, is noted that the development still meets the requirements of SPG17 for the amount of amenity space to be provided per unit, delivering a total amenity space of 4,060sqm, and is acceptable.

21. Impact on adjoining residential amenity including development process

22. The development follows the same footprint of the existing three U-shaped blocks with an additional 4th floor. In consideration that the development does not further encroach towards any existing residential development outside the site, and given that any directly facing habitable rooms outside of the site are more than 25m away, the development is considered to have an acceptable impact on amenity on those residential properties outside the site.

23. Turning to the impact of the residential amenities of the existing residents of Baron's Court, it is noted that the U-shaped block extensions facing inwards to the central areas would not have any adverse impact on amenity in consideration of the distance between each wing of more than 35m.

24. As noted previously there are some existing habitable room windows within the flank walls between each block that have a separation of 6m. Only one of these rooms, a second bedroom to each flat, are single aspect and face towards the neighbouring block (there are single aspect kitchens on these elevations, however they are too small to be considered habitable rooms and the receptions in these elevations are dual aspect). Whilst the expectation would be that development with habitable rooms in such close proximity would not normally be approved, the situation is unique in that the existing development is one that relies on light penetrating between the blocks east-west to provide light to these rooms rather than north-south given the existing close relationship and scale of each block. It is noted that the increase in height and provision of the external access balcony will further reduce the level of light however it is not considered that the level of harm would be so significant to warrant refusal.

25. Whilst officers recognise that during the construction process there may be some disruption to existing

and neighbouring residents, this would not be reason to refuse planning permission. However, it is noted that a Construction Method Statement will be provided as required by Environmental Health within the planning conditions which will seek to reduce impacts to neighbouring amenity, as will the condition required by Environmental Health for a minimum level of sound insulation to be provided between the existing and proposed development. For these reasons, the development is considered to have an acceptable impact on amenity.

26. Vehicular and cycle parking

27. The site has fairly low public transport accessibility with a PTAL rating of level 2. There are 3 bus routes available locally but there are no rail or tube stations within walking distance. Maximum car parking spaces should thus be provided, as set out within the PS14 Residential Parking Standards.

28. Current parking spaces are located behind the block of flats accessed via the vehicular entrance in front of the site on Church Lane. There are signs on the private road in front of the flats which state there is no parking or loading and unloading in this area.

29. The site currently has 42 parking spaces which do not satisfy demand for the existing flats, whereby a minimum of 91 spaces should be provided in accordance with Policy PS14 of the Unitary Development Plan. However, a shortfall of parking is not required to be made up for this application.

30. Policy PS14 of the UDP has the following maximum parking requirements: 1 bed: 1 parking space, 2 beds: 1.2 parking spaces, 3 beds: 1.6 parking spaces. Therefore a total maximum allowance of 32.4 additional parking spaces is applicable for this site.

31. The applicant has proposed a total of 70 parking spaces for this site which includes the existing 42 spaces, therefore an additional 26 spaces have been provided which meets parking demand for the proposed new flats.

32. A total of 8 disabled parking spaces have been proposed with 2 spaces in front of each block and 2 spaces within the car park at the rear of the site. Although this exceeds the requirements set out in Policy PS15 it is acceptable as it provides disabled parking for the existing flats which currently do not have this provision.

33. A total of 72 cycle parking spaces have been proposed and the storage units will be located at the rear of the site within both car parks south east and north east corners to the rear. Planning policy requires that 1 cycle space should be provided per unit to comply with Policy PS16; a total of 72 cycle spaces does exceed the requirement for the proposed 26 flats however this has been welcomed by the council's Transportation department as it provides cycle spaces for the existing flats which currently do not have cycle parking.

34. Vehicular, emergency and refuse access

35. Both vehicular crossovers are wider than 4.1m and are therefore sufficient for two way traffic movement in and out of the site. The vehicular access between blocks 2 and 3, leading to the car park, does have a pinch point which will lead to single lane traffic however this is not considered to affect the public highway. Garages north east of the site will also be demolished to create new parking spaces. The vehicular access road leading to the parking, adjacent to block 1, will also be single lane traffic however it will be signal controlled.

36. Bin storage is located at the rear of the flats along with the cycle parking in 3 separate locations. The Transport Statement does state that the refuse and recycling will be transferred to a collection point by the caretaker prior to collection time however, it does not state where this collection point will be.

37. The bin storage in the south east car park does meet the turning circle requirements for a hammerhead t-form however, the bin storage in the north east car park does not meet requirements of a turning circle for a refuse vehicle and will be too narrow for refuse vehicle to turn.

38. The applicant has indicated that for the north east bin storage, the existing management arrangement would be continued with bins relocated by the caretaker during collection day. This is shown on the revised site layout plan to be to the rear of the site in the north east car park and along the frontage. It is considered that this arrangement is acceptable.

39. Sustainability and renewable energy

40. Major applications outside Growth Areas are required to meet Code for Sustainable Homes (CSH) Level 3 and a minimum of 50% on the Council's Sustainability Checklist is also sought. At the time of submission for the application, an improvement of 25% over Target Emission Rate of Part L of 2010 Building Regulations was required, as set out by London Plan policies 5.1 and 5.2.

41. A Sustainability Statement has been submitted which shows compliancy with meeting Code Level 3 and an improvement of 25% of TER of Part L of the 2010 Building Regulations through the use of energy efficiency measures and photovoltaics.

42. It is normally expected that a minimum of 50% on the council's Sustainability Checklist is achieved, however in consideration that this development is an extension to an existing block, which seeks to replicate the design of the existing, there is some difficulty in reaching 50%. It is thus considered that appropriate justification has been provided that a score of 41% is secured through the S106 agreement.

43. Concern has been raised by the Environmental Health of the level of projected NOx emissions from the boilers and further details will be required by condition.

44. Trees and landscaping

45. The original landscaping plan proposed a loss of trees without their adequate replacement. A revised Landscaping Masterplan, Arboricultural Survey and Arboricultural Method Statement has been submitted during the course of the application which has met the concerns of the Council's Tree and Landscape Officers and it is noted suitable replacement trees will be provided to compensate for the loss of some existing trees and soft landscaping. It is noted that there are 51 trees/ tree groups on site as existing, 10 of which are B Category (moderate quality); 27 are C Category (Low quality) and 4 of which are C/u (low quality/unsuitable for retention). It is proposed that one B category tree is to be removed alongside four C category trees and one category C/u tree. The number of proposed trees significantly outweighs the loss of these six trees, with 36 replacements provided.

46. The hedge to the front of the site will be maintained as existing as will the soft landscaping surrounding the site with enhancements. A condition will be included to ensure that the Arboricultural Survey and Method Statement are complied with.

47. Flood risk

48. Flood Risk Assessments are required for all development sites within Flood Risk Zone 1 where they are larger than 1 hectare. A Flood Risk Assessment has been submitted with this application and the Environment Agency have been consulted, who accept the approach taken subject to ensuring that there is no increased runoff and details of permeable surfacing are provided, including water storage runoff facilities.

49. This will be considered prior to construction and a condition has been included to ensure this is complied with.

50. Community Infrastructure Levy and Legal Agreement

51. The following table provides a summary of the development schedule for the proposed scheme:

Use	Existing (sqm GIA)	Floorspace Proposed (sqm GIA)	Floor Space Net (sqm GIA)	Difference
Residential (C3) Use	6012	8016	+2004	

52. If approved, the application would attract a liability for both Brent and Mayoral Community Infrastructure Levy (CIL).

53. Based on the above floor areas the Brent CIL liability is estimated as £409,786.55.

54. In terms of Mayoral CIL this would be chargeable on the whole development. Based on the above floor the Mayoral CIL liability is estimated as £71,712.65.

55. Conclusion

56. Overall, for the reasons set out above it is considered that the proposal would comply with Brent's Statutory Adopted Planning Policy subject to condition and resolution of affordable housing issues.

RECOMMENDATION: Grant Consent subject to Legal agreement

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

Brent Unitary Development Plan 2004
Central Government Guidance
Council's Supplementary Planning Guidance

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

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

CONDITIONS/REASONS:

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

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

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

Existing Plans and Elevations:

(EX)00; (EX)01 Revision 1; (EX)02; (EX)11; (EX)12; (EX)13; (EX)14; (EX)15; (EX)16; (EX)17; (EX)18; (EX)20; (EX)21; (EX)22; (EX)23; (EX)24; (EX)25

Proposed Plans and Elevations:

(PL)01 Rev 03; (PL)13; (PL)14; (PL)15; (PL)16; (PL)17; (PL)18; (PL)20; (PL)21; (PL)22; (PL)23; (PL)24; (PL)26; "Block 3 - Proposed Elevations"; (PL)01 Rev 02 "Bin Store Collection Point";

Supporting Documents:

Design And Access Statement dated August 2013 Revision 0;
Planning and Noise Assessment Ref. 102446.ph Issue2 dated July 2013;
Arboricultural Method Statement Ref. JLL/BCT/AMS/01B dated 27th October 2013;
Arboricultural Survey Report Ref. JLL/BCT/AIA/01B dated 27th October 2013;
Landscape Plan (Sheet 1) dated August 2013;
Landscape Plan (Sheet 2) dated August 2013;
Flood Risk Assessment by Hurst Peirce and Malcolm LLP Revision 1 dated 23rd September 2013;
Flood Risk Assessment by Hurst Peirce and Malcolm LLP (Revision 2 - Updated) dated 26th September 2013;
Energy Strategy by Metropolis Green dated 05/072013;
Planning Statement by Jones Land Lasalle dated August 2013;
Transport Statement by TTP Consulting dated July 2013;

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

- (3) All alterations to the rear courtyard, including the laying out of the parking spaces, shall be constructed and permanently marked out prior to occupation of any part of the approved development. Such works shall be carried out in full accordance with the approved plans and retained thereafter, unless the Local Planning Authority first gives written consent to any variation.

Reason: In the interests of the amenity of existing and future occupants.

- (4) A detailed surface water drainage scheme which is in accordance with the approved Flood Risk Assessment (FRA) shall be submitted to and approved in writing by the local planning authority prior to commencement of works, and shall include a restriction in run-off and surface water storage on site as outlined in the Flood Risk Assessment. If it is found on further investigation that infiltration methods cannot be implemented, permeable paving shall be used in conjunction with attenuation tanks as a minimum to ensure sustainable drainage techniques are used on site. The scheme shall subsequently be implemented in accordance with the approved details prior to completion of the development.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity.

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

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

- (6) Prior to commencement of development, detailed drawings at a scale of 1:20 shall be submitted to and approved in writing by the Local Planning Authority to provide further detail of the fenestration and relationship of the extension to the existing building. The development shall be carried out and completed in accordance with the details so approved.

Reason: To ensure a design of development which is in keeping with the character of the existing building.

- (7) Prior to commencement of works, further details of the proposed bin store including materials samples shall be submitted to and approved in writing by the Local Planning Authority. Such details shall demonstrate compliance with the recently adopted Household Waste Collection Strategy 2010-2014 in respect of refuse provision. The development shall be carried out and completed in accordance with the details so approved prior to occupation of the extension, and thereafter retained and maintained unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory appearance and adequate standards of hygiene and refuse collection.

- (8) Further to the submitted details of landscaping treatment, the following shall be submitted to and approved in writing prior to commencement of development:
- (i) details of hard landscape works and to include details of permeable paving;
 - (ii) schedule of upgrading works to the existing blocks, including re-painting of render and repairs to the exterior brickwork where relevant;
 - (iii) details of repairs and improvements to all boundary walls;
 - (iv) details of the proposed arrangements for the maintenance of the landscape works;
 - (v) lighting proposed in the development.

All approved landscaping and upgrade works shall be completed in full accordance with the

approved details prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority.

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

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

- (9) The tree protection measures shall be implemented in full accordance with the approved Arboricultural Method Statement Ref. JLL/BCT/AMS/01B dated 27th October 2013 and the Arboricultural Survey Report Ref. JLL/BCT/AIA/01B dated 27th October 2013; and in accordance with BS 5837:2012.

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

Reason: To ensure the maintenance and protection of existing trees on adjacent land

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

Time	Area	Maximum Noise Levels
Daytime Noise 07:00 – 23:00	Living rooms	35 dB LAeq (16hr)
Night time noise 23:00 – 07:00	Bedrooms	30 dB LAeq (8hr) 45 dB L _{Amax}

A test shall be carried out to show that the required internal noise levels have been met and the results submitted to and approved in writing by the Local Planning Authority prior to occupation. The development shall not be occupied until such levels are achieved.

Reason: To obtain required sound insulation and prevent noise nuisance

- (11) Prior to occupation of the development details of all domestic boilers installed shall be submitted to and approved in writing by the local planning authority demonstrating that the rated emissions of Oxides of Nitrogen (NO_x) do not exceed 40 mg/kWh. The works shall be carried out in accordance with the approved details.

Reason: To protect local air quality, in accordance with Brent Policy EP3

- (12) Prior to the commencement of the development a Construction Method Statement shall be submitted to and agreed in writing by the Local Planning Authority outlining measures that will be taken to control dust, noise and other environmental impacts of the development. The Statement will also details how works will be carried out to minimise disruption to the existing residents. The development shall be carried out in full accordance with the approved Statement.

Reason: To safeguard the amenity of the neighbours by minimising impacts of the

development that would otherwise give rise to nuisance.

INFORMATIVES:

- (1) 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

Any person wishing to inspect the above papers should contact Laura Jenkinson, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5276

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Committee Report Planning Committee on 11 December, 2013

Item No.

Case No.

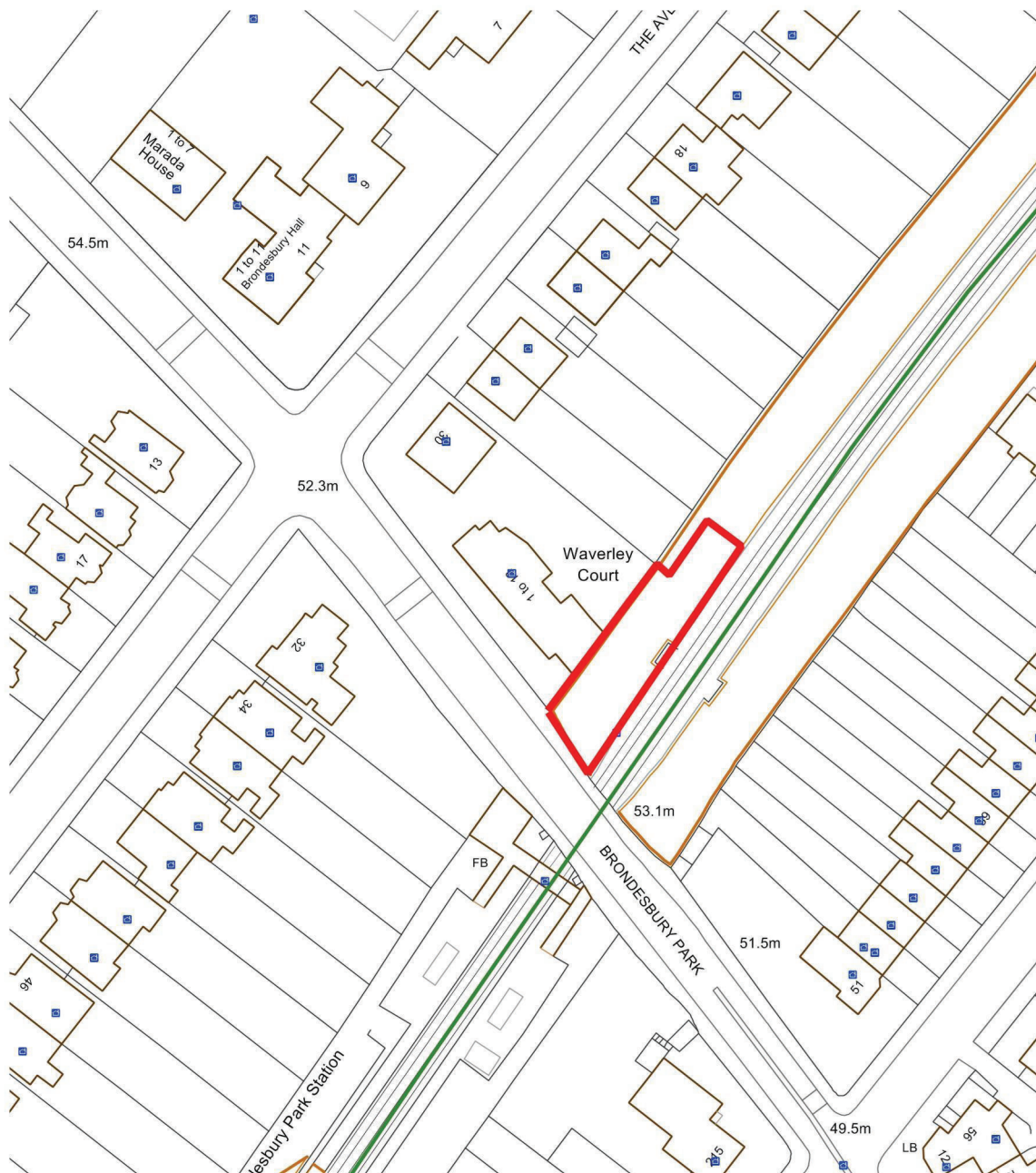
13/1773



Planning Committee Map

Site address: Land next to Waverley Court, Brondesbury Park, Kilburn, London

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This map is indicative only.

RECEIVED: 25 June, 2013

WARD: Brondesbury Park

PLANNING AREA: Kilburn & Kensal Consultative Forum

LOCATION: Land next to Waverley Court, Brondesbury Park, Kilburn, London

PROPOSAL: Erection of a 6 storey building comprising 5 flats (1 x 3 bedroom and 4 x 2 bedroom) with associated landscaping and car-parking

APPLICANT: Ms Judith Taylor

CONTACT: ROH Architects

PLAN NO'S:

L1000
P101 RevB
P102 RevA
P103
P104 RevB
P105
P106
P107
P108

MEMBERS CALL-IN PROCEDURE

In accordance with Part 5 of the Constitution and Section 10 of the Planning Code of Practice, the following information has been disclosed in relation to requests made by Councillors for applications to be considered by the Planning Committee rather than under Delegated Powers

Name of Councillor

Councillor Mary Arnold

Date and Reason for Request

20th September 2013

I wish to call in this application as there are local concerns about this site which has been an eyesore for some time.

I understand there is a problem about timing and about a previous application which seems unsuitable to tackle the issues on the site

Details of any representations received

Yes, Queen's Park residents

Name of Councillor

Councillor James Denselow

Date and Reason for Request

25th September 2013

Problem about timing and about a previous application which seems unsuitable to tackle the issues on the site.

Details of any representations received

Only discussions with fellow Cllrs

Name of Councillor

Councillor Michael Adeyeye

Date and Reason for Request

25th September 2013

I am calling in this application because this site has been an eyesore for some time.

The timing and issues about a previous application need clarification.

Details of any representations received

Yes, local resident in Queen's Park

RECOMMENDATION

Refusal

EXISTING

The site is an area of open land, 513sqm in size, located, and accessed from, the north-eastern side of Brondesbury Park, opposite Brondesbury Park overground station. To the north-west the site sits adjacent to Waverley Court a four-storey residential block of flats, to the south-east the site is bound by the railway line and to the north-east the site is bound by the railway embankment.

The subject site is located wholly within a Site of Borough (Grade 1) Nature Conservation Importance and wildlife corridor as designated on the Core Strategy proposals map. These sites are also referred to as Sites of Importance for Nature Conservation (SINC).

PROPOSAL

As above.

HISTORY

On 22nd October 1998, planning permission (98/1081) was granted for the erection of a new dwellinghouse on the site. This application is discussed in further detail under the remarks section of the report as it is of particular relevance to the assessment of the current application.

There are other historic planning records on the site but these are not considered less relevant to the determination of the current application.

POLICY CONSIDERATIONS

National Planning Policy Framework

The NPPF was published on 27th March 2012 and replaced Planning Policy Guidance and Planning Policy Statements with immediate effect. It is intended to make the planning system less complex and more accessible, to protect the environment and to promote sustainable growth. It includes a presumption in favour of sustainable development in both plan making and decision making.

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

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

London Plan 2011 and the Mayors Housing SPD

Core Strategy 2010

CP2 Population and Housing Growth

CP17 Protecting and Enhancing the Suburban Character of Brent

CP18	Protection & Enhancement of Open Space, Sports and Biodiversity
CP21	A Balanced Housing Stock

UDP 2004

BE2	Townscape and Local Character
BE3	Urban Structure: Space & Movement
BE5	Urban Clarity & Safety
BE6	Public Realm: Landscape Design
BE7	Public Realm
BE9	Architectural Quality
H12	Residential Quality - Layout considerations
TRN3	Environmental Impact of Traffic
TRN11	The London Cycle Network
TRN23	Parking Standards – Residential Development
TRN34	Servicing in New Development
PS14	Parking Standards
OS12	Development on SSSIs and Sites of Metropolitan and Borough (Grade 1) Nature Conservation Importance
OS14	Wildlife Corridors

Supplementary Planning Guidance Note 17: Design Guide for New Development Supplementary Planning Document: S106 Planning Obligations

SUSTAINABILITY ASSESSMENT

The proposal does not exceed the threshold that would require the submission of a formal sustainability statement or checklist.

CONSULTATION

Public Consultation

Consultation letters, dated 25th July 2013, were sent to 107 neighbouring owner/occupiers. In response 3 letters of objection have been received. In summary the objectors raised the following issues.

- The proposal will block light to and overshadow neighbouring residential properties.
- Concerns that the excavations associated with the proposal could affect the foundations of Waverley Court.
- Water collected on the roof of the proposed building could pool/spill onto the roof of Waverley Court.
- Can a 'permit-free' agreement be enforced?
- Access to and from the site, in close proximity to the railway bridge would cause highway and pedestrian safety problems.
- Advertising screens could cause glare and affect the privacy of residents (NB the advertising screens have since been removed from the proposal)

Internal Consultation

Environmental Policy & Projects Officer - Objects to the proposal on the grounds that the development would harm the nature conservation value of the SINC

Environmental Health - Recommend conditions relating to the control of noise and vibration, due to the proximity of the site to the railway line, and in relation to contaminated land investigations due to the history of fly-tipping on the site.

Transportation Unit - Require amendments to the layout and amount of off-street parking to provided and further details of the front boundary treatment, in order to assess visibility splays, before Transportation can support the application

Urban Design - Raised concerns regarding the elevations treatments, ground floor layout and proximity to the railway line.

Statutory Consultees

Network Rail - Due to the close proximity of the development to the railway line Network Rail have set out a

number of criteria that need to be adhered to in order to avoid any interference with the operation of the railway line during or after construction. In particular, it is required that the development be set away from the joint boundary by at least 2m (3m in the case of an overhead line) and that a 1.8m trespass proof fence be provided along this boundary. The building does appear to be sufficiently set back from the boundary with the railway line, details of fencing have not been provided at this stage.

Thames Water - Raise no objection subject to recommended conditions and informatives.

REMARKS

Previous permission

1. As set out in the 'history' section of this report, on the 22nd October 1998 the Council granted planning permission on the site for the erection of a single 5-bedroom dwellinghouse. This dwellinghouse has not been constructed and there are no obvious signs of any attempt to construct the building on the site. There is also no record of any of the pre-commencement conditions attached to the permission having been discharged. However, the applicant contends that works to implement the permission were commenced prior to the expiry of the application and that the permission therefore remains extant and could be completed at any time. The applicant has provided documentation, including documents relating to a Building Control application that was submitted to the Council, as evidence to demonstrate that prior to the expiry of the planning application the development was commenced in the form of excavations undertaken in order to form the foundations of the approved dwellinghouse. An opinion was sought from the Council's Legal Services as to whether, in light of the documentation submitted, it would be expedient for the Council to challenge the applicants view that the permission remained extant. Having inspected the documentation submitted, and in the absence of any further evidence to the contrary, Legal Services are of the opinion that it would be difficult for the Council to argue that the permission had not been lawfully implemented and therefore for the purposes of assessing this application Members are advised to consider the permission to be extant and as a material consideration in the determination of the application.
2. Notwithstanding the above, it should be noted that a formal decision by the Council as to whether it would now be lawful, or not, to implement the previous permission on the site can only be made should an application be submitted to the Council for a Certificate of Lawful Development for the proposed works.

Sites of Importance to Nature Conservation (SINC) and Wildlife Corridors

3. The subject site is located wholly within a designated SINC and a wildlife corridor. The Council's relevant planning policies set out in the Core Strategy and UDP seek to resist development within these areas unless it can be demonstrated that there would be no adverse affect on nature conservation. The SINC in this particular case runs along the railway between Willesden Junction and Brondesbury and provides important habitat for birds, reptiles, mammals and insects, in the form of scrub, tall herbs and scattered trees. Clearly, the development of a residential block, which would appear 6 storeys in height when viewed from the railway embankment, would have a significant and adverse impact on the nature conservation importance of the site, as important habitat would be removed and activity associated with residential occupation would intrude on, and reduce, the nature conservation value of any remaining habitat within the locality.
4. The applicant argues that as it appears there is an extant permission for the development of a dwellinghouse on the site, that this fallback position should be used as justification for the Council to consider favourably the principle of granting a further planning permission for the current proposal as the development would not cause any greater harm to the nature conservation value of the site than that which would be caused by implementing the development that has already been approved. It is therefore important to consider the differences between the approved dwellinghouse and the current scheme
5. Firstly, reviewing the Council's Planning Committee report on the approved development, it appears that at the time of the decision the site was not designated within the local plan as being within a SINC or a Wildlife corridor. The designation does appear in the Unitary Development Plan that was adopted in 2004, some 6 years after that decision. Whilst an extant planning permission is a material consideration it should be noted that s.70 of The Town & Country Planning Act 1990 sets out that *"In dealing with such an [planning] application the authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations."* As such, as well as giving weight to the extant permission, weight also needs to also be attached to the Council's current

development plan policies which appear to have changed since the previous development was approved.

6. Secondly, in this case, the scale of development has increased, both in terms of the physical envelope of the building but also in terms of the intensification of use. The front section of the proposed building would appear to be five storeys in height when viewed from Brondesbury Park, and six storeys when viewed from the railway embankment due to the provision of a lower ground level, which is significantly taller than the 2/3 storey element that was approved as part of the dwellinghouse. This element is also wider than the approved dwellinghouse, particularly as it splays towards the front to match the front building line of Waverley Court (the approved dwellinghouse was set back). Towards the rear, whilst the height of the buildings would be similar at one-storey in height, the proposed development projects further into the site and is wider than the approved dwellinghouse. The building would therefore occupy more of the site and results in a greater loss of open space and habitat. The proposed development would comprise of 5 flats as opposed to a single dwellinghouse and is therefore likely to be more intensely occupied. This would result in greater intrusion of the remaining wildlife habitat within the locality in terms of increased movement, noise disturbance and light spillage.
7. Thirdly, the applicant has argued that as part of the new development a new wildlife garden would be created and that this would be a major benefit over the approved development. However, it is noted that the conditions for the approved dwellinghouse have not yet been discharged and that this includes a condition requiring the submission of landscaping proposals for the site. As such, given the current policy context of the site the Council, if the dwellinghouse were to be implemented the condition would need to be discharged and the Council could reasonably expect the landscaping proposals for the site to respond to the nature conservation importance of the site.
8. A Wildlife and Nature Conservation assessment prepared by the applicants agent has been submitted in support of the proposal. This summarises an assessment of the nature conservation value of the site and sets out proposals for a wildlife garden on the site. This document has been inspected by the Council's Environmental Policy and Projects Officer and it is not considered that this sufficient to overcome concerns regarding the likely impact of the development on the nature conservation value of the site. Overall, Officers are of the opinion that, notwithstanding the prospect that the previous permission might be implemented, that the current proposals would have a far more adverse impact on nature conservation importance of the site than what has previously been approved.

Urban Design

9. As discussed, the scale and massing of the building are of concern in terms of their impact on the nature conservation value of the site and there are also concerns about the bulk and massing in terms of its relationship with Waverley Court.
10. The main concerns in design terms relate to the bulk, elevational detail and setting of the development. Following the removal of two large advertising hoarding's from the proposals, the rear of the building has an unpunctuated blank elevation which would accentuate the bulk of the building, and to the front the building also lacks elevational detail and fails to respond appropriately to the rhythm and proportions of the adjoining building, Waverley Court. There are particular concerns regarding the legibility and residential quality at the front of the building and its relationship with the street. The area in front of the building would comprise of a forecourt parking area, comprising of 100% hardstanding, enclosed by a high boundary wall (approximately 3m in height), which would be constructed from blue engineering brick. Whilst, the submission explains that the boundary treatment is designed to make reference to the adjoining railway bridge it is considered that this would constitute an overbearing and oppressive feature which would act as a visual barrier between the development and street harming the legibility and residential quality of the development.
11. The forecourt area would be primarily used for parking and refuse storage and there appears to be little in the way of physical separation to provide safe, designated routes for pedestrians using the site. The height of the boundary wall is of concern in terms of its effects on sight lines and could give rise to conflicts between pedestrians and vehicles using the site. The ground floor of the front elevation suffers from being dominated by undercroft parking and access to plant which, when combined with the unsympathetic treatment of the forecourt, results in an unsatisfactory and unwelcoming environment for potential residents.

Transportation

12. The subject site is located on Brondesbury Park, a busy distributor road where there is no capacity for additional on-street parking demand. As such, the development will need to provide sufficient off-street

parking to meet the demand generated. The maximum parking standard for the proposed flats would be 6.4 spaces. The Council's Transportation Unit would expect the actual demand generated to be approximately 75% of the maximum standard and therefore a minimum of 4 on-site parking spaces would need to be provided to meet the likely demand generated by the development.

13. Despite the location of the site close to Bronsdesbury overground station, the site is located in an area of moderate public transport accessibility (PTAL 3) and therefore a 'permit-free' agreement cannot be supported in this case.
14. The proposal indicates the provision of 3 spaces on the site, 2 in undercroft spaces and one on the forecourt. As discussed, above there are concerns regarding the impact of undercroft spaces on the appearance of the building, but in any case, the provision of only 3 spaces is insufficient to meet the likely demand generated by the development and this could give to additional demand for on-street parking in a location with no capacity for this to be safely accommodated. The inability to safely provide sufficient car parking in order to the adopted Council standards is further indication that the application seeks to get much development on this restricted site.
15. The Council's Transportation Unit have also raised concerns regarding the proposed boundary treatment, discussed above, in terms of its impact on visibility splays for vehicles entering and exiting the site. In terms of exiting vehicles this is of particular concern given the proximity of the access to the brow of the nearby railway bridge.

Impact on Adjoining Occupiers

16. Although the taller front element of the proposed building would be significantly taller than dwellinghouse previously approved, this additional height would sit adjacent to the flank wall of Waverley Court, which has no windows or other openings, without projecting beyond either the front or rear building lines, and therefore there would be no additional impact on occupiers of Waverley Court as a result of this additional height. Towards the rear, where the proposed building would project beyond Waverley Court, despite the increased width and depth, the height of the rear projection would be comparable to that of the approved dwellinghouse which would mean the building is set at a low level in comparison to the nearest windows to the rear of Waverley Court. Overall, it is not considered that there would be any unreasonable impact on the outlook, light or privacy of neighbouring occupiers.

Residential Quality

17. All of the residential units meet the minimum internal space standards set out in the Mayors SPD and habitable rooms with sufficient forms of outlook and daylight. The vertical stacking of units is generally appropriate. Suitable facilities for the storage of refuse/recycling and cycles is provided within the development.
18. Other than the 3-bedroom unit on the lower ground floor, which has access to a generous garden, amenity space for all other units would be provided in the form of a corner balcony with an area of 15.7sqm, which is below the guidance of 20sqm as set out in SPG 17. However, if Members were minded to grant permission it is considered that these balconies could be increased by condition to meet the minimum standard but as the submission stands this is a further indication that too much development is proposed here.
19. Overall, there are no significant concerns regarding the quality of the residential accommodation proposed.

CIL

20. If Members were minded to approve the development against the recommendation of officers it is likely, assuming that the units will be private, that the scheme would attract a Brent CIL liability of approximately £118,600 and Mayoral CIL liability of approximately £20,755.

Consideration of Objections

21. The concerns raised by the objectors are summarised and addressed below

Objection	Officers Comments
The proposal will block light to and overshadow neighbouring	Paragraph 15

residential properties.	
Concerns that the excavations associated with the proposal could affect the foundations of Waverley Court.	This is normally a matter for the Building Regulation and/or Party Wall Act
Water collected on the roof of the proposed building could pool/spill onto the roof of Waverley Court	Adequate drainage would need to be provided to comply with Building Regulations
Can a 'permit-free' agreement be enforced?	'Permit(car)-free agreements operate and are enforced on a number of other developments within the borough. However, this site is not appropriate for a permit free scheme.(para 13).
Access to and from the site, in close proximity to the railway bridge would cause highway and pedestrian safety problems.	Paragraph 14
Access to and from the site, in close proximity to the railway bridge would cause highway and pedestrian safety problems.	The applicant has amended the proposals to remove the advertising screens.

Summary

22. Officers have fundamental concerns regarding the principle of the proposed development and its impact on the nature conservation value of the site. It is not considered that the proposed development would have an equal or lesser impact on the nature conservation value of the site in comparison to the dwellinghouse which was previous approved. Furthermore, there are concerns about the design and transport impacts of the proposal which are also considered to be contrary to the relevant planning policies and guidance. As such, refusal is recommended

RECOMMENDATION: Refuse Consent

CONDITIONS/REASONS:

- (1) The proposed development, by reasons of its siting within a site of Borough (Grade I) Nature Conservation Importance and a wildlife corridor, and the conditions created by residential occupation of the site, would be detrimental to the nature conservation function of these designated areas contrary to policy CP18 of the London Borough of Brent LDF Core Strategy and saved policies OS12 and OS14 of the London Borough of Brent Unitary Development Plan 2004
- (2) The development fails to provide sufficient on-site parking provision to meet the demand likely to be generated by occupiers of the residential units, on a site adjacent to a Distributor Road and in an area where there is no capacity for further on-street parking within the local side streets which are heavily parked, without causing unreasonable harm to local highway and pedestrian safety contrary to policies TRN3, TRN23 and TRN24 of the London Borough of Brent Unitary Development Plan 2004.
- (3) The proposed development, by reason of its bulk, poor elevational detailing, lack of appropriately proportioned and sited window openings, excessive hardstanding and height and appearance of its front boundary treatment, would result in a form of development that appears oppressive and illegible, lacking in residential quality and failing to relate to the street to the detriment of the streetscene and surrounding area, contrary to saved policies BE2, BE3, BE5, BE6 and BE7 of the London Borough of Brent Unitary Development Plan 2004.
- (4) The proposed development, given the height of the front boundary treatment and forecourt

layout, which fails to provide any form of separation to prevent conflicts between pedestrians and vehicles, would fail to provide sufficient visibility for pedestrians and vehicles entering and existing the site and for other road users on Brondesbury Park, in close proximity to the brow of a railway bridge. This would result in conditions that would be prejudicial to highway and pedestrian safety and would be contrary to saved policies TRN3, TRN13, TRN20 and BE5 of the London Borough of Brent Unitary Development Plan 2004

INFORMATIVES:

None Specified

REFERENCE DOCUMENTS:

Planning application 98/1081

GIGL report for SINC

Any person wishing to inspect the above papers should contact Ben Martin, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5231

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Committee Report Planning Committee on 11 December, 2013

Item No.

06

Case No.

13/2829



Planning Committee Map

Site address: Harlesden Primary School, Acton Lane, London, NW10 8UT

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This map is indicative only.

RECEIVED: 23 September, 2013

WARD: Harlesden

PLANNING AREA: Harlesden Consultative Forum

LOCATION: Harlesden Primary School, Acton Lane, London, NW10 8UT

PROPOSAL: Erection of a 2 storey building to include nursery classrooms, assembly hall and external rooftop multi-use games area (facing Minet Avenue), single storey extension to main school, new covered walkway linking main school to new building and associated soft play landscaped areas

APPLICANT: Brent Council

CONTACT: Curl la Tourelle Architects

PLAN NO'S:
Please see condition 2

RECOMMENDATION

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

SECTION 106 DETAILS

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

- A financial contribution of £20,000 towards the highway works index-linked from the date of committee and due on Material Start.
- Sustainability – BREEAM Very Good Construction Assessment and Certificate shall be submitted prior to occupation; achieve 50% on the Brent Sustainable Development Checklist, demonstrated through submission of a Detailed Sustainability Implementation Strategy prior to construction; compliance with the ICE Demolition protocol, demonstrated by submission of an independent report detailing demolition and new build material use and recycling; and 20% on site renewable energy details to be submitted and approved, which shall be maintained throughout the lifetime of the development.
- Join and adhere to the Considerate Constructors scheme.
- Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance

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

EXISTING

The application site is currently occupied by a single form primary school and is located on the junction between Minet Avenue and Acton Lane. The site is not located within a Conservation Area, nor is any part of the property considered to be a listed feature.

PROPOSAL

See above.

HISTORY

Full planning permission (Ref No: 09/0557) for Demolition and replacement of existing reception and fence with new reception area and single storey extension of offices, demolition and replacement of store and planter with erection of new WC block and store to school was granted on 18 May 2009

POLICY CONSIDERATIONS

National

National Planning Policy Framework 2012

The NPPF was published on 27 March 2012 and replaced Planning Policy Guidance and Planning Policy Statements with immediate effect. Its intention is to make the planning system less complex and more accessible, to protect the environment and to promote sustainable growth. It includes a presumption in favour of sustainable development in both plan making and decision making and its publication.

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

The NPPF places great importance on ensuring that sufficient school places are available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement. LPA's should give great weight to the need to create, expand or alter schools.

LDF Core Strategy and UDP saved policies referred to in the report below have been considered in the assessment of the application and the recommendation is considered to comply with the NPPF.

Regional

London Plan 2011

Strategic planning in London is the shared responsibility of the Mayor of London, 32 London boroughs and the Corporation of the City of London. Under the legislation establishing the Greater London Authority (GLA), the Mayor has to produce a spatial development strategy (SDS) – which has become known as ‘the London Plan’ – and to keep it under review. Boroughs’ local development documents have to be ‘in general conformity’ with the London Plan, which is also legally part of the development plan that has to be taken into account when planning decisions are taken in any part of London unless there are planning reasons why it should not.

The plan identifies six objectives to ensure that the vision is realised:

- Objective 1: A city that meets the challenges of economic and population growth
- Objective 2: An internationally competitive and successful city
- Objective 3: A city of diverse, strong, secure and accessible neighbourhoods
- Objective 4: A city that delights the senses
- Objective 5: A city that becomes a world leader in improving the environment
- Objective 6: A city where it is easy, safe and convenient for everyone to access jobs, opportunities and facilities

Key policies include:

Social Infrastructure

- 3.16 Protection and Enhancement of Social Infrastructure
- 3.18 Education Facilities
- 3.19 Sports Facilities

London's Response to Climate Change

- 5.1 Climate change mitigation
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.7 Renewable Energy
- 5.8 Innovative energy technologies
- 5.9 Overheating and cooling

- 5.10 Urban Greening
- 5.11 Green roofs and development site environs
- 5.13 Sustainable Drainage

London's Transport

- 6.3 Assessing effects of development on transport capacity
- 6.7 Better streets and surface transport
- 6.9 Cycling
- 6.10 Walking
- 6.13 Parking

London's living places and spaces

- 7.2 An inclusive environment
- 7.3 Designing out crime
- 7.4 Local Character
- 7.5 Public realm
- 7.6 Architecture
- 7.14 Improving air quality
- 7.15 Reducing noise and enhancing soundscapes
- 7.19 Biodiversity and access to nature
- 7.21 Trees and woodlands

London Plan SPG

Local

The development plan for the purposes of S54A of the Town and Country Planning Act is the Brent Unitary Development Plan 2004, the Brent Core Strategy 2010 and the London Plan 2011.

Brent Unitary Development Plan 2004

Within the 2004 UDP the following list of saved policies are considered to be the most pertinent to the application.

Strategic

- STR5 Reduces the need to travel, especially by car.
- STR6 Parking controls
- STR12 Planning decisions should protect public health and safety and in particular, support the achievements of targets within the National Air Quality Strategy.
- STR13 Environmentally sensitive forms of development will be sought
- STR14 New development should make a positive contribution to improving the quality of the urban environment

Built Environment

- BE2 Townscape: Local Context & Character
- BE3 Urban Structure: Space & Movement
- BE4 Access for Disabled People
- BE5 Urban Clarity & Safety
- BE6 Public Realm: Landscape Design
- BE7 Public Realm: Streetscape
- BE9 Architectural Quality
- BE12 Sustainable Design Principles

Transport

- TRN1 Planning applications will be assessed, as appropriate for their transport impact on all transport modes including walking and cycling.
- TRN3 Directs a refusal where an application would cause or worsen an unacceptable environmental impact from traffic, noise, pollution it generates or if it was not easily and safely accessible to cyclists and pedestrians.
- TRN4 Measures to make transport impact acceptable
- TRN10 Walkable environments
- TRN11 The London cycle network, schemes should comply with PS16

- TRN12 Road safety and traffic management
- TRN13 Traffic calming
- TRN14 New highway layouts, visibility splayed and accesses to and within development should be designed to a satisfactory standard in terms of safety, function, acceptable speeds, lighting and appearance.
- TRN22 On parking standards for non-residential developments requires that developments should provide no more parking than the levels listed for that type of development.
- TRN30 Coaches and taxis should be accommodated to ensure unloading or alighting does not obstruct the highway
- TRN35 On transport access for disabled people and people with mobility difficulties states that development should have sufficient access to parking areas and public transport for disabled people, and that designated parking spaces should be set aside for disabled people in compliance with levels listed in PS15.
- PS12 Car parking standards – Class D1
- PS15 Parking standards for disabled people
- PS16 Cycle parking standards

Open Space, Sport & Recreation

- OS9 Dual Use Open Space

Community Facilities

- CF8 School Extensions
- CF10 Development Within School Grounds

Brent Core Strategy 2010

The following spatial policies are considered relevant to this application:

- CP 1 Spatial development strategy
This sets out the spatial strategy, outlining where growth is to be focused.
- CP 5 Place making
Sets out requirements for place making when major development schemes are considered
- CP 6 Design & density in place shaping
Sets out the requirements for appropriate design and density levels for development
- CP 15 Infrastructure to support development
Requires that the infrastructure requirements of new development are met
- CP18 Protection and enhancement of Open Space, Sports & Biodiversity
Protects all open space from inappropriate development. Promotes enhancements to open space, sports and biodiversity, particularly in areas of deficiency and where additional pressure on open space will be created
- CP 19 Brent strategic climate mitigation and adaptation measures
Highlights the need for new development to embody or contribute to climate mitigation objectives, especially in growth areas
- CP 23 Protection of existing and provision of new community and cultural facilities
Encourages new accessible community and cultural facilities and protects existing facilities. Sets a standard for the provision of new community facilities

Brent Supplementary Planning Guidance

SPG 17 "Design Guide for New Development" Adopted October 2001

Provides comprehensive and detailed design guidance for new development within the borough. The guidance specifically sets out advice relating to siting, landscaping, parking, design, scale, density and layout.

SPG19 "Sustainable Design, Construction & Pollution Control" Adopted April 2003

This supplementary planning guidance focuses on the principles and practice of designs that save energy, sustainable materials and recycling, saving water and controlling pollutants. It emphasises environmentally sensitive, forward-looking design, and is consistent with current government policy and industry best practice, aiming to be practicable and cost-effective.

CONSULTATION

168 Neighbouring properties were consulted on 11 October 2013. A site notice was placed outside the property on 18 October 2013 and a press notice was placed in the Press on 17 October 2013. The Local

Authority has received 5 objections in response, these are outlined as:

- The amount of development proposed is excessive as demonstrated by the fact that the play area, is located on the roof
- No information regarding increased traffic and the management thereof has been supplied
- The existing boundary between the school and rear gardens of Minet Gardens is considered to be too low, thereby causing a health and safety risk for children climbing over to reclaim balls.
- The proposed design is considered to be out of keeping with the character of the area
- A noise assessment has not been carried out
- The reduction of the external play area means the play times will be staggered to accommodate the schools population. This will result in prolonged periods of noise
- The height with roof top play area is considered to be far higher than surrounding buildings.
- In the winter months properties in Harley Road will receive less sunlight owing to the scale of the buildings proposed

The Ordnance Survey Plan appears to be incorrect in so far as the neighbouring properties appear to incorrectly plotted on the submission. Therefore the impact on these properties will be worse than anticipated.

REMARKS

Principle

1. Under sections 13 & 14 of the Education Act 1996, as amended by the Education and Inspections Act 2006, a local education authority has a statutory duty to ensure there are sufficient school places available to meet the needs of the population in its area, but it is not obliged to provide a place in a particular (or nearest) school. Members are aware the pressures this has placed on Brent Council
2. Demand for primary school places nationally is forecast to continue to exceed the supply of places. The Council submitted a report to Executive in August 2011 which set out the pressing need to provide additional school places in Brent to meet its statutory duty up to 2014/15; the report identifies that within this timeframe there will be a shortage of 1778 places if no action was taken. To meet this growing demand, a subsequent report to Executive on 23 April 2012 highlighted four schools as being suitable for expansion, including Harlesden Primary School.
3. The Council's Unitary Development Plan (UDP) and more recent Core Strategy emphasises the importance of providing sufficient social infrastructure to meet demand. Policy CP23 in the Core Strategy and CF8 in the UDP confirms that in principle proposals are supported to enlarge a school size where it is necessary to accommodate the forecast growth in pupil numbers.
4. The extensions proposed at Harlesden Primary School would provide an additional two forms of entry (ultimately creating an additional 420 places) to assist in meeting the identified need for further school places within the Borough as detailed in the reports to Executive. The 420 places will be phased in over a 7 year period as the extra places are allocated to the school. On this basis, the principle of the proposal can be accepted as it is required to meet an identified need.

Siting & Design

5. The proposal seeks planning permission for:
 - The erection of a single storey block within the site. The single storey element of the extension to the western side of the site replaces two existing single storey prefabricated classrooms. The existing classrooms are in a poor state of repair and there is no objection to their removal. This element is located within the site and is not considered to be contentious.
 - The erection of a two storey stand alone block, with rooftop MUGA- fronting Minet Avenue. The impacts of this new block is considered below
6. The existing buildings are located at the northern end of the site accessed via a separate vehicular and pedestrian access. The front part of the school building is of domestic scale, with the larger flat roof part two storey, part single store wing behind. It is also acknowledged that size and general layout of the new block is determined by educational requirements. Although the new block will be higher than

neighbouring buildings, the size and scale of the extension, being part single and part two storey, is considered to respect the existing building of which it relates directly to.

7. The proposed new block does not seek to replicate the design of the original building; however, the new materials will reflect those of the existing building through the use of a consistent brickwork pattern to provide cohesion. The depiction of vertical elements within the design has been used to break up the bulk of the new extension. Details of materials shall be secured by condition.
8. Whilst the new building is higher than that of neighbouring domestic properties, the school is not like other buildings with the area, and good design requires new development to be positioned within its own landscaped area representing the proposed use. That said, whilst your officers would prefer the upper floor MUGA to be set back from the street so to reduce the bulk of the building, the proposed MUGA is already proposed at a reduced level and the school say that further reducing the amount of external amenity space could render the area not practically useable. It is obviously necessary to balance the recognised need for new school places against the impact that the proposal will have on the street scene. Officers are of the view, on balance that the proposal appears to be acceptable.

Sport England is required to be consulted on any application which may affect playing pitches. Members will be briefed on Sport England's comments in the Supplementary Report. However, in terms of the position of the proposed extension, it is located on the existing MUGA. The existing MUGA (814sqm) will be replaced at a roof level (724sqm). The re-provision whilst marginally less than that of the existing situation is considered to be an acceptable amount to service the school as agreed by the Secondary schools capital programme board

Impact on residential amenity

9. The Council seeks to protect the amenity of neighbouring occupants to acceptable standards whilst recognising the need for new development. The main impacts on amenity to be considered are: overbearing impact of the size and scale of the extension; loss of outlook, which is related to overbearing impact; loss of privacy; and loss of sunlight. Following the policies contained within part 3.7 *Urban Design Principles* of the *Built Environment Chapter* of the UDP, the council has published Supplementary Planning Guidance No. 17 "Design Guide for New Development" (SPG17) which establishes generally acceptable standards relating to these matters, although site specific characteristics will mean these standards could be tightened or relaxed accordingly.
10. The location of the proposed new block is such that it is only the South Eastern boundary that is in close proximity to the proposed extension. Some concern was originally raised with the accuracy of the Ordnance Survey Plan in so far as neighbouring property No 91 was incorrectly plotted. The matter has now been resolved as detailed on the amended submission. Viewing the amended submission and given the distance from the directly adjoining properties on Minet Avenue, the proposed new block is not considered to result in any significant amenity impacts
11. Due to the orientation of the school new block in relation to the properties on Minet Avenue there is likely to be some reduction in sunlight to the neighbouring houses and gardens particularly during the morning; however, given the height and relationship of the extension to the closest neighbouring properties, it is not considered that the impact would reduce the existing level of sunlight to an unacceptable degree.
12. The new block will be set away by 8m from the Southern boundary of the site. The guidance contained in SPG17 sets out that where a proposed development adjoins a garden, the height of the proposed building should be set below a line of 45 degrees at the garden edge (taken at 2m height) to ensure that the development does not appear over dominant or overbearing. The proposed extension broadly complies with the guidance with only part of the upper floor and mesh forming the MUGA breaching the guidance. The guidance is not a hard and fast rule but is used to guide development only. Owing to a small area of the development failing to meet the Councils Guidance and the fact that harsher relationships exist on the remaining mid terrace properties on Minet Avenue, on balance your officers are not of the view the partial failure is considered reason in itself to refuse the application.

13. In terms of disturbance, the greatest impact will be as a result of the new entrance feature alongside number 91 (a and b) Minet Avenue. The new entrance will service the new offices and classrooms. The existing entrance will still be used along with a new secondary entrance servicing the new foundation stage form. Whilst it is acknowledged that the new entrance will create some disturbance with children and staff entering and leaving school in the morning and evenings, the disturbance is not considered to cause a detrimental impact on neighbouring amenity.
14. In terms of noise as a result of the use, whilst it is noted the break times will be increased by 1 hour 30mins across the duration of the school day, as this is an existing school site it is not considered that the increase in activity would result in a worsening of existing amenity. Generally the activity within the school grounds is most notable during the school day, but Members will be aware that there is limited control over what forms these activities can take.

Landscaping / Trees

15. The Council's Tree Protection Officer has considered the proposal and confirmed the provision of 6 new trees (Species to be secured by condition) on site following completion of the development. These trees are principally to be located along the Northern boundary of the site to provide an improved screen for the residential occupiers and to improve the impact of the streetscene. The proposed tree protection measures set out in the submitted report for the retained trees have been reviewed and are considered acceptable.
16. Full details of the changes to the hard and soft landscaping, including alterations to the access, will be secured by condition. Overall the proposals are considered acceptable and with the additional tree planting proposed will provide an appropriate setting for the new development.

Transportation

17. UDP policy CF8 *School Extensions* requires proposals to have an acceptable transport impact and schemes will be subject to measures to reduce car usage. Policy TRN1 *Transport Assessment* ensures applications will be assessed for their transport impact and developments with a potentially significant impact on the transport network should submit a Transport Assessment. Policies TRN2, 3 and 4 relate to testing that impact and measures to make transport impact acceptable. The London Plan 2011 contains a number of relevant policies including 6.1 *Strategic Approach*, 6.3 *Assessing Effects of Development on Transport Capacity*, 6.9 *Cycling* and 6.13 *Parking*.
18. The site currently is accessed via two access entrances from Acton Lane, one for vehicles and one for pedestrians. As part of the proposal, it is the intention to make alterations to provide 3 separate footpaths. With regard to parking provision on site, the application proposes the loss of one car parking space to reduce the on-site provision of 11 spaces for staff. The Council's parking standards as a maximum allow 1 space per 5 workers plus 20% for visitors; the current provision fails this standard by 7 bays. With the increase in staff numbers to 91 by the time the school is fully occupied, up to 18 spaces would be permitted on site. As the car park does not provide for the full standard, this means that the consideration of the impact of overspill car parking on the local highway network is of particular importance. Parking Beat Surveys were sought as part of the application documents. The applicants survey revealed that there is a significant additional capacity within the shared use bays at present. However Transportation Engineers have yet to be convinced that the surveys don't exaggerate the availability on street in the immediate vicinity of the school
19. The submitted Transport Assessment has given consideration to the likely increase in vehicular trips to and from the site as a result of the increase in staff and pupil numbers. The report demonstrates that this will not have a significant impact on Minet Avenue. The Transport Statement claims that the additional car trips can be accommodated on other streets slightly further from the site. This rationale is queried, given the evidence that parents tend to park as close to a school site as is feasible. To combat this the School Travel Plan would need to work more on parental attitudes, and to promote the "park and stride" model which has been shown to work for some other schools in the borough. The Transport Statement

also claims that the CPZ will discourage parking in the area, but this is also unrealistic as for short-stay drop-offs parents can be seen to take the risk, and many local parents may already have parking permits in any case. Whilst concern is raised with the Travel Plan, your officers are of the view an amended Travel Plan could address officers concerns and consider an acceptable travel plan could be secured by condition.

20. Whilst not mentioned in the Transport Statement, the emergency access gate on Minet Avenue solves one problem ("rat running" to avoid Acton Lane at peak times) while creating another. The short section of Minet Avenue becomes congested at school pick-up and drop-off times causing vehicles having to reverse onto Acton Lane in some cases. Your officers suggest securing funds for a review of a package of works
21. Moving the existing emergency access gate to the Acton Lane/Minet Avenue junction, which would assist in reducing some of the current highway safety problems observed at pick-up/drop-off times. This engineered solution would be similar in effect to schemes previously carried out at Lechmere Road/High Road Willesden, Keyes Road/Cricklewood Broadway and Pember Road/Kilburn Lane (among other examples). A review of waiting restrictions adjacent to the site, seeking to add loading restrictions. These would stop vehicles pausing outside the gate for more than 2 minutes, paving the way for more effective enforcement against motorists flouting the regulations. Painting of new "School Keep Clear" zigzag markings on Minet Avenue, adjacent to the main pedestrian access on this frontage are needed to dissuade parents from parking directly adjacent to the access. A sum of £20,000 would be needed for the full range of measures.
22. Bicycle parking is required at 1 space per 10 staff, giving a total requirement for 9 spaces. The proposal includes an increase in the provision from 12 spaces to 26 spaces under a covered canopy. This exceeds the standards set out in the UDP however is below the requirements of TFL.
23. The application does not propose changes to the waste management and collection or other servicing.
24. As such, suitable mitigation measures are considered essential to this scheme, including a new Travel Plan to reduce car journeys, which will be secured by condition.

Energy & Sustainability

25. Policy CP19 in the Core Strategy seeks to ensure that all new development contributes to achieving sustainable development, including climate change, mitigation and adaptation. The proposal is predicted to achieve a BREEAM 'Very Good' rating; new development is generally expected to meet BREEAM 'Excellent' standards. Given that the proposal is an extension to an existing school rather than comprehensive redevelopment, achieving BREEAM 'Very Good' is considered acceptable. The proposal achieves 25% over Part L of the Building Regulations 2010 in compliance with London Plan Policy 5.2.
MUGA

26. The application proposes a new a court multi use games area measuring 724 sq m, which be located on the roof of the new building. This area has been located to enable separate access to be provided for community use outside of school hours including access to the changing facilities. It is recommended that a condition is imposed to secure at least 20 hours of community access a week to accord with similar proposals in the borough with full details secured by condition.

Mayoral CIL

As the development relates to the extension of an education facility, the development is exempt from paying CIL.

Conclusion

27. The proposed scheme complies with the relevant policies for schools development at national, regional

and local level and in particular with the National Planning Policy Framework which places great importance on ensuring that sufficient school places are available to meet the needs of existing and new communities; accordingly your officers recommend planning permission be granted, subject to a number of conditions.

Objections	Response
The amount of development proposed is excessive as demonstrated by the fact that the play area, is located on the roof	The amount of development proposed is required for the provision of school places. The impact of the extension on neighbouring amenity and the character of the area has been assessed above
No information regarding increased traffic and the management thereof has been supplied	The full Travel Plan has been submitted and a further Travel Plan will be secured by condition
The existing boundary between the school and rear gardens of Minet Gardens is considered to be too low, thereby causing a health and safety risk for children climbing over to reclaim balls	This matter falls out of the realms of this application
The proposed design is considered to be out of keeping with the character of the area	Please see section on 'Siting and Design
A noise assessment has not been carried out	A noise assessment has been provided. See section on Impact on Neighbouring Amenity
The reduction of the external play area means the play times will be staggered to accommodate the schools population. This will result in prolonged periods of noise	Please see section on 'Siting and Design
The height with roof top play area is considered to be far higher than surrounding buildings	Please see section on 'Siting and Design
In the winter months properties in Harley Road will receive less sunlight owing to the scale of the buildings proposed	The proposed extension are located on the South Eastern part of the site and is not considered to have an impact on Harley Road
In the winter months properties in Harley Road will receive less sunlight owing to the scale of the buildings proposed	See section on Impact on Neighbouring Amenity

RECOMMENDATION: Grant Consent subject to Legal agreement

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

Core Strategy 2010
Brent Unitary Development Plan 2004
Central Government Guidance
London Plan 2011
Council's Supplementary Planning Guidance

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

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

CONDITIONS/REASONS:

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

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

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

941C 102- 941C 120
 941C 200- 941C 205
 941C 208
 941C 220 0- 941C 222
 941C 225- 941C 226
 Drainage Layout
 Planning Statement
 Transport Statement

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

- (3) Before any construction work on site, excluding demolition and site clearance, further details of materials for all external work, including samples where specified, shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced.

The details shall include:

- (a) Brickwork - blended brick to match existing (including sample);
- (b) Render - Pure White (including sample);
- (c) Windows;
- (d) Doors;
- (e) Fins (including sample);
- (f) Roof finishes excluding green roof (including sample).

The work shall be carried out in accordance with the approved details and retained thereafter for the lifetime of the development.

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

- (4) All areas shown on the plan shall be landscaped in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority prior to the completion of construction work on site. Such landscaping work shall be completed prior to occupation of the development hereby approved or by any other timetable agreed. Such scheme shall also indicate:-

- (a) Existing contours and levels and any alteration of the ground levels, such as grading, cut and fill, earth mounding and ground modelling;
- (b) Hard surfaces including details of materials and finishes - these should have a permeable construction;
- (b) Proposed lighting plan with specification;
- (c) All planting including location, species, size, density and number;
- (d) Any sustainable construction methods which are to be used;
- (e) A detailed (min. 5-year) landscape management plan showing requirements for the ongoing maintenance of hard and soft landscaping;

(f) Proposed gates, walls and fencing, indicating materials and heights, including MUGA

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 standard of appearance and setting for the development and to ensure that the proposed development enhances the visual amenity of the locality in the interests of the amenities of the occupants of the development and to provide tree planting in pursuance of section 197 of the Town and Country Planning Act 1990.

- (5) Prior to the commencement of the use, a Community Access Plan shall be submitted to and approved in writing by the Local Planning Authority. The Community Access Plan shall allow for a minimum of 20 hours of community use each week and shall include details of rates of hire (based upon those charged at other public facilities), terms of access, hours of use, access by non-school users/non-members and management responsibilities.

The approved Community Access Plan shall be brought into operation within 3 months of occupation of the development and it shall remain in operation for the duration of the use of the development.

Reason: To secure well-managed, safe community access to the sports facility, to ensure sufficient benefit to the development of sport and to accord with Local Plan Policy

- (6) The protection of the retained trees shall be implemented in full accordance with the approved details set out in the Arboricultural Impact Assessment by Landscape Planning Ltd prior to commencement of any preparatory work or development and retained throughout the duration of the construction works.

Reason: To ensure a satisfactory standard of appearance and setting for the development and to ensure the viability and health of the existing trees.

- (7) No development shall take place, including any works of demolition or site clearance, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- (i) the parking of vehicles of site operatives and visitors;
- (ii) Construction traffic routes to the development site - utilising Church Lane site access only;
- (iii) loading and unloading of plant and materials;
- (iv) storage of plant and materials used in constructing the development;
- (v) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- (vi) wheel washing facilities and schedule of highway cleaning;
- (vii) measures to control the emission of dust and dirt during construction;
- (viii) a scheme for recycling/disposing of waste resulting from demolition and construction works;
- (ix) School, nursery and Children's Centre access during the construction phase.

Reason: To protect residential amenity and ensure the development does not have an adverse impact on the highway.

- (8) Details of the following shall be submitted to and approved in writing by the local planning authority prior to installation:
- a) kitchen extraction system and filters;
 - b) ventilation equipment;
 - c) boiler flue and emissions.

These details should include an assessment of the impact on air quality and the development

shall be completed in accordance with the details so approved and retained thereafter for the lifetime of the development.

- (9) Prior to the commencement of the use of the buildings, a School Travel Plan of sufficient quality to score a PASS rating using TfL's ATTrBuTE programme, to incorporate targets for minimising car use, monitoring of those targets and associated measures to meet those targets, shall be submitted to and approved in writing by the Local Planning Authority and shall be fully implemented as approved and adhered to.

Reason: In the interests of reducing reliance on private motor vehicles.

INFORMATIVES:

None Specified

Any person wishing to inspect the above papers should contact Tanusha Naidoo, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5245

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Committee Report Planning Committee on 11 December, 2013

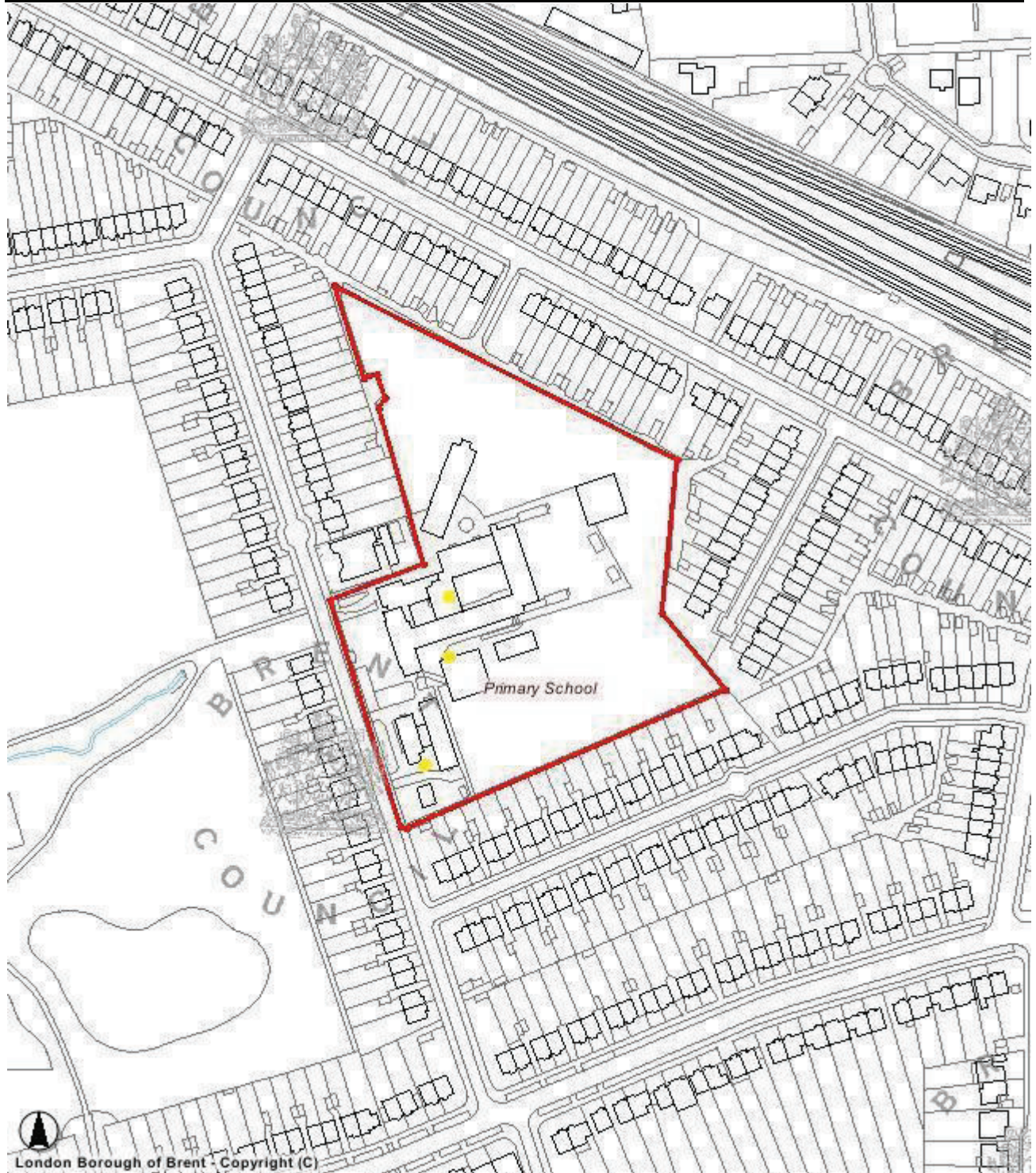
Item No. 07
Case No. 13/2903



Planning Committee Map

Site address: Preston Park Primary School, College Road, Wembley, HA9 8RJ

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This map is indicative only.

RECEIVED: 20 September, 2013

WARD: Preston

PLANNING AREA: Wembley Consultative Forum

LOCATION: Preston Park Primary School, College Road, Wembley, HA9 8RJ

PROPOSAL: Demolition of existing dining room and kitchen block and the erection of a new two storey class room block incorporating replacement dining room and kitchen, a single storey extension to the existing nursery/reception year block, the removal of three temporary class room huts, increased cycle storage, new fencing, new landscaping, and the creation of a larger reception rear playground.

APPLICANT: Brent Council (Mr Henry Holman)

CONTACT: Curl la Tourelle

PLAN NO'S:
See condition 2

RECOMMENDATION
Grant consent.

CIL DETAILS

As this is an application for an extension to a school it is not liable for Mayoral or Brent Community Infrastructure Levy (CEIL).

EXISTING

Preston Park Primary School is located on College Road, in the north west of the borough. The site is bound by residential gardens on all four sides. College Road and Glendale Gardens make up the south and western boundaries and Grassmere Avenue to the north and east. The residential properties are almost exclusively two-storey. The existing school buildings are situated in the middle of the site and the main entrance is from College Road. There is a secure fence running in front of the school with entrance to a car park in the middle. There are two access controlled pupil gates. Four additional manually locked gates are located around the perimeter. There is also separate vehicle access and gates to the area in front of the kitchen which serves as refuse area and school service yard.

The current kitchen/dining building is in disrepair and appears to be of single brick work construction with no thermal insulation. It is located several steps up off the ground and is, therefore, not easily accessible.

The main school building dates from the 1930s and reflects the suburban vernacular style of the period with brick work at ground floor and vertically hung clay tiles roof at first. The timber windows are filled with small glass panes. The scale of the main school buildings as seen from College Road is in keeping with the domestic scale of the surrounding suburban housing. The school buildings behind this administration building are much taller, allowing for larger rooms and better light for classroom conditions. The larger building also provides two hall spaces with high ceilings. Roofs are a mixture of pitched and flat.

A number of additions were made to the school in the 2000s. A small single-storey/double height extension constructed to the left hand side of the main administration building, a single storey nursery/reception year building and the single storey children's centre.

There are five temporary class room huts located within the school grounds. One is in very poor condition and is to be removed. There are four other temporary huts arranged as if in a village in front of the reception/nursery building. These are in good condition and the landscaping around them is well maintained.

Two of these huts are to be retained.

The school has well-tended ground with an exception habitat garden with adjoining outdoor science classroom. The school has its own bee hives. It also has a farm with goats and chickens and a World War II air raid shelter that has been made into a school museum. This is in addition to the standard soft and hard playground area normally expected in a school.

PROPOSAL

Demolition of existing dining room and kitchen block and the erection of a new two storey class room block incorporating replacement dining room and kitchen, a single storey extension to the existing nursery/reception year block, the removal of three temporary class room huts, increased cycle storage, new fencing, new landscaping, and the creation of a larger reception rear playground.

HISTORY

Relevant planning history:

- | | |
|------------|--|
| 23/07/2010 | Planning permission granted for the erection of a single-storey detached building to provide a children's centre (Ref: 09/3210). |
| 22/04/2009 | Planning permission granted for the erection of a two storey extension located in the school's internal courtyard to provide a lift and new toilets at ground and first floor level (Ref: 09/0288). |
| 03/10/2008 | Planning permission granted for the erection of an additional temporary classroom (Ref: 08/1849). |
| 14/08/2007 | Planning permission granted for the erection of an additional temporary classroom (Ref: 07/2094). |
| 29/07/2005 | Planning permission granted for the demolition of 2 portable buildings and part of existing main building erection of two-storey extension and new separate single storey nursery/reception year building, provision of new pedestrian access to College Road, play areas, landscaping and modification to car park to provide 22 spaces (revised version of scheme approved under planning permission ref. 05/0040) (Ref: 05/1826). |

POLICY CONSIDERATIONS

National Planning Policy Framework

The NPPF was published on 27 March and replaced Planning Policy Guidance and Planning Policy Statements with immediate effect. Its intention is to make the planning system less complex and more accessible, to protect the environment and to promote sustainable growth. It includes a presumption in favour

of sustainable development in both plan making and decision making and its publication.

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

The NPPF places great importance on ensuring that sufficient school places are available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement. LPA's should give great weight to the need to create, expand or alter schools.

LDF Core Strategy and UDP saved policies referred to in the report below have been considered in the assessment of the application and the recommendation is considered to comply with the NPPF.

London Plan 2011

Strategic planning in London is the shared responsibility of the Mayor of London, 32 London boroughs and the Corporation of the City of London. Under the legislation establishing the Greater London Authority (GLA), the Mayor has to produce a spatial development strategy (SDS) – which has become known as ‘the London Plan’ – and to keep it under review. Boroughs’ local development documents have to be ‘in general conformity’ with the London Plan, which is also legally part of the development plan that has to be taken into account when planning decisions are taken in any part of London unless there are planning reasons why it should not.

The plan identifies six objectives to ensure that the vision is realised:

Objective 1: A city that meets the challenges of economic and population growth.

Objective 2: An internationally competitive and successful city.

Objective 3: A city of diverse, strong, secure and accessible neighbourhoods.

Objective 4: A city that delights the senses.

Objective 5: A city that becomes a world leader in improving the environment.

Objective 6: A city where it is easy, safe and convenient for everyone to access jobs, opportunities and facilities.

Key policies include:

Social Infrastructure

3.16 Protection and Enhancement of Social Infrastructure.

3.18 Education Facilities..

3.19 Sports Facilities.

London's Response to Climate Change.

5.1 Climate change mitigation.

5.2 Minimising carbon dioxide emissions.

5.3 Sustainable design and construction.

5.7 Renewable Energy.

5.8 Innovative energy technologies.

5.9 Overheating and cooling.

5.10 Urban Greening.

5.11 Green roofs and development site environs.

5.13 Sustainable Drainage.

London's Transport

6.3 Assessing effects of development on transport capacity.

6.7 Better streets and surface transport.

6.9 Cycling.

6.10 Walking.

6.13 Parking.

London's living places and spaces

7.2 An inclusive environment.

7.3 Designing out crime.

7.4 Local Character.

7.5 Public realm.

7.6 Architecture.

7.14 Improving air quality.

7.15 Reducing noise and enhancing soundscapes.

7.19 Biodiversity and access to nature.

7.21 Trees and woodlands.

London Plan SPG

The Mayor's Transport Strategy (May 2010)

Sustainable Design and Construction – Supplementary Planning Guidance (2006)

Accessible London: achieving an inclusive environment (April 2004)

Planning for Equality and Diversity in London (October 2007)

Local Policy

The development plan for the purposes of S54A of the Town and Country Planning Act is the Brent Unitary Development Plan 2004, the Brent Core Strategy 2010 and the London Plan 2011.

Brent Unitary Development Plan 2004

Within the 2004 UDP the following list of saved policies are considered to be the most pertinent to the application.

Strategic

STR5 Reduces the need to travel, especially by car.

STR6 Parking controls.

STR12 Planning decisions should protect public health and safety and in particular, support the achievements of targets within the National Air Quality Strategy.

STR13 Environmentally sensitive forms of development will be sought.

STR14 New development should make a positive contribution to improving the quality of the urban environment.

Built Environment

BE2 Townscape: Local Context & Character

BE3 Urban Structure: Space & Movement

BE4 Access for Disabled People

BE5 Urban Clarity & Safety

BE6 Public Realm: Landscape Design

BE7 Public Realm: Streetscape

BE9 Architectural Quality

BE12 Sustainable Design Principles

Transport

TRN1 Planning applications will be assessed, as appropriate for their transport impact on all transport modes including walking and cycling.

TRN3 Directs a refusal where an application would cause or worsen an unacceptable environmental impact from traffic, noise, pollution it generates or if it was not easily and safely accessible to cyclists and pedestrians.

TRN4 Measures to make transport impact acceptable.

TRN10 Walkable environments.

TRN11 The London cycle network, schemes should comply with PS16.

TRN12 Road safety and traffic management.

TRN13 Traffic calming

TRN14 New highway layouts, visibility splayed and accesses to and within development should be designed to a satisfactory standard in terms of safety, function, acceptable speeds, lighting and appearance.

TRN22 On parking standards for non-residential developments requires that developments should provide no more parking than the levels listed for that type of development.

TRN30 Coaches and taxis should be accommodated to ensure unloading or alighting does not obstruct the highway.

TRN35 On transport access for disabled people and people with mobility difficulties states that development should have sufficient access to parking areas and public transport for disabled people, and that designated parking spaces should be set aside for disabled people in compliance with levels listed in PS15.

PS12 Car parking standards – Class D1.

PS15 Parking standards for disabled people.

PS16 Cycle parking standards.

Open Space, Sport & Recreation

OS9 Dual Use Open Space.

Community Facilities

CF8 School Extensions.

CF10 Development Within School Grounds.

Brent Core Strategy 2010

The following spatial policies are considered relevant to this application:

CP 1 Spatial development strategy. This sets out the spatial strategy, outlining where growth is to be focused.

CP 5 Place making. Sets out requirements for place making when major development schemes are considered.

CP 6 Design & density in place shaping. Sets out the requirements for appropriate design and density levels for development.

CP 15 Infrastructure to support development. Requires that the infrastructure requirements of new development are met.

CP18 Protection and enhancement of Open Space, Sports & Biodiversity. Protects all open space from inappropriate development. Promotes enhancements to open space, sports and biodiversity, particularly in areas of deficiency and where additional pressure on open space will be created.

CP 19 Brent strategic climate mitigation and adaptation measures. Highlights the need for new development to embody or contribute to climate mitigation objectives, especially in growth areas.

CP 23 Protection of existing and provision of new community and cultural facilities. Encourages new accessible community and cultural facilities and protects existing facilities. Sets a standard for the provision of new community facilities.

Brent Supplementary Planning Guidance

SPG 17 "Design Guide for New Development" Adopted October 2001. Provides comprehensive and detailed design guidance for new development within the borough. The guidance specifically sets out advice relating to siting, landscaping, parking, design, scale, density and layout.

SPG19 "Sustainable Design, Construction & Pollution Control" Adopted April 2003. This supplementary planning guidance focuses on the principles and practice of designs that save energy, sustainable materials and recycling, saving water and controlling pollutants. It emphasises environmentally sensitive, forward-looking design, and is consistent with current government policy and industry best practice, aiming to be practicable and cost-effective.

CONSULTATION

Local Consultation

Consultation letters were sent out to 291 neighbouring properties on the 15/10/2013 including properties in College Road, Grasmere Avenue, Glendale Gardens, Longfield Avenue and Woodford Place. The South Kenton and Preston Park Residents Association and Ward Councillors have also been consulted. The application has also been advertised in the press (24.10.2013) and through site notices (07.11.2013).

2 objections have been received from local residents. A summary of the matters raised along with the officer's comment are set out in the table below:

Grounds of objection	Officer Comment
Local streets already suffer from congestion at the beginning and end of the school day. The proposed expansion of the school will only exacerbate the situation.	The school currently has a 'gold standard' Travel Plan in operation. As such, it is acknowledged that the school is proactively working very hard towards reducing car use amongst staff and parents. However, as a significant school expansion is proposed, the Travel Plan needs to be reviewed and revised targets need to be set to mitigate the proposed increase in the number students and staff. Data from other Brent schools indicate that the required shift from car use to other modes of transport to make this expansion acceptable is possible. This is dealt with in more detail in the Remarks section of the report.
Preston Park is a great school but any expansion should be accompanied by improvements to local infrastructure such as roads, pavements, parking, soft verges, yellow lines and improved traffic management in College Road, Carlton Avenue East & Glendale Gdns.	Advice from colleagues in Transportation is that in their assessment, the impact of the expansion on surrounding streets can be mitigated through a revised travel plan and that there will be no requirement to modify junctions. The only infrastructure works they are requesting is the removal of redundant crossovers along the schools College Road frontage and the installation of guard-railing to the front of the widened pedestrian access.

A reply has also been received from a neighbour not wishing to object to the proposal but making the

following comment:

Comment	Officer Response
If the application to extend Preston Park is approved will the use of the former Preston Library in Carlton Avenue East as a temporary primary school cease and what are the prospects of it reopening as a library.	There are no plans to reopen this building as a library. The authorised use of the former library remains D1 (community uses) and any alternative use of the building not falling within that use class would require planning permission.

Other Consultee comments

Environmental Health - No objections subject to conditions requiring further details of:

- (i) Kitchen ventilation/extraction system
- (ii) Noise insulation measures
- (iii) A construction & demolition method statement
- (iv) An informative advising of the possibility of contamination being present on site.

Transportation - This proposal can be supported on transportation grounds, subject to:

- (i) the submission and approval of a revised School Travel Plan for the site, setting more onerous targets of no more than 10% of pupils and 20% of staff travelling to the site by car alone, to be achieved across a five-year period. Reason: to mitigate and adverse impact arising from increased traffic and parking demand in the area as discussed above;
- (ii) reinstatement of all existing crossovers to the site from College Road to footway and installation of guard railing to the front of the widened pedestrian access at the applicant's expense prior to occupation of the development.

Landscape/tree officer - No objections to Landscape elements of this scheme, which have all been agreed prior to the submission of the application. Tree species shown for new planting are all acceptable.

Community Involvement

During the development of the design a range of stakeholders were consulted.

School Community

The scheme has been developed through discussion and continual involvement with the school's steering group consisting of the head teacher, senior staff and several parent governors. A series of engagement meetings took place where alternative options were reviewed with the school early in the process.

Local Community

Pre-application public consultation meeting was held on 16/09/13 where drawings were displayed and the scheme was explained to the public within the context of the wider expansion programme. The Chair of the School Governors attended the session and a dozen local residents dropped-in. A Local Councillor also attended. Feed-back and comments were recorded. See below, Traffic section.

Professionals

The guidance of the following professional consultants has also been sought as part of the design process:

- 1 Planning Case Officer

- 2 Tree Officer - ref to supporting information
- 3 Crime Prevention Design Advisor
- 4 Highways - ref to supporting information
- 5 Building Control Officer.

REMARKS

Introduction

Preston Park Primary School is a community school located in the north west of the borough. It provides school places to 630 boys and girls between the ages of 4 – 11. There is also a nursery with 60 part time places.

Currently, the demand for school places in Brent, as with many outer London boroughs, is increasing. The demand for primary places in the north of the borough specifically has led to the proposal to expand Preston Park Primary School. Therefore Brent Council in partnership with the Governing Body of Preston Park Primary School is proposing to expand the school by one form of entry. The expansion will provide an additional 30 places in each year group (210 new primary places in total). At full capacity the school will have 840 places (Reception to Year 6).

The school currently runs several temporary classes and a temporary satellite provision. Therefore the school already provides 810 places (630 permanent and 180 temporary). This proposal is to make all 840 places permanent places as demonstrated below.

The current places in the school 2012/13 academic year

	Reception	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Total
Permanent	90	90	90	90	90	90	90	630
Temporary	60	0	30	0	30	30	30	180

The available places in the school by 2019/20 academic year

	Reception	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Total
Permanent	120	120	120	120	120	120	120	840
Temporary	0	0	0	0	0	0	0	0

The proposal

Brent Council is proposing to expand Preston Park Primary School, College Road, Wembley, HA9 8RJ by one form of entry (210 additional places), taking the school capacity from 630 permanent places (Year R – Year 6) to 840 permanent places (Year R – Year 6). The school will continue to provide a nursery with 60 part time places.

The expansion of the school is intended to commence in September 2014 with an increase of 30 permanent places per academic year at Reception age.

The proposed accommodation for the expansion by one form of entry would be of a permanent high quality construction linked to the main school building. It will be built to optimise educational standards.

A Pre planning consultation was held at the school on 16 September from 4pm - 7pm to enable local residents and parents to review the project proposal and highlight any issues or concerns prior to planning submission. Overall comments were positive with residents recognising the demand for places.

The growing number of primary school pupils

The number of children seeking a primary school in Brent is increasing year on year. This is due to several factors e.g. the renewed popularity of Brent schools, the inward migration of families into the borough, the new housing developments throughout the borough attracting new families and the rising birth and fertility rates. As a result, in areas of high demand there are insufficient school places.

New primary school places

In June 2011 the Local Authority consulted with all primary schools in the borough to explore the possibility of increasing the number of school places. It has been evident that the demand for Reception places would be greater than the number of available places. This assessment was based on the number of on-time and ad hoc admissions applications received by the Local Authority, the current forecast of student numbers and local factors such as feedback from schools.

Subsequently, the Local Authority reviewed capacity constraints at all primary schools and identified the maximum need for school places in the local areas. Discussions took place with schools which were suitable and willing for expansion. This was followed by an initial feasibility assessment.

Since 2005 the Local Authority has analysed the increased demand for school places and created a programme to increase primary places through permanent expansion of schools and temporary classes. The table below demonstrates how many permanent and temporary primary places have been created since September 2006.

Total number of additional places (Reception to Year 6)	Permanent places(Reception to Year 6)	Temporary places(Reception to Year 6)
4164	3423	741

Despite adding new places, there remains a shortfall of Reception places in the borough. As at 11 January 2013, there were 201 primary aged children without a school place for the 2012/13 academic year. Of which 54 were Reception age (4 years old).

The need for more primary school places in the future

In August 2011, Brent Council carried out a review of primary school places which estimated that an additional 15 forms of entry (15FE) will be required in Brent by 2014/15 - an estimate of 450 places in each year group. The pressure of increasing demand is already evident with few places available in Brent's 60 primary schools. Brent Council is supportive of the proposed expansion of Preston Park Primary School to help address the shortage of primary school places.

Demand continues to increase in the north of the borough and a permanent increase from 3 to 4 forms of entry will help satisfy some of that demand. It is also anticipated that the increased demand for primary school places will eventually create a shortage of secondary school places.

The rising demand for primary school places is posing a serious challenge in Brent. Brent Council is working closely with local schools and together we are doing everything we can to provide more places for the borough's pupils. Over the next four years, we will be investing around £90 million with aim of offering a primary place to every local child who needs one.

Size

The planned increase in capacity from 3 Form Entry (FE) up to 4FE, results in an increase in pupil numbers from c630 to 840, with a staff number of 128. To calculate the additional area requirements, a schedule of accommodation was developed in accordance with the Department for Education Baseline Primary School Designs. This represents the recommendations in Building Bulletin 99 minus 5%, which are current reductions required for cost savings.

The existing buildings have a gross internal floor area of approximately 4059m² (including temporary buildings of 720 m²).

The proposed extension has a gross internal floor area of 1556.2m². The area of existing demolished accommodation is 685.1m² (including 2 temporary buildings @ 282 m²); the extensions therefore represent a net increase of 871.1m² gross internal floor area.

Layout

The siting of the new buildings has been designed to have minimal impact on the wider site. At the same time, it creates appropriate adjacencies between learning areas. The layout of the new dining hall/KS2 classroom block enables all children to access the new dining room from circulation areas. It also enables the children to get to the playgrounds after lunch without going through learning areas. The kitchen is still located adjacent to the road, enabling efficient receipt of deliveries and secure line separation between kitchen staff and children. The layout also enables the after school club to be securely located in the dining room. The Dining Room and Kitchen could be used by the community out-of school hours while the rest of the school is effectively shut.

The Y5 and Y6 pupils have a positive learning environment provided in the new building with pairs of Y5 classrooms on ground and first floor and the four Y6 classrooms on the first floor. There are Group Rooms on each floor as well as WCs. Additional accommodation in the new building comprises

- A senior management office
- ICT office and store
- Specialist Teaching room
- Food Bay area in the Dining Room

WC accommodation is configured to ensure adequate provision to the new spaces in accordance with the Education (School Premises) Regulations 1999. WCs are organised to provide proximity to the classrooms and the dining hall. Two new AC/staff toilets are also provided entered directly from the corridor.

As has been described above, the proposed scheme for the additional Reception classroom maintains the correct adjacency between the nursery and its playground and the important sightlines from the interior. The new winter garden linking the Reception classrooms, provide additional indoor/outdoor resource teaching area. Other improvements assist the staff; there is now a door to access the kitchen from the winter garden negating the need for the staff to pass through the nursery. An additional staff toilet has also been provided for the same reason. Some remodelling in the existing Reception is proposed, primarily to bring the areas up to standard, to rationalise the entrances to the east and create a better sense of enclosure within each classroom, as currently they are open to one another.

Security

The Crime Prevention Design Advisor was consulted on the proposals and the applicants have taken on board their comments as far as possible. All doors will have locks that comply with Appendix A of Secured By Design Document. Cycle store is out of site of the main road. In particular the pupil security at Preston Park is robust with a double set of gates at under the canopy allowing the Hall to be accessed while the access to the rest of the school and playground is secure. During the school day, the first set of gates can be closed and access would be open between the existing school building and the new build.

Scale

It was understood from an early stage in the consultations with the key stakeholders that retention of as much of the existing playing areas/fields was of utmost importance. With the size of extra accommodation required this necessitated a new two-storey block. With the inclusion of a dining space and to comply with relevant national guidance for the design of schools with respect to day light etc, classroom heights all inform the size and height of the building.

The new build extension facade size is bigger than the original building front facade. However the 1930s street frontage has been purposely designed to a domestic scale to reflect the surrounding residential proportions, whilst the other elevations are of a more traditional 2 storey building scale. This domestic scale of the existing building facing College Road has been achieved by placing non-teaching spaces, ie administration, in this part of the building. The new building scale closer resembles that of the back of the 1930s building, in order for it to be fit for purpose. From the street, however, the new build seems to embed in the landscape, which is due to the finished ground floor level having been dropped to allow accessible passage between the buildings. The building is, therefore, literally lower which helps to reduce its presence from the street.

Landscaping

The outdoor environment is equally important, for both education and social activities. The existing play areas are retained. Preston Park Primary has an established, extensive outdoor teaching space that includes an allotment, school farm and various different habitats. It was therefore proposed that any landscape proposals

would be within close proximity of the new builds.

The climbing planting on the façade is to mirror the wisteria planting on the 1930s street façade. The planting will include Virginia creepers, wisteria and flowering, climbing hydrangeas, the purpose of these plants is to create seasonal interest.

There are a number of trees that need to be removed in order to establish the improved pupil route to the entrance and service yard. Eight total trees are to be removed (all Category C or below) and nine trees total are to be planted. Tree protection measures have been proposed which are considered acceptable by the Council's Tree Officer.

Appearance

The material palettes for both the main new building and the new reception classroom are different and have been developed in discussion with the school steering group to best complement the context of surrounding buildings.

The main new building is faced with brick at ground level, render at first floor level and also has areas of climbing planting. The change of material between the ground and the first floor relates to the change in material at the same level of the existing building, where it changes from brick to vertically hung clay tiles. A restrained palette of red brick and red/brown render is proposed to match and complement the existing brick palette. The new building is set lower in the ground than street level which helps to reduce its impact on the street scene.

From the street, the pupil entrance will be more legible. A timber screen with lettering on it leads to the entrance gates. The timber fence also screens the bins and service yard area. The entrance to the playground is wide and clearly identifiable. A new canopy acts as the connection from the new and the old, and also clearly marks the entrance: helping with the legibility of the school from the street.

The canopy provides protection from the elements when pupils are moving to and from the dining room. This wide covered entrance will also serve as a waiting area for parents and a safe pick up point in the evening for children at the after school club. It is made of galvanised steel frame with translucent polycarbonate covering.

The reception extension will be single storey matching the existing nursery building. It will be rendered blue to match the blue of the existing metal cladding but rendered to match the materiality of the children's centre building. Windows are to match existing.

Impact of new buildings

All the proposed new buildings meet the relevant guidelines set out in SPG17 in terms of its impact on the residential amenities of surrounding neighbours. The only property most effected is the existing care takers house which fronts College Road and will be adjacent to the new two storey block. This block replaces the existing dining room kitchen block and while significantly larger the new block is considered to have an exceptional relationship to the caretakers house.

Access

The new extensions will be designed to comply with Part M of the Building Regulations and the DDA regulations. All new entrances/exits are provided with level or ramped threshold routes. A platform lift is provided in the new two-storey building.

Community Access

It is proposed that the hall will be used within the community, there is also an established after school club. A condition is proposed requiring the submission of a community access plan.

BREEAM and Energy

As well as meeting the design targets set-out in BB101, the buildings have been designed to target BREEAM 'Very Good' standard. The buildings will be economical in use of energy and resources and are designed to be flexible in use and adaptable to future change.

Some of the low energy and environmentally positive measures that the buildings adopt are

- Natural ventilation to all classrooms
- Heat recovery throughout
- Night-time cooling through phase change board to naturally ventilated areas
- BREEAM 'A' rated materials
- Surface water attenuation
- PV Cells on roof (see section below)
- Low-E glazing to relevant doors and windows in addition to solar protecting glass to south facing elevations
- Low u-values commensurate with BB101 recommendations
- Maximising natural day lighting
- Sensor-switching to lights with manual override in teaching areas and offices

The energy strategy adopts London Plan 2011 and the proposed strategy provides an overall Carbon Emissions savings of 8.7T CO₂/annum approximately contributing to a 25% overall onsite Carbon reduction. These targets have been achieved in the scheme through proposing best practice U-value for the building fabric, optimising natural daylight, using natural ventilation through the use of passive ventilation where possible (offices, staff room areas and group rooms will all be mechanically ventilated), any mechanical ventilation will be installed with heat recovery and energy efficient heating. To ensure the carbon reduction, it is proposed that 50m² of photovoltaic cells along with Lean savings will satisfy the GLA target of 25% reductions.

Highways

This site is located on the eastern side of College Road, about 100 metres north of its junction with Glendale Gardens. College Road has traffic calming features and operates in a one-way direction northwards.

The site is occupied by a three-form entry primary school (630 pupils), with an attached nursery for up to 60 children. However, previous planning consent has been granted for temporary portable classroom blocks (refs: 07/2094 & 08/1849) to accommodate bulge years, which means the school currently caters for 810 pupils. There are a total of 112 staff employed at the school at present. There is also a Children's Centre on the site.

The main access is from College Road, comprising a gated vehicular access that serves a 20-space (incl. one disabled) car park and two pedestrian entrances on either side of the vehicular access. There are two further crossovers onto College Road to the south – one serving a refuse compound and the other a further gated access for service vehicles. A secondary 3m width (plus 2m margins) rear access is also available onto Grasmere Avenue for emergency vehicles, although this is generally closed with alleygates.

This application involves the demolition of the existing single-storey dining hall and kitchen block at the southern end of the site and the erection of a new two-storey block, incorporating a replacement dining hall and kitchen, eight classrooms, smaller group rooms and toilets in its place. A single-storey extension to the existing nursery/reception block is also proposed to provide an additional classroom.

As a result of these extensions, the school will increase to four-form entry (840 pupils); with the nursery still accommodating 60 children. The staff total will increase to 128.

Four new bicycle shelters are proposed within the site, accommodating up to 67 bicycles (plus provision for a further 20 scooters), in addition to the existing 12-space shelter. No alterations to car parking or vehicular access are proposed though, although the two crossovers to the southern end of the site will be rendered redundant by these proposals, with refuse and delivery vehicles using the car park area to load/unload in future instead.

The rear emergency access for the school from Grasmere Avenue will be retained and Autotrack runs for service and emergency vehicles entering, turning and leaving the access in this location have been provided.

The southernmost of the two existing pedestrian accesses from College Road is also to be widened to 4.5m to act as a side entrance for out-of-hours use. All proposed new built areas will provide level disabled access, with access ramps provided at 1:20 gradients and no risers exceeding 500mm.

Preston Park is among the most proactive schools in the Borough in supporting sustainable forms of transport, with the school's Travel Plan having achieved gold status for many years.

The school has moderate access to public transport services (PTAL 3), with close access to Preston Road Underground station (Metropolitan line) and bus routes 79, 204 and 223.

The site lies within the Wembley Stadium area event day protective parking zone, with on- street parking on adjoining roads restricted to permit holders only on event days between 8am and midnight. Otherwise, on-street parking in the area is generally unrestricted. There is a free 28-space public car park opposite the site for Preston Park open space.

Parking

The car parking allowance for the school (use class D1) is set out in standard PS12 of the UDP 2004. The parking requirement for disabled people is given in standard PS15. The bicycle parking requirement is given in standard PS16.

The parking allowance for the school is therefore up to a maximum of 1 space per 5 staff, plus a further 20% for visitors. There are 112 existing staff, which will increase to 128 with the proposed development. The car parking allowance for the school will therefore increase from 26 spaces to 30 spaces.

The provision of 19 standard width spaces within the school frontage will therefore continue to accord with standards, with the provision of a disabled parking space meeting the requirements of standard PS15 (5% of spaces to be marked for disabled drivers).

Provision should also be made for electric vehicle charging and at least two spaces should therefore be provided with charging facilities as a condition of any approval.

The bicycle parking requirement for the school is a minimum of 1 space per 10 staff, with bicycle parking for children not being required. As such, the requirement will increase from 12 spaces to 13 spaces with this proposal. The proposed increase in bicycle storage from 12 spaces to 79 spaces plus 10 scooter spaces will therefore more than meet standards and will positively support the Travel Plan in encouraging greater use of bicycles for school journeys by staff and pupils.

Access & Servicing

The existing servicing route to the kitchen and dining area at the southern end of the site will be removed with this proposal, with servicing having to instead take place from the car park in future. Tracking diagrams have been provided to show that turning in this area is possible, although the vehicle will temporarily obstruct access to a number of parking spaces whilst delivering, which is not ideal.

The removal of the access at the southern end of the site means that the associated crossover will need to be reinstated to footway at the applicant's expense, along with the already redundant crossover that currently serves the refuse compound. These works must be undertaken prior to the school extension coming into use.

Otherwise, significant improvements are proposed to pedestrian and cyclist access within the site, which are generally welcomed. However, consideration should be given to installing guardrailing on the footway in front of the widened southernmost pedestrian access, if it is to be used more extensively in the future.

Emergency access will be retained via the route from Grasmere Avenue. Brent's Transportation Unit would also wish to see this access opened up for use by parents, staff and pupils, in order to help to reduce congestion on College Road and improve the accessibility of the site by foot and reduce walking distances to bus and Underground services on Preston Road. However, the presence of alley-gates on the access road and questions over rights of way may make this difficult at the present time, but this option should continue to be explored.

Travel Plan

The school currently has a gold standard Travel Plan in operation. As such, it is acknowledged that the school is proactively working very hard towards reducing car use amongst staff and parents and promoting sustainable forms of transport for access to the school.

However, as a significant school expansion is proposed, the Travel Plan needs to be reviewed and revised targets need to be set to take mitigate the proposed increase in the number students and staff over the coming years. Any planning consent should therefore secure this by condition or Section 106 Agreement.

The Transport Statement that has been submitted with this application has considered requirements in more detail. In particular, surveys of existing journeys to and from the school undertaken in June 2012 have been examined. These showed 40% of pupils travelling to the school by car, of which 26% car shared with other children. 25.8% of staff travelled alone by car, with 15.7% car sharing. For other modes, 39% of pupils walked to school, 6% cycled and 16% used public transport. For staff, the proportions were 33% walking, 2% cycling and 24% on public transport.

For a three-form entry school (660 pupils), the above figures result in 178 vehicle trips to and from the school at opening and closing times by parents, plus 30 vehicle movements by staff. For the actual number of children registered at the school though (840), vehicular trips amongst parents rise to 227 trips at opening and closing times.

With no change to the percentage of pupils and staff travelling by car, vehicular trips could be expected to rise by 57 parent trips and 13 staff trips with the proposed increase from 660 pupils to 870 pupils. However, as the school has actually been operating with 840 pupils for some time now, the increase compared to the current situation would amount to just eight extra pupil journeys by car at the start and finish of the school day.

In addition, different starting times for the nursery and the availability of breakfast clubs to allow children to be dropped off earlier, mean the above increases are spread across a longer period than simply the half hour period spanning the start of the school day (8.45am). Similarly, after school activities mean that 10% of pupils are estimated to leave the school later than the usual closing time of 3.15pm. On this basis, the above predicted increases in pupil journeys by car in each peak hour are estimated to fall to about 52 trips and seven trips respectively.

The impact of these additional vehicular trips on road junctions in the local area has then been quantified. However, the area is predominantly residential and even though increased flows through some junctions may be large in percentage terms, the area is not considered to suffer from major congestion problems that would be significantly worsened by this proposal. No further junction modelling has therefore been undertaken.

In terms of parking impact, surveys undertaken in the vicinity of the school at opening and closing times by Brent's Transportation officers identified only 46 spare spaces in the morning drop-off period and 26 spare spaces in the afternoon pick up period (see attached) (n.b. although surveys contained within the Transport Statement suggest higher levels of spare parking, these calculations include parking along both sides of the College Road and Glendale Gardens, which are both too narrow to safely accommodate parking on both sides without obstructing traffic flow and/or damaging footways and verges). Parking problems around the school are therefore likely to increase without suitable mitigation.

As such, it is essential that the Travel Plan for the school is further enhanced to mitigate the proposed increase in pupil numbers by achieving a greater proportion of journeys by non-car modes of transport. Consideration has therefore been given to the modal shift away from car use that would be necessary to achieve a 'nil' impact on vehicular flows to and from the school.

To achieve this, the percentage of pupils travelling to and from the school by car alone would need to fall to about 10%, with the proportion car sharing with other pupils falling to about 20%, based on a rise from 660 pupils to 870 pupils (in practice, if these targets were met, actual car trips would fall from existing levels, given that the school already operates beyond its natural three-form entry capacity). For staff, modal share by car would need to fall to 20%, with 10% car sharing, to achieve a 'nil' increase in actual vehicular movements.

Data from Travel Plans for other schools in the Wembley area suggest that the required modal shift in school trips is achievable and these targets therefore need to be secured by planning condition for the development, to be achieved over a suggested timeframe of five years and a revised and enhanced Travel Plan will need to be submitted and approved prior to occupation of the new buildings setting out these revised targets and a package of measures aimed at achieving them.

Demolition and Construction

Both the Council's Transportation officer and Environmental Health officer have requested a method statement be provided to cover the demolition and construction phase of the proposed development. As per arrangements for the children's centre, the rear access from Grasmere Avenue could be considered for construction access for the nursery extension.

Wheel washing facilities will need to be provided on-site and suitable off-street un/loading areas will be required for vehicles carrying materials to the site and waste from the site, along with on-site storage areas. Any hoardings that are provided alongside footpaths should have lighting and be covered by the school's CCTV cameras for security purposes.

In order to ensure that these matters are dealt with a condition is proposed requiring the submission and approval of a demolition and construction method statement prior to the commencement of work on site.

Conclusion

The proposal is considered acceptable and is recommended for approval subject to the conditions set out at the end of this report.

RECOMMENDATION: Grant Consent

REASON FOR GRANTING

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

Core Strategy 2010
Brent Unitary Development Plan 2004
Central Government Guidance
London Plan 2011
Council's Supplementary Planning Guidance

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

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

CONDITIONS/REASONS:

- (1) All existing redundant crossovers to the site from College Road shall be reinstated to footway and guard railing installed to the front of the widened pedestrian access on to College Road to the satisfaction of the Council's Transportation Department at the applicant's expense prior to occupation of the development.

Reason: In the interests of pedestrian safety.

- (2) 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.

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

Drawings: 03/101; 03/102; 03/103; 03/104; 03/105; 03/106; 03/107; 03/108; 03/201B; 03/202; 03/203; 03/204; 03/205; & 03/207

Planning Statement by Metropolis - May 2012
Design and Access Statement (May 2012 Rev A)
Flood Risk Assessment (FRA) dated 25 May 2012 by WSP UK Ltd

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

- (4) Before any construction work on site, excluding demolition and site clearance, further details of materials for all external work, including samples where specified, shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The details shall include:

- (a) Brickwork - blended brick to match existing (including sample);
- (b) Render - Pure White (including sample);
- (c) Windows;
- (d) Doors;
- (e) Roof finishes (including sample).

The work shall be carried out in accordance with the approved details and retained thereafter for the lifetime of the development.

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

- (5) The landscape works and planting shown on the approved plans shall be carried out in accordance with a programme agreed in writing with the Local Authority.

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

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

- (6) Prior to the commencement of the use, a Community Access Plan shall be submitted to and approved in writing by the Local Planning Authority. The Community Access Plan shall allow for a minimum of 15 hours of community use each week and shall include details of rates of hire (based upon those charged at other public facilities), terms of access, hours of use, access by non-school users/non-members and management responsibilities.

The approved Community Access Plan shall be brought into operation within 3 months of occupation of the development and it shall remain in operation for the duration of the use of the development.

Reason: To secure well-managed, safe community access to the sports facility, to ensure sufficient benefit to the development of sport and to accord with Local Plan Policy

- (7) The protection of the retained trees shall be implemented in full accordance with the approved details set out in the Arboricultural Impact Assessment prior to the commencement of any preparatory work or development and retained throughout the duration of the construction works.

Reason: To ensure a satisfactory standard of appearance and setting for the development and to ensure the viability and health of the existing trees.

- (8) The development shall not be occupied until the car-parking, additional cycle and motor scooter spaces have been provided in accordance with the approved details and these shall

be retained thereafter for the lifetime of the development.

Reason: In the interests of highway safety and encourage use of sustainable transport.

- (9) No development shall take place, including any works of demolition or site clearance, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- (i) the parking of vehicles of site operatives and visitors;
- (ii) Construction traffic routes to the development site;
- (iii) loading and unloading of plant and materials;
- (iv) storage of plant and materials used in constructing the development;
- (v) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- (vi) wheel washing facilities and schedule of highway cleaning;
- (vii) measures to control the emission of dust and dirt during construction;
- (viii) a scheme for recycling/disposing of waste resulting from demolition and construction works;
- (ix) School and nursery access during the construction phase.

Reason: To protect residential amenity and ensure the development does not have an adverse impact on the highway.

- (10) Details of the extract ventilation system and odour control equipment for the commercial kitchen, including all details of external ducting, must be submitted to the Local Planning Authority for approval. The approved equipment shall be installed prior to the commencement of the use of the kitchen and shall thereafter be operated at all times during the operating hours of the kitchen and maintained in accordance with the manufacturers instructions.

Reason: To protect the amenity of nearby residents.

- (11) Within 12 months of occupation of the extension hereby approved, a review by a BRE approved independent body which verifies that the development has met or exceeded a BREEAM 'Very Good' rating shall be submitted to and approved in writing by the local planning authority. If the review specifies that the development has failed to meet the above levels, compensatory measures to ensure the development meets or exceeds a BREEAM 'Very Good' rating shall be submitted to and approved in writing by the local planning authority within 24 months of occupation of the extension hereby approved.

Reason: To ensure a satisfactory development which incorporates sustainability measures that are commensurate to the scale of development proposed.

- (12) Prior to the commencement of the use of the new buildings, a revised School Travel Plan for the site, setting more onerous targets of no more than 10% of pupils and 20% of staff travelling to the site by car alone, to be achieved across a five-year period shall be submitted and approved in writing by the Local Planning Authority.

Reason: to mitigate and adverse impact arising from increased traffic and parking demand in the area as discussed above;

- (13) The development shall be carried out in accordance with the approved Flood Risk Assessment (FRA) and the following mitigation measures detailed in the FRA:

- (i) Limiting surface water run-off generated by the 1 in 100 year (including an allowance for climate change) critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site as detailed in the FRA.
- (ii) Surface water storage to be achieved through the use of Sustainable Drainage Systems as detailed in the FRA.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any

other period as may be subsequently agreed in writing by the local planning authority.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

- (14) A scheme of mechanical services and any associated sound insulation measures shall be submitted to the Local Planning Authority for approval. The services and insulation shall be designed so that noise from the premises shall be at least 10 dB(A) below the measured background noise level at the nearest noise sensitive premises. The approved measures shall thereafter be implemented in full.

Reason: To protect acceptable local noise levels, in accordance with Brent Policy EP2

INFORMATIVES:

- (1) It is important that the workers are vigilant for signs of potential contamination in the soil during excavation works. This may include obvious residues, odours, fuel or oil stains, asbestos, buried drums, buried waste, drains, interceptors, tanks or any other unexpected hazards that may be discovered during site works. If any unforeseen contamination is found during works Safer Streets must be notified immediately. Tel: 020 8937 5252. Fax 020 8937 5150. Email: ens.monitoring@brent.gov.uk

Any person wishing to inspect the above papers should contact Neil McClellan, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5243

Committee Report Planning Committee on 11 December, 2013

Item No.

Case No.

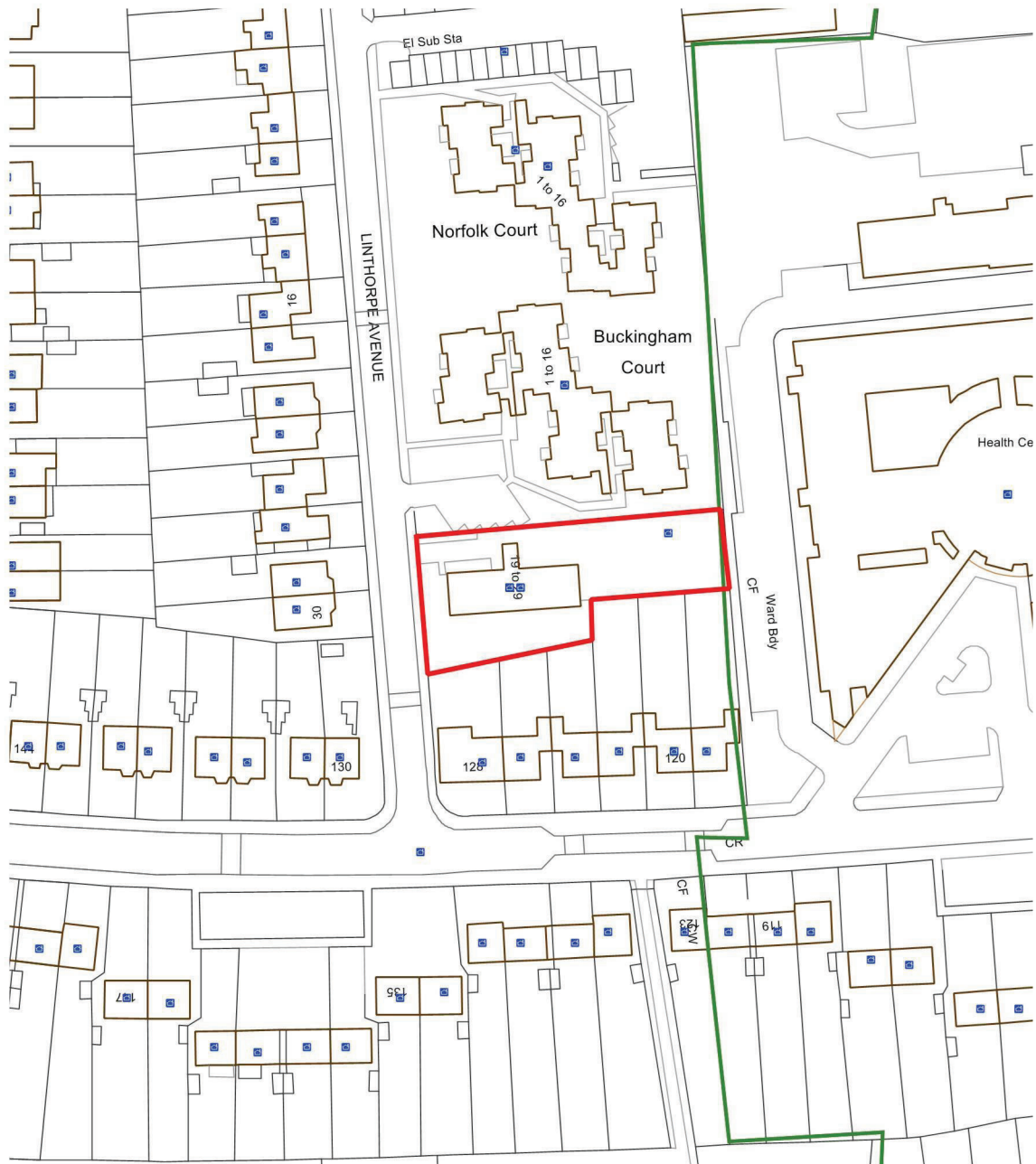
13/3115



Planning Committee Map

Site address: 19-29 ODDS, Linthorpe Avenue, Wembley, HA0 2ER

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This map is indicative only.

RECEIVED: 16 October, 2013

WARD: Sudbury

PLANNING AREA: Wembley Consultative Forum

LOCATION: 19-29 ODDS, Linthorpe Avenue, Wembley, HA0 2ER

PROPOSAL: Demolition of existing building and erection of a replacement 3 storey building comprising 9 residential flats with associated car parking, cycle storage and amenity space.

APPLICANT: Catalyst Housing Group

CONTACT: Jones Lang LaSalle Ltd

PLAN NO'S:
See condition 2

RECOMMENDATION

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

SECTION 106 DETAILS

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

- (a) Payment of the Councils legal and other professional costs in (i) preparing and completing the agreement and (ii) monitoring and enforcing its performance
- (b) Provision of 9 units (100%) for Affordable Housing, comprising:
 - 9 affordable rented units (3x 1 bedroom and 6 x 2 bedroom) subject to rent controls requiring a rent of no more than 80% of market rent inclusive of service charge.

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

Community Infrastructure Levy – CIL

The Mayor's Community Infrastructure Levy, otherwise known as CIL became effective from the 1st April 2012 onwards.

The Planning Act 2008 gave powers to the Mayor of London which allow a London wide CIL to be charged on eligible developments in order to help fund strategic infrastructure projects. The Mayor has now decided to charge CIL in order to raise approximately £300m which will be put toward London's share of the Crossrail funding package agreed with central Government. This means that all eligible developments granted planning permission from 1 April 2012 will be liable to pay

Mayoral CIL regardless of when the application was submitted to the Council or any resolution to grant planning permission by the Council's Planning Committee.

Mayoral CIL has been set at £35 per sqm on developments involving the creation of new residential units, and this proposal would qualify as chargeable development on the basis of the floorspace being created for new development 679sqm a total of £24, 297, 85 would be sought.

The proposal would also attract a Brent CIL rate of £200sqm. A total of £135,800.

Given that the site is to come forward as Affordable Housing, it is likely to qualify for an exemption from CIL.

EXISTING

The application site is a 0.11ha in size and currently accommodates a block of vacant flats. The flats were formerly used as accommodation for National Health Service staff serving the now defunct Wembley Hospital. The existing building comprises of a three storey, brick built building finished with a concrete tiled pitched roof residential block of 6 flats.

The site is positioned south of Harrow Road (A404) and to the north side of Chaplin Road and the wider area is predominantly residential. It can be described as being rectangular in shape and approximately 56m in length. The site slopes gradually down from north west to south east by approximately 2m.

To the south of the site is Chaplin Road. The properties on this section of Chaplin Road are two storey in height and semi detached in nature with varying garden depths. To the north of the site is Buckingham Court which are two storey units with shallow pitched roofs. At the eastern end of the site is the access road for recently constructed health centre. West of the site are residential properties, predominately bungalows.

It is important to note that the site has been vacant for 8 years and is currently in a very poor state. The building itself is blocked up internally and has become a area which attracts anti social behaviour, collecting litter and relates poorly to the high standards residential quality standards of the surrounding areas..

The site is not located within a conservation area and nor is it a located within the curtilage of a listed building.

PROPOSAL

The application seeks full planning permission to demolish the existing 3 storey residential building at the site, and in the buildings current position provide a new three storey building providing 9 affordable housing units for affordable rent (3 x1 bedroom and 6x 2 bedroom units) with associated car parking, cycle parking and amenity space.

HISTORY

No relevant planning history.

POLICY CONSIDERATIONS

UDP 2004

BE2 Townscape: Local Context & Character
BE3 Urban Structure: Space & Movement
BE5 Urban Clarity & Safety
BE6 Public Realm: Landscape Design
BE7 Public Realm: Streetscape
BE9 Architectural Quality
EMP9 Local Employment Areas
H12 Residential Quality – Layout Considerations
TRN23 Parking Standards – Residential Development

Core Strategy

CP2 Population and Housing Growth

CP17 Protecting and Enhancing the Suburban Character of Brent

CP21 A Balanced Housing Stock

Supplementary Planning Guidance Note 17: Design Guide for New Development

Supplementary Planning Document: S106 Planning Obligations

London Plan

Table 3.3 Minimum space standards for new development

National Planning Policy Framework

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

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

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

SUSTAINABILITY ASSESSMENT

The site is classed as a minor application and therefore the requirements of policy CP 19 of the Council's Core Strategy do not apply, as the proposal is for less than 10 flats. As a minor scheme the requirements of Brent's SPG19 'Sustainable Design & Construction' also do not apply and the submission of a Sustainability Checklist is not required.

CONSULTATION

39 neighbouring properties have been consulted. Re-consultation letters (14 day) were sent to a number of properties on 27/12/2013 following the receipt of some revised drawings. Any comments received from the revised round of consultation will be presented in a supplementary report.

The initial round of consultation resulted in the Council receiving 6 letters of objection .

External

The following objections were received.

Resident Comment	Officer's response to objection
The footprint of the building increases substantially in terms of width, depth and height.	The footprint would increase by approximately 82m ² which in percentage terms is 41% greater than the original site coverage. In terms of width the property will be approximately 1.2m greater than existing, in terms of length the proposal will be approximately 0.4m greater and the height is approximately 1.2m greater than existing. The potential impacts of the proposal are discussed within this report.
Going from 6 to 9 flats is overdevelopment.	The proposed density of new development is in accordance with density standards as prescribed by adopted policies and the standards of the London Plan.
The new windows, balconies and doors are much larger than the current arrangement. This will result in overlooking	As separation distances are in accordance with SPG17 standards the proposed scheme is not considered to result in additional overlooking.

The proposal does not meet the minimum rear elevation to new build separation distances.	Plans provided by the developer show that proposed scheme adheres to the separation distances.
The tree proposed will overhang neighbouring gardens, restricting sunlight and will effect the footings of the boundary wall.	The proposed trees are to be finalised in a landscaping plan. This impact will be addressed at this stage through the selection and siting of trees.
The proposal will lead to 50% increase in occupancy. This is overdevelopment.	The levels of occupancy are considered to be acceptable given the size of the site and quality of the accommodation provided.
There is a lack of garden space within the development site.	Revised plans provide a greater amount of amenity space which exceeds the requirements for a flatted development of this size.
Will lead to increased parking demands	Transportation hold no objection to the proposed parking provision and layout.

Internal

Highway Engineer:

The site is considered to be suitably serviced and will retain and utilise the existing access point and provide the required parking spaces. No transportation objections.

Design Officer:

No objections in principle.

Environmental Health:

No objections subject to conditions.

REMARKS

Principle of Development

1. The existing site was formally used as for key worker residential accommodation for NHS staff and were used in a multi occupancy arrangement. The current internal layout would fail the requirements as laid out in planning policy and are below the minimum spaces standards as set out by the London Plan's minimum spaces standards. Redevelopment of the site would take the opportunity to produce new accommodation for 1 and 2 bedroom units, all designed to fully meet criteria improved space and quality standards. We are informed by the developer that discussions have taken place between Catalyst Housing Ground and the owners regarding a restrictive historical convenat that exists regarding the use of building. Although not material planning consideration it is considered pertinent to inform memebbers of this which will provide a greater site context.

2. The proposed scheme has attempted to replicate the scale of the existing building. The existing arrangements do not make a particularly positive contribution to the townscape and your officers are satisfied that such an approach is acceptable in principle given that proposal provides 9 residential units at 100% affordability and is located on brownfield land. Although we feel that there may be alternative forms of development that could be proposed for this site, it is acknowledged that this would have taken substantial reworking and as a result would have comprehensively changed the existing scale and site coverage. The applicant has attempted to use the footprint of the existing building as a guide and template for development which helps to limit the potential for additional impact.

Density

3.National, regional and local policies seek to optimise the potential of the site, with the NPPF and the London Plan encourage the efficient use of land. Policy 3.4 of the London Plan aims to optimise the housing potential of a site taking account of local context, London Plan design principles and public transport capacity. Policy 3.4 also provides density matrix which gives a range of appropriate density ranges related to setting in terms of location, existing building form and massing, and the index of public transport accessibility (PTAL).

4 Core Strategy policy CP6 seeks to ensure developments have proper regard to the London Plan and states that "a notional density figure is not the only consideration, and the quality of design, location of the site and the need to provide family housing are all important".

5. The site is located within an urban area with a PTAL of 3. The site has an area of 0.11ha. At 24 habitable rooms, this results in a density of 218hr/ha, in accordance with the density targets set out in the London Plan (2011) of 150-250 hr/ha.

Quality of accommodation

6. 9 new residential units are proposed comprising of 3 x 1 bedroom units and 6 x 2 bedroom units. All the flats meet the minimum floor area standards set out in the London Plan.

Flat no	No of rooms	No of occupants	Flat size
Plot1 (Wheelchair unit)	2 bed	3person	70.8 sqm (Exceeds London Plan Standards)
Plot2	1 bed	2 person	50.2sqm (exceeds London Plan standards)
Plot 3	2 bed	4 person	70.8sqm (exceeds London Plan standards)
Plot4	2 bed	4 person	70.8sqm (exceeds London Plan standards)
Plot5	1 bed	2 person	50.2sqm(exceeds London Plan standards)
Plot 6	2 bed	4 person	70.8sqm(exceeds London Plan standards)
Plot 7	2 bed	4 person	70.8sqm(exceeds London Plan standards)
Plot8	1 bed	2 person	50.2sqm(exceeds London Plan standards)
Plot9	2 bed	4 person	70.8sqm(exceeds London Plan standards)

7. All units will meet the London Plan minimum space standards for new development. As such we hold no objection to the standard of accommodation provided.

8. External amenity space is provided by balconies and communal external amenity areas. A total in excess 371sqm of amenity space will be provided with 302sqm communal amenity. In crude terms this exceeds the 20sqm per dwelling as required by SPG17 providing an average of 41sqm per unit. The amenity space includes a 137sqm area of lawn and a communal courtyard. In addition to this all units have access to an individual balconies which are considered adequate in terms of scale and orientation.

9. All living areas and bedrooms are served with windows this helps maximise the amount of light and outlook available.

10. The layout of proposed flats has been fully considered and is stacked in a manner that living areas are stacked above living areas and bedrooms are above bedrooms. This will ensure that future occupiers have a good standard of internal residential amenity.

Residential Mix

11. Policy CP21 requires the provision of family sized accommodation but this is applicable to sites providing 10 or more homes which CP2 requires an appropriate range of unit types and sizes general for the borough. Given that the proposal is under 10 units the mix of 3 x 1 bedroom units and 6 x 2 bedroom units is considered acceptable. One of the units is a two bedroom three person wheelchair unit and the proposal accords with the 10 % requirement for accessible units. All units will be built to the Lifetime Homes standards. The mix of units is considered appropriate in this instance.

Design

12. The design is basic and based on the design of the original building. In most cases we would attempt to ensure that the new development addresses the prevailing street pattern but in this instance the existing building has established a precedent for this, as such the design and orientation is largely bound by the existing arrangement. Further details of the materials will be requested via condition.

Impact to neighbouring amenity

13 Although the proposed scheme is 1m in height greater than the existing building it is not considered to result in substantial overshadowing of neighbouring properties and is largely in keeping with the scale and form of the existing building located on site.

14. SPG 17 requires a 20m separation distance directly facing habitable room windows on main rear elevations. The applicant has demonstrated via plan number 3704-P101 Rev a that a separation distance of 20.5m between the development and the properties south of the application site in Chaplin Road. Neighbouring properties have queried whether this distance is has been accurately presented, these figures have been compared with our own internal webgis system and appear accurate. We would insist that a

condition be attached requiring the developers to undertake a comprehensive site survey prior to any development commencing on the basis that the members agree with this recommendation.

15. For clarity purposes SPG 17 states that a minimum separation distance of 20m is required between directly facing habitable room windows on main rear elevations. Main rear elevations exclude additions and extensions and as such the separation distance is measured from the original rear wall of dwelling and not where occupiers have chosen to extend their property.

16. The south elevation of the proposed new development accommodates a number of habitable rooms and balconies which face the rear elevations of properties in Chaplin Road. The proposed balconies and windows achieve the required separation distance and consideration has been given to the issues of overlooking. Further to this it is important to note the existing structure has a total of two balconies on both first and second floor and had a separation distance of 22m, just 2m greater than that proposed separation distance.

17. It is acknowledged that there are a greater number of windows and balconies facing Chaplin Road but the change compared to the existing arrangement is considered acceptable. In addition to this the relationship between the proposed development and the existing dwellings on Chaplin Road is not considered to be over dominant. The proposed development is set below a line of 30 degrees from the nearest rear habitable room window of the adjoining existing property and below a 45 degree line from the adjoining residential gardens as set out with SPG17.

18. In terms of the impact on the two storey flatted properties on Buckingham Court the impact is considered very similar to existing arrangement. The only portion of the new development that would be larger in terms of bulk than the existing arrangement is the entrance and stairwell. This has been considerably located opposite the car park serving Buckingham Court. In all the proposed development is not considered to impact these properties in a manner greater than existing arrangement.

20. The proposed parking, bin storage and bike store are located in areas that would have a minimal impact on the amenity of neighbouring dwellings. Nor would the proposed layout be to the detriment of future occupiers of the proposed development as the access road is a sufficient distance from habitable rooms as is the parking arrangement which is located at the eastern end of the site away from dwellings.

Highways and Access

21. Linthorpe Avenue is a local access road with traffic calming. It is within a Controlled Parking Zone and also falls within the Wembley Stadium Event Day Protective Parking Scheme. It is only 6 metres wide though, so on-street parking is restricted to the near side of the road only, where there is a long resident parking bay that can accommodate about 5 cars. On the opposite side of the street, parking is prohibited between 9am and 6.30pm Mondays to Saturdays.

22. The parking allowance for the proposed flats new units is up to a maximum of 1 space per 1-bed unit and 1.2 spaces per 2-bed unit, giving a total allowance of 10.2 spaces. The provision of ten spaces that was originally proposed therefore meets standards. As the proposed 9 units are 100% affordable rent units, the standard does allow a reduction of 50%, so as few as five spaces would be acceptable, which may assist in providing increased amenity space for the flats. The applicant subsequently proposed a reduction to 9 parking spaces with one of these spaces provided directly adjoining the wheelchair unit. (at the time of writing the revised parking layout is out on consultation).

23. As a consequence of the revised parking arrangement the amount of landscaped amenity space has been increased. The reduction in parking has not raised any objection internally.

24. The refuse and recycling storage is acceptable as it is located within 9m of the point at which collection would take place, to ensure ease of servicing. Covered cycle parking is provided for 15 cycles and is in close proximity to the main building.

Summary

25. The proposal complies with relevant policy in the Brent Unitary Development Plan 2004 and Supplementary Planning Guidance 17 and is, therefore, recommended for approval, subject to conditions and Legal Agreement.

RECOMMENDATION: Grant Consent subject to Legal agreement

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

Brent Unitary Development Plan 2004

Council's Supplementary Planning Guidance 5 - Altering and Extending Your Home

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

Built Environment: in terms of the protection and enhancement of the environment

Housing: in terms of protecting residential amenities and guiding new development

CONDITIONS/REASONS:

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

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

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

3704-P1000

3704-P101 Rev A

3704-P102

3704-P103

3704-P104

3704-P105

P704-P106

3704-P107

2704-P108

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

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

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

- (4) The applicants shall provide a pre-construction site survey to demonstrate that the development, hereby approved, is capable of being accommodated on the site whilst retaining a 20m separation distance between the habitable rooms of the approved development and the original rear wall of the dwellings fronting Chaplin Road in accordance with the approved drawings. The development shall be fully implemented in accordance with these details unless agreed in writing with the Local Planning Authority.

Reason: In order to allow the Local Planning Authority to exercise proper control over the development.

- (5) The developer and/or constructor must join and adhere to the requirements of the Considerate Constructors Scheme for the duration of the construction of the development hereby approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the amenity of the adjoining and nearby occupiers.

- (6) All parking spaces, turning areas, footways and cycle storage facilities shall be constructed and permanently marked out prior to commencement of use of any part of the approved development and thereafter maintained and used for purposes ancillary to the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic or the conditions of general safety within the site and along the neighbouring highway.

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

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

- (8) All areas shown on the approved plans shall be suitably landscaped in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority in prior to commencement of works on the site and the approved details shall be implemented in full. Such landscaping work shall be completed prior to first occupation of the development hereby approved and thereafter maintained.

The submitted scheme shall include details of:

- the planting scheme for the site, which shall include species, size and density of plants, sub-surface treatments (or planters / green roof substrate profiles where applicable), details of the extent and type of native planting, any new habitats created on site and the treatment of site boundaries and buffers around water bodies;
- walls, fencing and any other means of enclosure, including materials, designs and heights;
- treatment of areas of hardstanding and other areas of hard landscaping or furniture, including materials;
- details of levels and contours within and adjoining the site;
- a landscaping maintenance strategy, including details of management responsibilities;

Any trees and shrubs planted in accordance with the landscaping scheme and any plants which have been identified for retention within the development which, within 5 years of planting, are removed, dying, seriously damaged or become diseased, shall be replaced to the satisfaction of the Local Planning Authority, by trees and shrubs of similar species and size to those originally planted.

Reason: To ensure a satisfactory standard of appearance and to ensure that the proposed development enhances the visual amenity of the locality.

- (9) Confirmation that all of the units have been constructed to the Lifetime Homes standards and one Wheelchair Accessible unit has been provided shall be submitted to the Council prior to the first occupation of the development hereby approved.

Reason: To ensure a sufficiently accessible development.

INFORMATIVES:

None Specified

Any person wishing to inspect the above papers should contact Matt Brown, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 3771

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Committee Report Planning Committee on 11 December, 2013

Item No.

Case No.

13/2601



Planning Committee Map

Site address: Pop In Commercial Centre, South Way, Wembley, HA9

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This map is indicative only.

RECEIVED: 5 September, 2013

WARD: Tokyngton

PLANNING AREA: Wembley Consultative Forum

LOCATION: Pop In Commercial Centre, South Way, Wembley, HA9

PROPOSAL: Creation of car wash facility to 6 existing parking bays with canopy

APPLICANT: Mr Navdeep Singh Viridi

CONTACT:

PLAN NO'S:
See condition no 2

RECOMMENDATION

Grant temporary consent for a period of one year

EXISTING

The application site comprises of a series of commercial units within a 2-storey building, located on South Way, opposite Wembley National Stadium. The site is known as the Pop In Commercial Centre. This application relates to six car parking spaces within the rear car park of the centre. The site is not within a Conservation Area, nor is it a Listed Building. The surrounding uses are all commercial.

PROPOSAL

Change of use of 6 existing parking bays to a car wash facility and erection of a canopy

HISTORY

13/0589 - Creation of car wash facility to 2 existing parking bays. *Application withdrawn*

POLICY CONSIDERATIONS

Brent's Unitary Development Plan 2004

TRN3	Environmental Impact of Traffic
TRN12	Road Safety and Traffic Management
TRN22	Parking Standards-Non Residential Developments
EP2	Noise & Vibration
EP4	Potentially Polluting Development
EP12	Flood prevention
BE2	Townscape: Local Context and character
BE7	Public realm: streetscape
EMP10	The environmental impact of employment development

LDF Core Strategy 2010

National Planning Policy Framework 2012

CONSULTATION

Consultation letters dated 26th September 2013 were dispatched to 48 neighbouring addresses.

3 objections were received from neighbours at 6, 12A and 15 Pop In Commercial Centre. The issues raised

are summarised as follows:

The proposal will cause more congestion on this already busy Paras 2-4 estate.

The road is used for deliveries by articulated lorries constantly, Paras 2-4 and this will only make matters worse

The mess caused by car washing will make the area very Paras 5-7 untidy and the proposal will add extra pressure on the drainage system on this estate.

Work has already started on the proposed site, - does this mean that the planning permission is a forgone conclusion.

An Officer site visit carried out in October 2013 confirms the use has not commenced. However, even if it had, then the Planning Enforcement Team would investigate.

Transportation

This proposal can be supported on transportation grounds, subject to a temporary consent for 1 year, after which it will be reviewed for transportation impact and any nuisances occurring from the car wash operation.

Environmental Health

Initial comments: recommend conditions/further details. Further details are required of the drainage system to ensure that the runoff of contaminated water is properly controlled. Revised plans were also required showing details of where any chemicals, detergents or soaps used in car washing will be stored. Details of any bunds or other containment are also required.

Further details addressing the Environmental Health Officer's comments have been submitted and these are satisfactory.

REMARKS

Key considerations

1. Impact on visual and neighbouring amenity
2. Parking, servicing and access
3. Environmental safety

Impact on visual and neighbouring amenity

1. The visual impact of the site is limited since it the site is the car parking area for the commercial units, collectively known as the Pop In Commercial Centre. There are no nearby residential properties, and therefore the visual impact in this location is acceptable.

Parking, servicing and access

2. The proposed use as a car washing facility will occupy 6 existing parking bays at the commercial centre. The Council's Transportation Officer has assessed the proposal, and considers that there would still be sufficient parking for the tenants of the commercial units at this site, and therefore this should be acceptable. However, he has recommended that if Officers are minded to grant planning permission, that this should be for a temporary period of one year in order to monitor and review the impact the use would have on parking and congestion.
3. The Transport Officer has taken into account the Pop In Commercial Centre is occupied by several business, including garages, offices stores and restaurants. The parking for the tenants is on the south side of the site, which includes bay for MOT use due to car workshops within the commercial centre. Further parking for units is located to the rear of the premises accessed from the service road.
4. It has also been taken into account that the proposed use would occupy 6 existing parking bays, and that although the applicant assures this should be sufficient for the use and that the use should not result in occupying any more bays then this, in reality it cannot be guaranteed that there would not be any further vehicles awaiting the use of the car wash facility in additional bays. For this reason a temporary use for a period of one year is recommended, to assess the impact on traffic and parking

Environmental Safety

5. Environmental Health officers are satisfied with the details submitted by the applicant to address their initial comments. The revised plans show the storage area for chemicals and any washing detergent to ensure that these are properly contained.
6. The applicants have also provided details of the drainage system to include the location of the gully and kerbs used to control run-off. A drainage channel is to be provide on twos sides of the washing facility, as shown in drawing number 1a. This would be to control and capture water run-off from the vehicle washing. The applicant has stated that the water run-off will to surface gullies and taken to the foul drainage system by the use of an electric pump. The floor of the washing area is to laid to a gradient of 1:20 towards the drainage channels and gullies. The applicants are aware that the local sewerage provider with regard to the suitability of the treatment unit required.
7. The details provided by the applicant have been assessed by the Environmental Health Officer, who has confirmed that they are satisfactory. Relevant conditions are recommended to ensure storage of equipment and chemicals and the drainage systems are in accordance with the details submitted.

Conclusions

8. In summary, the use of 6 parking bays site for car washing is would not result in an unacceptable harm to the amenity of neighbouring occupants. However, in order assess the impact of the proposal on parking, traffic and the drainage system, it is recommended that permission be granted for a temporary period of one year after which, if a renewal of the permission is sought, the impact of the proposal may be assessed.

RECOMMENDATION: Grant Consent

REASON FOR GRANTING

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

Brent Unitary Development Plan 2004

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

Built Environment: in terms of the protection and enhancement of the environment

Environmental Protection: in terms of protecting specific features of the environment and protecting the public

Transport: in terms of sustainability, safety and servicing needs

CONDITIONS/REASONS:

- (1) This permission shall be for a limited period of one year, expiring on 11th December 2014 when (unless a further application has been submitted to and approved in writing by the Local Planning Authority) the use hereby approved shall be discontinued and all associated equipment shall be removed and the property reinstated to the satisfaction of the Local Planning Authority.

Reason: To ensure a satisfactory development which does not prejudice the amenity of the locality, to review the transportation impact, and in order to protect surface-water drainage systems.

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

Site plan; 120404/01a; 120404/02a; SK1a; 1a; 2a; 3a; Letter from agent dated 8th November 2013

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

- (3) Washing of vehicles shall only take place in the designated area below the free-standing canopies, as shown on the approved drawings.

Reason: To ensure a satisfactory development which does not prejudice the amenity of the locality and in order to protect surface-water drainage systems.

- (4) The details of the drainage system for the development hereby approved shall be in accordance with the details as shown on drawing no 1a (Ground Floor Plan), and thereafter be retained for the duration of this use, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the runoff of contaminated water is properly controlled.

- (5) The storage of materials, including storage areas for chemicals, detergents or soaps, to be used on the site in association to the use as a car wash hereby approved, shall be in accordance with the plans hereby approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that chemicals are properly contain any leakage or spillage and prevent accidental damage to the containers.

INFORMATIVES:

- (1) The applicant is reminded that this permission is for a temporary period of one year only. If any renewal of this permission is submitted, the Local Planning Authority will consider whether any objections have been received to the continued car-wash use, whether the traffic and parking impact is acceptable and whether conditions have been complied with.
- (2) The applicants are advised that a Trade Effluent License may be required from Thames Water for the proposed use.

Any person wishing to inspect the above papers should contact Avani Raven, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5016

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Committee Report Planning Committee on 11 December, 2013

Item No.

Case No.

13/2799



Planning Committee Map

Site address: Palace of Arts and Industry, Engineers Way, Wembley, HA9

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This map is indicative only.

RECEIVED: 20 September, 2013

WARD: Tokyngton

PLANNING AREA: Wembley Consultative Forum

LOCATION: Palace of Arts and Industry, Engineers Way, Wembley, HA9

PROPOSAL: Erection of a series of 5- to 16 storey buildings within Plot NW01 situated on the corner of Engineers Way and Empire Way comprising 475 residential units and 1,061 square metres of commercial floorspace (Use Class B1 (Business), D1 (non-residential institution), D2 (leisure and assembly), A1 (retail) , A2 (professional and financial services) or A3 (restaurant and café)) and associated residential parking spaces, private communal landscaped garden, ancillary spaces, and associated plant, cycle storage and refuse provision.

This application is submitted pursuant to conditions 1 (Reserved Matters in relation to Layout, Scale, Appearance, Access and Landscape), 9 (Noise), 23 (Sustainability Implementation Strategy) and 29 (Affordable Housing Storage) in relation to Plot NW01 of outline planning permission reference 13/1323 which varied outline planning consent reference 10/3032.

Outline Planning Consent reference 10/3032 was for:
Demolition of existing buildings and the mixed-use redevelopment of the site to provide up to 160,000m² of floorspace (GEA, excluding infrastructure) comprising:

- Retail/financial and professional services/food and drink (Use Class A1 to A5): 17,000m² to 30,000m²
- Business (Use Class B1): up to 25,000m²;
- Hotel (Use Class C1): 5,000m² to 20,000m²;
- Residential dwellings (Use Class C3): 65,000m² to 100,000m² (815 to 1,300 units);
- Community (Use Class D1): 1,500m² to 3,000m²;
- Leisure and Entertainment (Use Class D2): up to 5,000m²;
- Student accommodation/serviced apartments/apart-hotels (Sui Generis): 7,500m² to 25,000m²;

and associated infrastructure including footways, roads, parking, cycle parking, servicing, open spaces, landscaping, plant, utilities and works to Olympic Way, and subject to a Deed of Agreement dated 24 November 2011 under Section 106 of the Town and Country Planning Act 1990, as amended

APPLICANT: Quintain Estates and Development Plc

CONTACT: Signet Planning

PLAN NO'S:
See condition 1.

RECOMMENDATION

To approve the Reserved Matters and details pursuant to conditions 1, 9, 23 and 29 in relation to plot NW01 of the Quintain "North West Lands" outline planning consent.

SECTION 106 DETAILS

The outline planning consent was subject to a comprehensive section 106 legal agreement and this development would be subject to that agreement. Details of the agreement are available in the committee report for the outline planning consent (reference 10/3032).

Community Infrastructure Levy

The Outline planning permission was approved prior to the introduction of CIL and as such, the financial

contributions are secured through the Section 106 agreement rather than CIL.

EXISTING

The subject site is situated in the south-western corner of application site for the outline planning consent. It fronts Empire Way and Engineers Way and adjoins the Quality Hotel to the north and the Brent Civic Centre to the east. Ground levels vary within the site, with the level of the south-western corner being approximately 1-storey higher than the level of the north-eastern corner of the site.

It is not within a Conservation Area. However, parts of the site are opposite a Grade II Listed Building (The Wembley Arena, previously known as the Empire Pool).

DEVELOPMENT SCHEDULE

The table(s) below indicate the existing and proposed uses at the site and their respective floorspace and a breakdown of any dwellings proposed at the site.

Floorspace Breakdown

USE

Number	Primary Use	Sub Use
1	dwelling houses	
2	shops	
3	financial and professional services	
4	restaurants and cafes	
5	general business use	
6	non-residential institutions	
7	assembly and leisure	

FLOORSPACE in sqm

Number	Existing	Retained	Lost	New	Net gain
1	0	0	0	35919	35919
2				150	150
3				150	150
4				150	150
5				150	150
6				150	150
7				150	150

TOTALS in sqm

Totals	Existing	Retained	Lost	New	Net gain
	0	0	0	36819	36819

PROPOSAL

See above.

HISTORY

Outline planning consent was granted for the comprehensive re-development of the land surrounding the Brent Civic Centre in 2010. This plot represents the first plot that is to be delivered pursuant to the outline planning consent.

While all matters are reserved within this planning consent, the key parameters of the development were fixed through the approval of parameter plans, a "development specification", conditions and the Section 106 agreement. The parameter plans set a number of factors including the location of external walls and heights of the various elements of the buildings. As Quintain developed their proposals for Plot NW01, improvements were made to the site layout that were in accordance with the outline consent except in relation to the location of some external walls and the location of the taller and shorter elements of the building and the location of one of the vehicle access zones as shown on the parameter plans. As such, the applicant submitted an application for minor material amendments to the outline scheme to vary the

parameter plans in relation to Plot NW01 and this was approved.

10/3032 – Granted 24 November 2011

Outline application, accompanied by an Environmental Impact Assessment, for the demolition of existing buildings and the mixed-use redevelopment of the site to provide up to 160,000m² of floorspace (GEA, excluding infrastructure) comprising:

- a) Retail/financial and professional services/food and drink (Use Class A1 to A5): 17,000m² to 30,000m²
- b) Business (Use Class B1): up to 25,000m²;
- c) Hotel (Use Class C1): 5,000m² to 20,000m²;
- d) Residential dwellings (Use Class C3): 65,000m² to 100,000m² (815 to 1,300 units);
- e) Community (Use Class D1): 1,500m² to 3,000m²;
- f) Leisure and Entertainment (Use Class D2): up to 5,000m²;
- g) Student accommodation/serviced apartments/apart-hotels (Sui Generis): 7,500m² to 25,000m²;

and associated infrastructure including footways, roads, parking, cycle parking, servicing, open spaces, landscaping, plant, utilities and works to Olympic Way, and subject to a Deed of Agreement dated 24 November 2011 under Section 106 of the Town and Country Planning Act 1990, as amended

13/1323 – Granted 18 September 2013

Variation of condition 4 of Outline Planning Consent reference 10/3032 to allow minor material amendments to the parameter plans in relation to Plot NW01, situated in the south-western corner of the application site at the junction of Empire Way and Engineers Way.

POLICY CONSIDERATIONS

NATIONAL

National Planning Policy Framework

REGIONAL

The Mayor of London

The London Plan 2011

The revised London Plan was adopted in July 2011 and sets out an integrated social, economic and environmental framework for the future development of London. Relevant Policies include:

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.6 Children and Young People's Play and Informal Recreation
- 3.8 Housing Choice
- 3.9 Mixed and Balanced Communities
- 4.2 Offices
- 4.5 London's Visitor Infrastructure
- 5.1 Climate Change Mitigation
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 5.6 Decentralised Energy in Development Proposals
- 5.7 Renewable Energy
- 5.9 Overheating and Cooling
- 5.10 Urban Greening
- 5.11 Green Roofs and Development Site Environs
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 5.15 Water Use and Supplies
- 5.21 Contaminated Land
- 6.3 Assessing Effects of Development on Transport Capacity
- 6.9 Cycling
- 6.10 Walking
- 6.13 Parking
- 7.1 Building London's Neighbourhoods and Communities
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.5 Public Realm
- 7.6 Architecture
- 7.14 Improving Air Quality

They Mayor's Transport Strategy

Supplementary Planning Guidance – Sustainable Design and Construction (May 2006)

Supplementary Planning Guidance – Accessible London: Achieving an Inclusive Environment (April 2004)

LOCAL

Brent Local Development Framework Core Strategy 2010

CP 1 Spatial Development Strategy

CP 2 Population and Housing Growth

CP 3 Commercial Regeneration

CP 5 Placemaking

CP 6 Design & Density in Place Shaping

CP 7 Wembley Growth Area

CP 14 Public Transport Improvements

CP 15 Infrastructure to Support Development

CP 16 Town Centres and the Sequential Approach to Development

CP 18 Protection and Enhancement of Open Space, Sports and Biodiversity

CP 19 Brent Strategic Climate Mitigation and Adaptation Measures

CP 21 A Balanced Housing Stock

CP 23 Protection of existing and provision of new Community and Cultural Facilities

Brent Unitary Development Plan 2004

Strategy

The relevant policies in this respect include Policies STR3-4 (prioritising locations and land-uses to achieve sustainable development), STR5 and 6 (reducing the need to travel), STR9 (role of GLA Roads and London Distributor Road) STR12-15 (protecting and enhancing the environment), STR25 (meeting employment need), STR29 (Vitality and Viability of the Borough's Town and District Centres, and the role of Wembley and Kilburn as major centres)

Policies

BE1 Urban Design Statements

BE2 Local Context & Character

BE3 Urban Structure: Space & Movement

BE4 Access for disabled people

BE5 Urban clarity and safety

BE6 Landscape design

BE7 Streetscene

BE8 Lighting and light pollution

BE9 Architectural Quality

BE10 High Buildings

BE11 Intensive and Mixed Use Developments

BE12 Sustainable design principles

BE13 Areas of Low Townscape Quality

BE17 Building Services Equipment

BE34 Views and Landmarks

EP2 Noise and Vibration

EP3 Local air quality management

EP4 Potentially polluting development

EP6 Contaminated land

EP12 Flood protection

EP15 Infrastructure

H4 Affordable Off-site Affordable Housing – 'Provision in Lieu'

H11 Housing on Brownfield sites

H12 Residential Quality – Layout Consideration

H13 Residential Density

H14 Minimum Residential Density

H22 Protection of Residential Amenity

TRN1 Transport assessment

TRN2 Public transport integration

TRN3 Environmental Impact of Traffic

TRN4 Measures to make transport impact acceptable

TRN9 Bus Priority

TRN10 Walkable environments

TRN11 The London Cycle Network
 TRN12 Road safety and traffic management
 TRN13 Traffic calming
 TRN14 Highway design
 TRN15 Forming an access to a road
 TRN16 The London Road Network
 TRN17 Restrictions on New Roads
 TRN22 Parking Standards – non-residential developments
 TRN23 Parking Standards – Residential developments
 TRN24 On-street parking
 TRN25 Parking in Town Centres
 TRN28 Restrictions on off-street public parking and contract parking
 TRN30 Coaches and Taxis
 TRN31 Design and Land Take of Car Parks
 TRN34 Servicing in new developments
 TRN35 Transport access for disabled people & others with mobility difficulties
 Appendix TRN2 Parking and Servicing Standards
 EMP2 Small and medium sized enterprises
 EMP3 Childcare facilities in Employment Developments
 EMP9 Development of Local Employment Sites
 EMP10 The Environmental Impact of Employment Development
 EMP14 Design of Business Developments
 EMP20 Creative Industry Proposals
 SH2 Major Town Centres
 SH10 Food and Drink (A3) Uses
 SH11 Conditions for A3 Uses
 SH19 Rear servicing
 TEA1 Location of large-scale Tourist, Visitor and ACE uses
 TEA2 Location of small-scale Tourist, Visitor and ACE uses
 TEA4 Public Art
 TEA6 Large Scale Hotel Development
 TEA7 Small Scale Hotel Development
 OS18 Children's Play Areas
 OS19 Location of Indoor Sports Facilities
 CF1 Location of Large Scale Community Facilities
 CF2 Location of Small Scale Community Facilities
 CF4 Community Facilities Capable of Holding Functions
 CF6 School Places
 CF7 New Schools
 CF8 School Extensions
 CF11 Day Nurseries
 CF13 Primary Health Care / GP Surgeries
 CF14 Places of Worship
 WEM2 Pedestrian Route/Promenade
 WEM4 Residential Development within the Wembley Regeneration Area
 WEM5 Relocation of Existing Businesses
 WEM7 Access to development – the National Stadium Policy Area
 WEM9 Comprehensive Development – The National Stadium Policy Area
 WEM11 On-street parking controls for Wembley
 WEM12 Short stay car parking in the Wembley Regeneration Area
 WEM16 Urban design quality – Wembley Regeneration Area
 WEM17 The public realm – Wembley Regeneration Area
 WEM18 Design of Buildings Along Olympic Way
 WEM19 Views of the Stadium
 WEM22 Libraries in Wembley
 WEM27 Opportunity sites at the Junction of Olympic Way and Engineers Way

Brent Council Supplementary Planning Guidance and Documents

SPG3 Forming an access to a road
 SPG12 Access for disabled people
 SPG13 Layout standards for access roads
 SPG17 Design Guide for New Development
 SPG19 Sustainable design, construction and pollution control

Other Council Publications

Wembley Vision (2002)
Wembley From Vision to Reality (2007)

SUSTAINABILITY ASSESSMENT

The key sustainability requirements were set out within the Outline planning consent, which included a requirement to meet Code for Sustainable Homes level 4, BREEAM “Excellent” for non-residential floor space comprising more than 10 % of the plot area, a site-wide gas fired CHP engine provided within a single energy centre before completion of the 780th unit, future connection to a district heating system if provided in the future, 3,300 sqm of photo voltaic (PV) panels across the site, a minimum score of 50 % of the SPG19 sustainability checklist and to meet the Mayor of London’s Essential Standards as set out within the 2008 revision of the London Plan.

A pre-assessment has been submitted which demonstrates that the scheme will meet Code for Sustainable Homes level 4 and the non-residential floorspace does not comprise more than 10 % of the floorspace. The applicant has confirmed that the scheme will be connected to the site wide heat network served by a single energy centre at the appropriate time and proposes gas fired boilers in the interim. No PV panels are proposed on this plot. However, the applicant has shown that sufficient roof-space remains to meet the requirement on the other plots and thus accord with the outline consent. A SPG19 sustainability checklist has been submitted demonstrating that the proposal will meet the minimum level of 50 %. The submission confirms that the Essential Standards will be met.

The proposal demonstrates that the development will meet the sustainability requirements as set out within the Outline Planning Consent.

CONSULTATION

Letters sent: 4 October 2013
Site Notices: 25 September 2013
Press Notice: 3 October 2013

Letters were sent to 452 adjoining and nearby owners and occupiers.
No letters were received from third parties.

Internal consultees:

Safer Streets:

Noise: Safer Streets are satisfied that the submitted details show that the development will be able to meet the required standards providing the development proceeds as described.

Sustainability: A poorly situated or high emissions boiler could prejudice local air quality during the period between the completion of NW01 and the completion of the energy centre. As such, further information is requested including the location of the boiler(s) and associated discharge stack, the fuel type for the boiler(s), expected emissions of NOx and PM and likely timescale for use of the boiler(s).

Further information has been received regarding the boiler and flue and this is being reviewed by Safer Streets. A condition has been recommended requiring further information. However, this may be able to be removed if Safer Streets consider that the further information that has been submitted is acceptable. This will be discussed within the Supplementary Report.

Highways:

No objections subject to the inclusion of a 300 mm wide protective margin on the eastern side of the car park entrance from “Wealdstone Road”, amendments to the doors to the refuse store for Building C so as not to open outwards over the public footway and the provision of four external bicycle stands. An informative is recommended advising the applicant of the need to secure an oversailing licence under Section 177 of the Highways Act.

A full discussion of the Highways comments can be found in the Remarks section of this report.

Landscape Design:

The proposed landscaping strategy is considered to be acceptable subject to the submission of further details that are secured through conditions attached to the outline planning consent.

External consultees:

Wembley National Stadium Limited

WNSL highlight that the access plan allows for vehicular access and egress from and onto Engineers Way and that this road is partially closed on stadium event days. As such, WNSL believe that the management of traffic is addressed in the access details approved through this application and that any travel plan includes measures to ensure that site users are aware of the event day Traffic Management Plan, encouraged to use public transport on event days and encouraged to reduce car use and parking on event days.

As with the Council's Civic Centre, Forum House and the Wembley Arena, vehicular access may be restricted due to event day road closures. Your officers concur that it is important for residents to be made aware of event day restrictions and encouraged to use public transport and reduce car use. The management of traffic and closure of roads cannot be controlled through this application as this is at the discretion of the Council's Highways service. However, the provision of adequate information to residents and occupants will ensure that this can be managed in an appropriate way for all users.

Thames Water

Thames Water have objected to the approval of details pursuant to condition 23 (Sustainability Implementation Strategy) and recommended conditions or informatives relating to sewers crossing the site, works in proximity to a public sewer, surface water drainage and the capacity of the existing waste water infrastructure to accommodate the needs of this proposal. They provide supplementary comments that set out that the network is known to be at capacity due to the substantial redevelopment of the area surrounding Wembley Stadium. They highlight that the development should fund a study to ascertain whether the development will lead to overloading of existing waste and surface water infrastructure. They highlight the lack of foul and surface water drainage plans and specify that this must be submitted for Thames Water to undertake a study to determine the impact of the development on the receiving network. This should include details of connection points and discharge rates.

Your officers questioned Thames Water regarding their comments as details of drainage are required through conditions 24, 25 (drainage strategy including details of on/off site drainage requirements) and 26 (surface water drainage scheme). These conditions were agreed with Thames Water in advance of the approval of the outline planning consent. They have not been submitted pursuant with this reserved matters application but must be approved prior to the commencement of works on this site.

Thames Water responded but did not provide further information regarding their objection to the approval of details pursuant to that condition and your officers must therefore work on the basis that the objection relates to the matters raised in their letter. The key concerns raised by Thames Water relate to the inability of the existing waste water infrastructure to accommodate the needs of this application. This issue was raised by Thames Water in response to the outline planning consent and conditions 24 and 25 were agreed with Thames Water and attached to the consent to ensure that they could consider this information prior to the commencement of works on the plot. As such, this matter has been addressed in agreement with Thames Water within the outline planning consent. The sustainability implementation strategy that they object to therefore is not intended to address this matter aside from details of water usage which are secured through the Code for Sustainable Homes Assessment and confirmed within this submission.

Your officers accordingly do not consider that the Thames Water objection warrants the refusal of reserved matters. It is important to remember that this application seeks the approval of reserved matters and not the grant of planning consent as consent has already been granted in consultation with Thames Water.

REMARKS

1. This application seeks the approval of Reserved Matters and three conditions (noise, sustainability implementation strategy and Affordable housing storage) relating to the outline planning consent and as such, this report considers the merits of the proposal as it relates to the outline approval. Matters that have already been approved, such as the merits of the proposed uses within the building or the heights of building will not be discussed. However, how these are delivered within the scheme will be.

Uses within the site

2. The proposed uses accords with the Outline planning consent with the scheme being residential led with some non-residential uses at ground level. The applicant seeks a large amount of flexibility with regard to the non-residential uses, with the 1,061 square metres of floorspace proposed to be within Use Class A1, A2, A3, B, D1 or D2. This flexibility is sought to ensure the spaces can be let when delivered. The outline consent allows all of these uses to be delivered within the site and as this is the first site to be delivered, there is sufficient floorspace that can be delivered for all of the uses. As such, this is

considered to be acceptable. The applicant has specified that some of the commercial floorspace may be delivered as “Low Cost Employment Space” which would fall within Use Class B1.

Mix of residential units

3. A total of 475 residential units are proposed of which 10 % are required to be Affordable (measured by floorspace) by the outline consent. The mix of units is as follows:

	Affordable Rent	Intermediate	Private
Studio			5
1	8	13	217
2	8	11	201
3	6	1	5

4. The mix of units differs slightly from the proportions set out within the Development Specification for the Outline consent, with the proportion of 3-bedroom units falling below and the proportion of 1-bedroom units being above the specified levels. The proportion of 2-bedroom Intermediate and Private units is slightly higher than the levels agreed within the Development Specification. This is considered to be acceptable providing the development of subsequent plots adjusts the overall unit mix so that it accords with the agreed proportions.
5. The Intermediate units are to be provided as “Discount Market Sale” accommodation and pepper-potted with the private units. The Affordable Rent units are served by an independent core in accordance with the standard requirements of Registered Providers.

Quality of residential units

6. The proposed units meet the minimum floorspace standards that are set out in the approved development specification. The submission is accompanied by a daylight assessment that demonstrates that all but three windows within the development will comply with the criteria set out in the Development Specification. This is considered to be acceptable given the very low proportion of windows that are affected and the fact that other windows within those units will meet the standards.
7. Only a very small number of “studio” units are proposed. However, these have a poor layout due to the incorporation of a wall that results in a bedroom with no external windows and must rely on the 1.65 m wide doorway into the living room for light and outlook. A condition is accordingly recommended which requires a revised, more open layout.
8. A total of 55 of the 475 units have a sole northern aspect. At 11.5% of units, this exceeds the maximum level of 5 % as set out within the development specification. As with the mix of units, this will need to be compensated for by the provision of fewer units with a sole northern aspect within subsequent plots.
9. The development includes a large (3,900 square metre) communal garden situated on a deck above the parking that is provided within the centre of the site. This corresponds to 8.2 square metres per residential unit. This is supplemented within the site by balconies for most units. Further communal or public open spaces are to be provided within the development as a whole in the future, including the 0.4 Ha publicly accessible Square and a usage communal amenity space on the roof of the multi-storey car park above the anchor retail store. The communal amenity space within the site is generously sized. However, some balconies are undersized which will limit their usability whilst a small number of units do not have balconies when they should do. For example, some balconies are 3.5 to 4 square metres in area while your officers would normally expect a 5 square metre balcony for a 1-bedroom unit. Condition 8 of the outline planning consent requires details of the size and location of balconies. As such, revised balcony details can be secured through this condition. Most if not all of the balconies that will need to be increased in sizes will only require an addition square metre at most. As such, the design implications are relatively minimal.
10. The development specification sets out that the residential units will be in clusters of no more than 8 flats per core per floor. However, the proposal includes 15 clusters that have 10 flats per core per floor out of a total of 67 clusters of flats. The applicant specifies that the provision of a separate Affordable core has resulted in larger private cores for some floors, and that this has resulted in building B due to the desire to define the edge of the wedding garden along “Exhibition Way” (the road next to the Wedding Garden). This design principle relates to security and safety in that lower numbers of units per core result in less anonymity within that core, a greater sense of “ownership” by residents and a greater sense of security. As such, the reasons put forward do not address these issues. Nevertheless, your officers consider that this does not warrant the refusal of this application given that the scheme was approved prior to the

adoption of the London Housing Design Guide and the number of units per core per floor is only slightly higher than the maximum level.

11. The development specification also specifies that units on ground floor level will be provided as townhouses or maisonettes and will be situated on more than one floor (e.g. ground and first) with direct external access from the street. The proposal includes single level residential units fronting the Wedding garden that are accessed via an internal core. The applicant highlights the quality of the outlook of these units which face the Civic Centre wedding garden. Direct access from the street helps to improve activity within the street and the provision of units that are situated over more than one floor helps to ensure that the units have sufficient defensible space where the site frontage is used for access. However, this will still result in good quality units and a good street environment and your officers do not consider that this warrants the refusal of this reserved matters application.
12. All of the units will be built to the Lifetime Homes standards while 10 % of the units will be wheelchair accessible or easily adaptable. The Affordable Rented accessible units will be provided as wheelchair accessible from the completion of the development while the other units will be "easily adaptable".

Design, layout and massing

13. The proposed building includes a series of building of varying height surrounding a podium level landscaped garden which is situated above the parking area within the centre of the site. Buildings A and B, situated opposite the Wedding Garden are 9-storeys in height. Building C is situated within the Engineers Way frontage and is proposed at 11-13 storeys. Blocks D to F which front Empire Way are generally 7- to 9-storeys in height with the 9-storey element on the corner of Empire Way and Engineers Way, opposite Forum House and Ada Lewis House. A lower 5-storey element of block D is situated within the Engineers Way frontage. Block G is the tallest element of the scheme at a high of 14-16 storeys.
14. The proposal reflects the outline consent in terms of the core principles of the design, layout and massing of the building. As such, this report will not go into the merits of the height and overall massing, but rather on the design merits of the building.
15. The proposal has adopted a simple geometric approach to the design with the buildings primarily articulated through the fenestration and balconies. Different buildings are articulated through either physical separation or the inclusion of deep recessed elements which are to be clad with substantially darker materials. The simple approach requires a very high standard of materials and detailing, with factors such as the quality of the bricks and depth of the window/door reveals being paramount to the success of the scheme. The drawings detail that the window reveals will be reasonably deep (250-300 mm) and some indication of the bricks has been provided. However, further information regarding the materials and the detailing of junctions between materials will be required. This is secured through conditions attached to the outline consent.
16. While the layout and design is considered to be robust and likely to result in a high quality development, some element of the scheme will benefit from design further development or minor alteration. These changes would not materially affect the layout or floorspace within the scheme but would rather examine the elevational treatment of some elements of the proposal. Examples of this include the entrances to blocks E and F which are not sufficiently prominent and the choice of materials for the ground floor of those blocks, the use of chamfered panels around the windows of blocks C and G and the materials for the upper floors of these blocks which make the blocks feel "top heavy", the façade treatment (materials or detailing) of the lower element of Block D and visual articulation within blocks D to F. The resolution of these issues can be adequately dealt with through the inclusion of a condition requiring the approval of further details.
17. The layout also results in limited levels of activity at ground level between the proposed building and the pocket square that is to be situated adjacent to the north-eastern corner of the building. This could be addressed by switching the location of the bin store within Block G and the commercial unit so that the commercial unit fronts the square. However, the applicant has said that they are also examining other options for the design of the square including steps leading up to the courtyard garden. As such, your officers recommend that a condition is attached to allow this to be resolved.
18. The landscaping proposals for the site are considered be very good. These include the large communal garden discussed above, which includes a zone for the planting of large trees and a water feature. Landscaping at ground level reflects the nature of the location, including some hedging and trees within the street environment. Section 106 contributions were also secured within the outline consent towards

the planting of street trees within the adopted highway. The proposals include a number of green and brown roofs which are considered to be beneficial to local ecology and surface water runoff and in some instances help to insulate roofspaces.

19. Your officers consider the overall design approach and resulting appearance of the scheme to be good subject to the approval of high quality materials and detailing through condition. But that the scheme will benefit from some minor amendments to the façade treatment and the potential relocation of a ground floor commercial unit to be secured through condition.

Transportation

20. The outline planning consent allowed up to a maximum of 0.5 spaces per residential unit. The proposal includes a total of 151 residential parking spaces for 475 units (0.32 spaces per unit) which accordingly falls below the maximum level. The level of parking is considered to be sufficient given the public transport accessibility of the site (PTAL 5), the lack of on-street parking in the immediate vicinity and the fact that the outline consent secured funding towards the extension of CPZs / parking controls in the area, the inclusion and promotion of a Car Club, the development of Travel Plans and a parking permit restriction for future residents and occupiers.
21. Parking for visitors and the commercial units can be provided within the town centre parking approved within the outline planning consent or the other town centre car parks in the vicinity (e.g. the green or red car parks).
22. The proposal includes the provision of 13 wheelchair accessible parking spaces, with 6 marked out with the delivery of the development and a further 7 that will be marked out when required by demand. The parking spaces will be managed so that these spaces can be provided in close proximity to the core that the parking spaces will serve. The 6 spaces that will be marked out from the completion of the development are adjacent to the Affordable Rent core, which includes a number of units that are to be delivered as Wheelchair accessible from the completion of the development. Other accessible flats within the scheme will be “easily adaptable” and can be adjusted when required.
23. At least 20 % of the car parking spaces (10% active and 10 % passive) will need to be provided with electric vehicle charging points. This can be secured through condition 8 of the outline consent.
24. The proposed number of residential parking spaces (512) exceeds the Council's minimum standard of 1 per unit. However, Highways have requested that two cycle stands are installed alongside “Wealdstone Road” and two alongside “Engineers Way” and a condition has been recommended to this effect.
25. Residential refuse storage has been proposed around the perimeter of the building allowing easy collection. However, the bin store for Block G is more than 10 m from the collection point and it is proposed that the bins are wheeled to the street (Wealdstone Road) by building management on collection day. Servicing for the commercial units is proposed within on-street bays on Engineers Way and “Wealdstone Road” which is considered to be acceptable.
26. The two vehicular access points (Engineers Way and “Wealdstone Road”) are considered to be acceptable subject to minor changes to the vehicle entrance from “Wealdstone Road” to incorporate a 300 mm margin on the eastern side of the access. A condition is recommended relating to this. The reinstatement of the existing crossover that will become redundant is already secured through a condition of the outline consent.
27. Some balconies oversail the Engineers Way footway at a high level. While this is acceptable in principle, an oversailing licence will be required for these. The proposed building is set well back from the junction of Empire Way and Engineers Way which will ensure that the future junction improvements that have been secured through the Quintain “Stage 1” consent (reference 03/3200) can still be implemented.

Noise

28. The proposal demonstrates that the residential units will meet the criteria set out within the development specification with regard to the internal noise environments for residential accommodation. These take into account likely noise from Wembley Stadium and Wembley Arena events.

Wind environment

29. A boundary layer wind tunnel study has been undertaken for this development. The application submission confirms that while there are isolated locations (principally prior to the full build out of the NW Lands masterplan) where conditions are marginally windy for the intended uses, the pedestrian

environment in and around NW01 at ground and courtyard level is generally acceptable for the intended uses. Conditions will be acceptable for all uses following the full build-out of the NW Lands masterplan, including tree planting and other mitigation measures.

30. The conditions within the immediate surrounding area are also generally acceptable for the intended uses, with any marginally windy conditions not being caused by the development of Plot NW01. The proposed development will provide shelter for the Civic Centre Wedding Garden from the prevailing winds.

Summary

31. The proposal is considered to represent a high quality development that will deliver a significant number of new homes within Wembley. Further detail is to be secured through conditions that are attached to the outline consent, such as the external facing materials for the proposed buildings. Additional conditions are recommended regarding the external treatment of several parts of the building, the interface between the building and the "pocket square", the layout of studio units, public cycle parking and access margins, door openings and the details of the interim gas fired boiler(s) and flue(s).

REASONS FOR CONDITIONS

RECOMMENDATION: Grant Consent

REASON FOR GRANTING

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

National Planning Policy Framework
London Plan 2011
Brent LDF Core Strategy 2010
Brent Unitary Development Plan 2004
Council's Supplementary Planning Guidance

CONDITIONS/REASONS:

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

PL_00	PL 115
PL01	PL 116
PL02	PL 117
PL 100	PL 300
PL 101	PL 301
PL 102	PL 302
PL 103	PL 303
PL 104	PL 304
PL 105	PL 305
PL 106	PL 306
PL 107	PL 307
PL 108	PL 308
PL 109	PL401
PL 110	PL402
PL 111	PL403
PL 112	ITB8173-SK-012 Rev C
PL 113	1493.P01.F
PL 114	1493.P02.D
Explanatory Report	

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

- (2) Notwithstanding the drawings hereby approved, further or revised detail regarding the treatment of the external façade of the building shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works and thereafter implemented unless otherwise agreed in writing by the Local Planning Authority. Such details shall include the residential entrances to blocks E and F, the ground floor materials for blocks E and F, the chamfered panels within blocks C and G, cladding materials and treatment for the top floors of blocks C and G and the façade treatment of the 5-storey element of Block D.

Reason: In the interest of the appearance and visual massing of the development.

- (3) Notwithstanding the drawings hereby approved, further or revised detail regarding the ground floor interface between the building hereby approved and the pocket park that adjoins the North-eastern corner of the building shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and the approved details shall be implemented. This may include the treatment of the building or the pocket park and/or the ground floor internal of Block G.

Reason: In the interest of security, safety and the environment within the pocket park.

- (4) Notwithstanding the drawings hereby approved, a revised, more open plan internal layout for the studio units shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works and the approved details shall be implemented in full unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory standard of residential accommodation.

- (5) Prior to the commencement of development, details demonstrating the following shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works and the approved details shall be implemented in full:
- The inclusion of a 300 mm wide protective margin on the eastern side of the car park access from “Wealdstone Road”
 - amendments to the doors to the refuse store for Building C so that they do not open outwards over the public footway
 - the provision of four external bicycle stands.

Reason: To ensure a satisfactory development in the interest of the free and safe flow of traffic and pedestrians.

- (6) Details of the boiler(s) to be installed within the development, including the location of the boiler(s) and associated discharge stack, the fuel type for the boiler(s), expected emissions of NOx and PM and likely timescale for use of the boiler(s), shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and the approved details shall be implemented in full unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of local air quality.

INFORMATIVES:

- (1) The size and location of balconies must be submitted to and approved in writing by the Council prior to the prior to the commencement of the relevant part of the development pursuant to condition 8 of the outline planning consent. Some balconies that are proposed within this Reserved Matters application are considered to be of insufficient size and larger balconies will be required pursuant to condition 8.
- (2) The residential unit mix for the development hereby approved differs from that agreed within

the Development Specification. As such, the mix within subsequent sites must alter the overall unit mix so that it reflects the unit mix that is set out within paragraphs 2.32 to 2.34 of the Development Specification.

- (3) The number of units with a sole northern aspect within the development hereby approved differs from that agreed within the Development Specification. As such, fewer sole of such units must be provided in future plots to ensure that the development is in accordance with paragraphs 4.26 of the Development Specification.
- (4) The applicant is advised that oversailing licences must be secured under Section 177 of the Highways Act 1980 for any balconies that oversail the footway of Engineers Way.
- (5) There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the options available at this site.
- (6) Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

REFERENCE DOCUMENTS:

Any person wishing to inspect the above papers should contact David Glover, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5344

Committee Report Planning Committee on 11 December, 2013

Item No. 11
Case No. 13/2201



This map is indicative only.

RECEIVED: 19 September, 2013

WARD: Sudbury

PLANNING AREA: Wembley Consultative Forum

LOCATION: 311 East Lane, Wembley, HA0 3LG

PROPOSAL: Conversion of single family dwellinghouse into 3 self-contained flats, erection of single-storey and two-storey side and rear extensions, conversion of garage into habitable room, erection of rear dormer window and provision of 3 off-street car-parking spaces to the front with associated soft landscaping (as amended).

APPLICANT: Mr Harbhajan Singh

CONTACT: Mr Robert Piancentini

PLAN NO'S:
See Condition 4

RECOMMENDATION

Approve

EXISTING

The subject property is a semi-detached dwellinghouse with side and rear extensions located on East Lane, adjacent to the Vale Farm Sports Ground. The subject site is not within a Conservation Area, nor is it a listed building. East Lane is designated as a London Distributor Road.

PROPOSAL

Conversion of single family dwellinghouse into 3 self-contained flats, erection of single-storey and two-storey side and rear extensions, conversion of garage into habitable room, erection of rear dormer window and provision of 3 car-parking spaces at front with associated landscaping (as amended by revised plans).

HISTORY

07/0376 - Granted on 20/06/07

Conversion of single family dwellinghouse into 3 self-contained flats, conversion of garage into habitable room, erection of single-storey and two-storey side and rear extension, alterations to existing rear extensions, erection of rear dormer window and provision of 3 car-parking spaces at front with associated landscaping (as amended by plans received 6th June 2007).

N.B. This planning permission has now lapsed.

POLICY CONSIDERATIONS

National Planning Policy Framework 2012

London Plan 2011

Policy 3.5 (Table 3.3)

LDF Core Strategy 2010

CP17 - Protecting & Enhancing the Suburban Character of Brent

CP21 - A Balanced Housing Stock

Brent UDP 2004

Built Environment chapter:

BE2 - Local Context

BE7 - Streetscene

BE9 - Architectural Quality

Housing chapter:

H12 - Residential quality and Layout considerations

H17 - Flat Conversions

H18 - The quality of flat conversions

H19 - Flat conversion - Access & Parking

Transportation chapter

TRN23 - Parking standards - Residential development standards

PS14 - Parking Standards (Use Class C3)

PS16 - Cycle parking standards

Supplementary Planning Guidance 5 - "Altering and extending your home"

Supplementary Planning Guidance 17 - "Design guide for new developments".

CONSULTATION

Neighbour consults sent on 03/10/13, and to date no representations have been received.

Brent Transport Comments:-

The application site is located on the southern side of EL, a local Distributor road. The site lies outside any CPZ except on Wembley Event days, and has fairly low accessibility with a PTAL rating of Level 2.

The existing dwelling attracts a car parking allowance of 1.6 car spaces. This is the full standard set out in PS14 of the UDP-2004, which is applied when sites have fairly low PTAL ratings and are not subject to a regular CPZ.

The proposed dwellings can be permitted 1.0 car space for the 1-bed flat, 1.2 car spaces for the 2-bed flat and 1.6 car spaces for the 3-bed flat. The overall standard for the site will be 3.8 car spaces therefore, which is deemed a significant parking increase for the site.

Currently, the extensive hardstanding and double garage mean that six cars can in theory be parked off-street at the site, which is very excessive for the existing single dwellinghouse.

Following development however, the amount of car parking at the site will be restricted to three off-street car spaces. Transportation will generally assess parking demand at 75% of the maximum standard, meaning that a provision of three car spaces would be necessary here to prevent overspill car parking on East Lane. Providing car parking on East Lane is not acceptable as this is a distributor road. Bays are available on-street but the increase in use of the bays is discouraged, while Policy TRN23 of the UDP-2004 states that on-street parking can only be considered in mitigation of parking demand on local access roads.

The revised front layout demonstrates that it is possible to provide three off-street spaces that will be independently accessible, due to the existing crossover width. Furthermore it is also possible to provide soft landscaping improvements to the frontage as required by UDP policy BE7 and the Domestic Vehicle Footway Crossover Policy (DVFCP) 2008. This landscaping will not amount to 50%, but this does represent an improvement and has been balanced against the more pressing need to provide three off-street spaces.

In summary the revised front parking layout can be supported on Transport grounds, subject to further details of cycle parking to serve each flat being secured by condition. This front garden layout and parking arrangement is the same as planning permission 07/0376.

Landscape Comments:

No objection raised.

Environmental Health Comments:-

Advised that the conversion originally proposed would result in the poor stacking of units above and below each other, with potential for noise disturbance. The plans have since been amended and the internal layout reverts back to the layout approved by planning permission 07/0376.

REMARKS

Background:-

1. Planning Committee granted permission for the conversion of this dwelling house into 3 self-contained

flats, conversion of garage into habitable room, erection of single-storey and two-storey side and rear extension, rear dormer window and provision of 3 car-parking spaces on the frontage with associated landscaping, on 19 June 2007. This permission (07/0376) was never implemented and has lapsed. The current application seeks permission for the same development as previously approved.

2. During the planning process amendments to this proposal have been sought. These are:

- The layout of the proposed flats amended so that the family unit is located on the ground floor and has direct access to the rear amenity space, with smaller 1 and 2-bed flats on the upper floors.
- Amended parking layout showing three off-street parking spaces on the frontage, with associated soft landscaping.

These amendments are consistent with earlier planning permission 07/0376.

Conversion of house into flats and quality of resulting accommodation, etc:-

3. The original dwelling house has an existing floor area of over 110sqm and is therefore considered appropriate for conversion into self-contained flats as it complies with UDP policy H17 which states that a minimum floor area of 110sqm is required on conversion schemes. Each of the proposed flats do comply with the minimum internal space standards set down in the 2011 London Plan (Policy 3.5/table 3.3). In fact these standards are significantly exceeded in two of the three flats.

	London Plan Standard.	Provided.
Ground floor 3-bed flat	100 m2	132 m2
First floor 1-bed flat	50 m2	50 m2
First/Second floor 2-bed flat	70 m2	92 m2

4. The internal layout has been revised to ensure the family sized unit is located on the ground floor with direct access to private rear amenity space. There is adequate rear amenity space provided for each of the units, over 50sqm for the family unit and over 20sqm for the two smaller flats in the form of a shared communal area to the rear. Furthermore the site is located immediately adjacent to Vale Farm Open Space which provides further opportunity for outdoor space. Bin storage is provided along the communal side passage.
5. The provision of a 3-bed family flat to minimum standards ensures there is no loss of family housing here. This satisfies Core Strategy policy CP21.

Parking & front garden layout:-

6. The parking allowance for the present 3-bedroom dwelling house is in the order 1.6 spaces. The parking allowance for the new dwelling units will be in the order of 1 space for the 1-bedroom unit, 1.2 spaces for the two bedroom unit and 1.6 spaces for the 3-bedroom unit. The total spaces for the converted property will then be 3.8 spaces. At least 3 spaces should be provided off-street for the new units, as was the case in the 2007 approval. There is an existing crossover with a width of 6.65m while the existing front forecourt is entirely hardsurfaced.
7. As on street parking can be restrictive close to the site and can result in a traffic hazard on East Lane, which is a local distributor road, the maximum parking standard has been sought for the proposed flats. Therefore three off-street parking spaces are proposed within the forecourt with an increase in the proportion of soft landscaping also to be provided. The parking space positioned close to the ground floor habitable room window (car space 3) will be allocated to the ground floor flat only, in the interests of amenity. While there is adequate screening between the other two parking spaces and the nearest ground floor habitable room window to maintain amenity. Ramped access is also proposed to be installed.
8. In view of the above consideration, while the proposed parking layout does not fully accord with the recommendations of SPG3 due to the angled entrance to car space 3 this works with the existing crossover arrangements, and it can be considered an improvement on the existing situation given the increase in the proportion of soft landscaping and boundary treatments and improvements in pedestrian safety as a result of the reduced and more controlled parking arrangements. It should be noted this front layout is also entirely consistent with the layout approved in the 2007 consent.

Proposed Extensions.

9. The proposed conversion involves the conversion of the existing garage into a habitable room and the erection of a first floor side to rear extension directly above, single storey rear extension beyond this,

alterations to the existing single storey rear infill on the boundary with No.313 and erection of a rear dormer window extension.

10. The proposed ground floor rear extension will not extend beyond the rear wall of the existing single storey rear extension, therefore will not impact on the attached neighbour. Works are proposed to alter the existing infill conservatory, its depth will remain the same but the height of this will increase from 3.1m to 3.4m which is the same as the neighbouring property so it will not cause harm. The first floor side to rear extension is set behind the main front wall 1.5m and has a depth of 3.4m beyond the main rear wall of the dwelling house, this projection complies with the 2:1 rule set out in SPG 5, so will not unduly harm the amenity of the neighbouring property. This side extension will be 3.5m wide, which is less than the internal width of the main front living room so proportionally this is acceptable. The roof of the extension is set down from the original roof's ridge line thus making the extension appear subservient to the existing dwelling house. The proposed rear dormer window at 2.2m wide is of a size compliant with SPG5 specifications, is centrally positioned and is not considered to have a significant detrimental impact on the amenity of the neighbouring property and the character of the dwelling house. The proposed windows are in keeping with the style and proportions of those that are existing.
11. On balance the proposed extensions are SPG5 compliant and will be in keeping with the character and appearance of the original dwelling and will not result in undue harm to neighbouring amenity.

Conclusion

12. The proposed conversion of the dwelling house into three flats and the erection of the proposed extensions is considered, on balance be in compliance with the relevant policies in the 2011 London Plan, Brent's UDP 2004 and the guidance provided in SPG 5 and SPG 17, accordingly approval is recommended, subject to the recommended conditions.

RECOMMENDATION: Grant Consent

REASON FOR GRANTING

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

National Planning Policy Framework 2012
London Plan 2011
LDF Core Strategy 2010
Brent's Unitary Development Plan 2004
Supplementary Planning Guidance 5: 'Extending and Altering Your Home'

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

Built Environment: in terms of the protection and enhancement of the environment
Housing: in terms of protecting residential amenities and guiding new development
Transport

CONDITIONS/REASONS:

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

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

- (2) All new external work shall be carried out in materials that match in colour, texture and design detail those of the existing building.

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

- (3) Details of all fencing, walls, gateways, bin enclosure and means of enclosure to sub-divide the

rear amenity spaces, including a low dwarf wall to the front boundary shall be submitted to and approved by the Local Planning Authority before the development hereby approved is completed and the work shall be carried out prior to first occupation, in accordance with the details so approved, and subsequently maintained to the satisfaction of the Local Planning Authority.

Reason: To ensure a proper standard of separation from, and standard of amenity with respect to, neighbouring property.

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

As Existing Location Plan
Existing Site Plan
Drg RAP/13/22 - Proposed Site Plan
Existing elevations
Existing roof plan & section
Drg 1 - Existing Ground Floor Plan
Drg 2 - Existing First Floor Plan
Drg 3A - Proposed Ground Floor Plan
Drg 4A - Proposed First Floor Plan
Drg 5A - Proposed Loft Floor
Drg 6 - Proposed Roof Plan
Drg 7 - Typical Section
Proposed Elevations

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

- (5) Car space 3 is solely for the use of the occupiers of ground floor flat C.

Reason; In order to protect the amenity of the prospective occupiers.

- (6) No windows or glazed doors (other than any shown in the approved plans) shall be constructed in the flank wall(s) of the building as extended without the prior written consent of the Local Planning Authority.

Reason: To minimise interference with the privacy of the adjoining occupiers.

- (7) No access shall be provided to the roof of the single storey rear extension(s) by way of window, door or stairway and the roof of the extensions hereby approved shall not be used as a balcony or sitting out area.

Reason: To preserve the amenity and privacy of neighbouring residential occupiers.

- (8) The fontage layout works hereby approved shall be fully completed, and the off-street parking spaces shall be provided prior to first occupation of the flats.

Reason; To ensure satisfactory parking provision, in the interests of maintaining free flow and safe movement of vehicles on the adjoining highway.

- (9) Three secure, weatherproof cycle parking spaces shall be provided prior to the commencement of work on site. Thereafter the development shall not be occupied until the cycle parking spaces have been laid out and these facilities shall be retained.

Reason: To ensure satisfactory facilities for cyclists.

INFORMATIVES:

- (1) 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

- (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.

Any person wishing to inspect the above papers should contact Gary Murphy, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5227

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Committee Report Planning Committee on 11 December, 2013

Item No.

Case No.

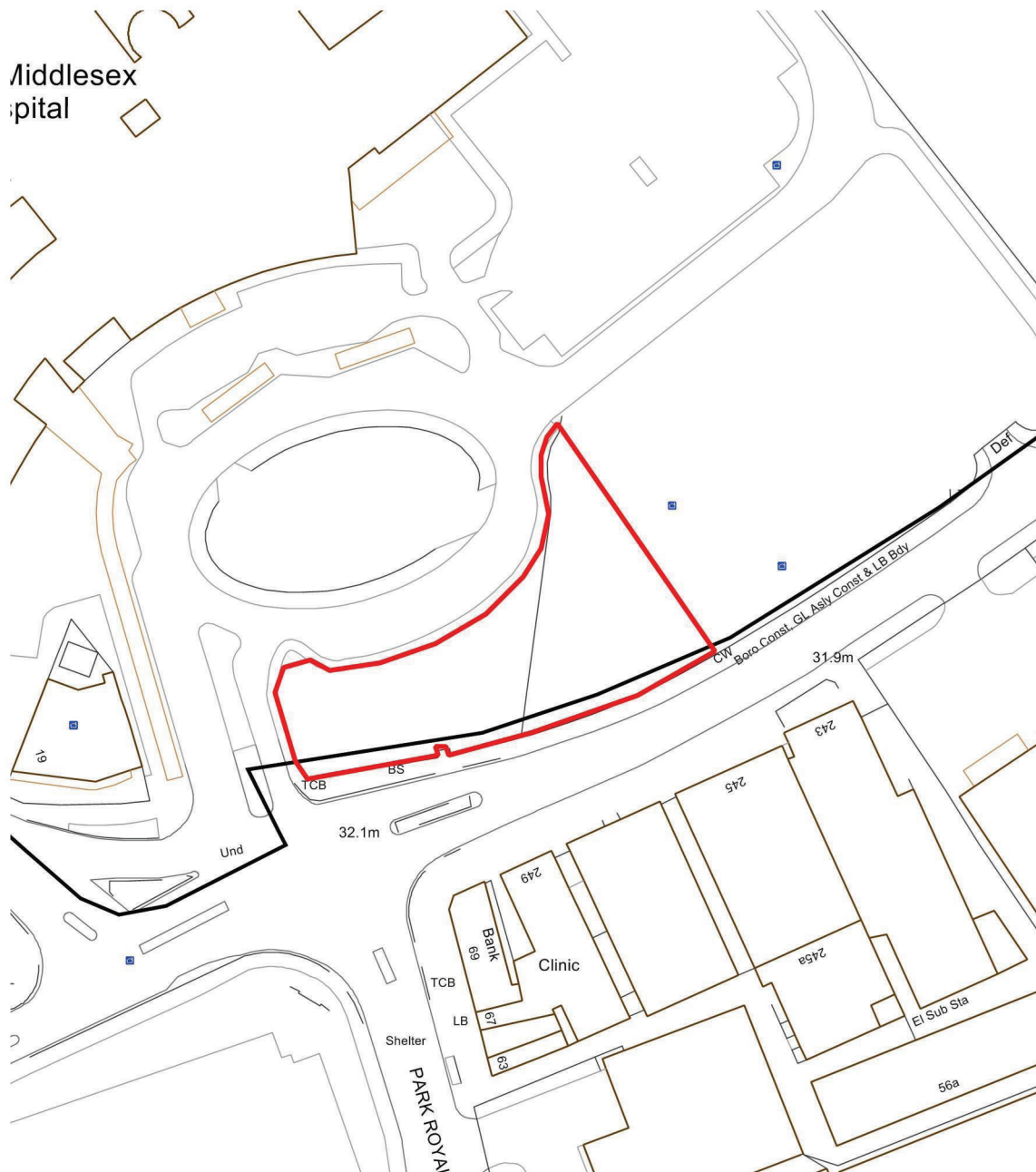
13/1296



Planning Committee Map

Site address: Land next to Victoria Centre, Acton Lane, London

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This map is indicative only.

RECEIVED: 27 September, 2013

WARD: Stonebridge

PLANNING AREA: Harlesden Consultative Forum

LOCATION: Land next to Victoria Centre, Acton Lane, London

PROPOSAL: Erection of 9-storey building comprising 99 units of Extra Care Accommodation (Use Class C3(B)) with ancillary facilities, 754 square metres of Use Class A1/A3 Floorspace at ground floor, ancillary car parking and landscaping.

APPLICANT: ASRA Housing Association

CONTACT: CgMs Ltd

PLAN NO'S:
See condition 2.

RECOMMENDATION

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

SECTION 106 DETAILS

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

1. Payment of the Council's legal and other professional costs in a) preparing and completing the agreement and b) monitoring and enforcing its performance
2. All of the residential units (Use Class C3) shall be delivered as Affordable homes and shall be subject to an Affordable Housing nominations agreement that shall be submitted to and approved in writing prior to first occupation and may thereafter be amended through agreement by the Council.
3. A detailed 'Sustainability Implementation Strategy' shall be submitted to the Local Planning Authority and approved in writing prior to the piling of foundations for the development hereby approved. This shall demonstrate:
 - a. How the development will achieve a minimum of BREEAM "Excellent" (submission of a design stage assessment by a BRE approved inspector) in relation to the non-residential unit(s) or Code for Sustainable Homes Level 3 in relation to residential homes (Use Class C3);
 - b. How the indicated Brent Sustainability Checklist measures will be implemented within the scheme (or other such measures approved by the Council which meet a level of at least 50%).
 - c. The incorporation of Combined Heat and Power;
 - d. How the scheme will achieve a minimum CO2 reduction of 25 % from 2010 TER (regulated) including a minimum of reduction of 20 % through on-site renewables (after "be lean" and "be clean" measures have been applied) or other such revised measures as approved by the Council which achieve the same levels of CO2 reduction;
4. The applicant shall include/retain appropriate design measures in the development for those energy and water conservation, sustainable drainage, sustainable/recycled materials, pollution control, and demolition/construction commitments made within Brent's Sustainability Checklist and other submitted documentation (or agreed by further negotiation), and adopt adequate procurement mechanisms to deliver these commitments.
5. On completion, independent evidence (through a BRE Post-Construction Review and completion certificates) shall be submitted on the scheme as built, to verify the achievement of at least BREEAM "Excellent" and Code for Sustainable Homes Level 3.
6. If the evidence of the above reviews shows that any of these sustainability measures have not been implemented within the development, then the following will accordingly be required:
 - e. the submission and approval in writing by the Local Planning Authority of measures to

- remedy the omission; or, if this is not feasible,
- f. the submission and approval in writing by the Local Planning Authority of acceptable compensatory measures on site; or otherwise pay to the Council a sum equivalent to the cost of the omitted measures to be agreed by the Local Planning Authority, to be used by the Council to secure sustainability measures on other sites in the Borough.
- 7. Training and employment
 - g. To prepare and gain approval of a Employment, Enterprise and Training Plan prior to commencement and to implement the Plan
 - h. To offer an interview to any job applicant who is a resident in Brent and meets the minimum criteria for the job
 - i. To use reasonable endeavours to: achieve 1 in 10 of the projected construction jobs to be held by Brent residents and for every 1 in 100 construction jobs to provide paid training for a previously unemployed Brent resident or Brent school leaver for at least 6 months
 - j. From material start, to provide monthly verification of the number of Brent Residents employed or provided training during construction and if the above targets are not being met, to implement measures to achieve them
 - k. Prior to occupation, verify to the Council the number of Brent Residents employed during construction and unemployed/school leavers who received training.

And, to authorise the Head of Area Planning, or other duly authorised person, to refuse planning permission if the applicant has failed to demonstrate the ability to provide for the above terms and meet the policies of the London Plan 2011, Local Development Framework Core Strategy 2010, Unitary Development Plan 2004 and Section 106 Planning Obligations Supplementary Planning Document by concluding an appropriate agreement.

Community Infrastructure Levy

A CIL liability notice will be generated for this proposal and the figures shown in this report reflect the total floorspace of the development. However, the extra-care housing component of the scheme will be Affordable Housing and will be eligible for the CIL Social Housing exemption. The retail units on the ground floor on the ground floor are the only element of the scheme that is likely to be CIL liable.

EXISTING

The subject site is situated adjacent to the Central Middlesex Hospital in Park Royal. It is situated near to be not within the designated Park Royal Strategic Industrial Location. It forms a part of a site for which planning permission was granted for the construction of three linked buildings comprising care facilities with retail / food and beverage units on the ground floor. The central building that was approved through that consent adjoins this site and has recently been completed (The Victoria Centre). The Victoria Centre consists of a care home with ancillary facilities.

DEVELOPMENT SCHEDULE

The table(s) below indicate the existing and proposed uses at the site and their respective floorspace and a breakdown of any dwellings proposed at the site.

Floorspace Breakdown

USE

Number	Primary Use	Sub Use
1	shops	
2	restaurants and cafes	
3	dwelling houses	

FLOORSPACE in sqm

Number	Existing	Retained	Lost	New	Net gain
1	0		0	374	374
2	0		0	374	374
3	0		0	8664	8664

TOTALS in sqm

Totals	Existing	Retained	Lost	New	Net gain
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0		0	9412	9412
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PROPOSAL

See above.

HISTORY

As discussed above, planning permission was granted for the redevelopment of this site to provide 17,842 square metres of care floorspace within three linked buildings with retail and/or food and beverage floorspace at ground floor level.

Works commenced and have now been completed on the central plot (the Victoria Centre) and the remaining two plots could still be constructed pursuant to this planning consent.

10/2164 – Granted 29 November 2010

Erection of 3 linked buildings for mixed-use development on land next to Central Middlesex Hospital, to provide 891m² of retail/food & drink (Use Class A1 or A3) and 17,842m² of care & treatment or secure hospital floorspace (Use Class C2/C2A – residential institutions or secure residential institutions), with formation of refuse storage, loading bay, cycle storage, car-parking and associated landscaping and subject to a Deed of Agreement dated 25th November 2010 under Section 106 of the Town and Country Planning Act 1990, as amended

POLICY CONSIDERATIONS

NATIONAL

National Planning Policy Framework

REGIONAL

The Mayor of London
The London Plan 2011

The revised London Plan was adopted in July 2011 and sets out an integrated social, economic and environmental framework for the future development of London. Relevant Policies include:

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.8 Housing Choice
- 3.9 Mixed and Balanced Communities
- 5.1 Climate Change Mitigation
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 5.6 Decentralised Energy in Development Proposals
- 5.7 Renewable Energy
- 5.9 Overheating and Cooling
- 5.10 Urban Greening
- 5.11 Green Roofs and Development Site Environs
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 5.15 Water Use and Supplies
- 5.21 Contaminated Land
- 6.3 Assessing Effects of Development on Transport Capacity
- 6.9 Cycling
- 6.10 Walking
- 6.13 Parking
- 7.1 Building London's Neighbourhoods and Communities
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.5 Public Realm
- 7.6 Architecture
- 7.14 Improving Air Quality
- 7.15 Reducing Noise

They Mayor's Transport Strategy
Supplementary Planning Guidance – Sustainable Design and Construction (May 2006)
Supplementary Planning Guidance – Accessible London: Achieving an Inclusive Environment (April 2004)

LOCAL

Brent Local Development Framework Core Strategy 2010

CP 1 Spatial Development Strategy
CP2 Population and Housing Growth
CP3 Commercial Regeneration
CP5 Placemaking
CP6 Design and Density in Placemaking
CP12 Park Royal
CP15 Infrastructure to Support Development
CP16 Town Centres and the Sequential Approach to Development
CP19 Brent Strategic Climate Mitigation and Adaptation Measures
CP21 A Balanced Housing Stock

Brent Unitary Development Plan 2004

Policies

BE2 Local Context & Character
BE3 Urban Structure: Space & Movement
BE4 Access for disabled people
BE5 Urban clarity and safety
BE6 Landscape design
BE7 Streetscene
BE8 Lighting and light pollution
BE9 Architectural Quality
BE12 Sustainable design principles
H12 Residential Quality Layout Considerations
H13 Residential Density
H14 Minimum Residential Density
H22 Protection of Residential Amenity
EP2 Noise and Vibration
EP3 Local air quality management
EP5 Development affecting existing potentially polluting development
EP6 Contaminated land
EP15 Infrastructure
TRN2 Public transport integration
TRN3 Environmental Impact of Traffic
TRN4 Measures to make transport impact acceptable
TRN10 Walkable environments
TRN11 The London Cycle Network
TRN22 Parking Standards – Non-Residential Developments
TRN23 Parking Standards – Residential Developments
TRN34 Servicing in new developments
TRN35 Transport access for disabled people & others with mobility difficulties
Appendix TRN2 Parking and Servicing Standards
SH10 Food and Drink (A3) Uses
SH11 Conditions for A3 Uses
SH19 Rear servicing

Brent Council Supplementary Planning Guidance and Documents

SPG12 Access for disabled people
SPG17 Design Guide for New Development
SPG19 Sustainable design, construction and pollution control
SPD Section 106 Planning Obligations

SUSTAINABILITY ASSESSMENT

The energy assessment that was initially submitted proposed that the London Plan carbon reduction targets are achieved through the use of building fabric measures (e.g. insulation and air tightness) together with PV panel on the roof. Space and water heating was to be electric.

The applicant has now submitted a revised energy assessment which proposes that a 25.9% reduction in CO2 from 2010 Building Regulations target emission rate will be achieved through fabric measures, the incorporation of a 15kW_e CHP engine and 67 square metres (11kW) of photo voltaic (PV) panels, which corresponds to a 6.6 % reduction in CO2 through on-site renewables after fabric measures and CHP have been taken into account. While the reduction through on-site renewables is below the 20 % London Plan Target, this is considered to be acceptable given that the scheme meets the overall target for CO2 reduction of 25 %. The energy statement also confirms that the communal heating system allows for the connection to a district wide heating system should one be delivered in the future. Whilst the Council does not have any plans to seek the introduction of a district wide heat network in this location at present, the fact that it could be connected is considered to be positive in terms of the sustainability of the scheme.

The submission also confirms that the scheme will achieve a minimum score of 50 % on the Council's TP6 Sustainability Checklist and will achieve a Code for Sustainable Homes Level 3.

CONSULTATION

Letters sent: 30 September & 2 October 2013
Site Notices: 3 October 2013
Press Notice: 10 October 2013

Letters were sent to 9 adjoining and nearby owners and occupiers.
No letters of objection were received from third parties.

Internal consultees:

Safer Streets / Environmental Health:

No objection. Conditions are recommended relating to air quality, plant noise, the submission of an updated noise assessment, extraction for cooking (e.g. restaurant) and the approval of a Construction Method Statement.

Highways:

No objections on highways grounds subject to the renewal of the obligations secured through the previous consent, including the Travel Plan and highways works (including the offering of land within the site frontage for adoption).

The comments from Highways are discussed in more detail within the Remarks section of this report.

External consultees:

The Greater London Authority

London Plan policies on housing, inclusive access, sustainable development and transport are relevant to this application. While the application is broadly acceptable in strategic planning terms, on balance, the application does not yet comply with the London Plan.

- Housing: Considering the extra care nature of the housing, the proposals comply with London Plan housing policies.
- Inclusive Access: Further information is required on compliance with Lifetime Homes Standards, wheelchair accessibility and blue badge parking;
- Sustainable development: Further information and revision of the energy strategy, and further information on surface water management is required.
- Transport: Further information is required in relation to blue badge parking, electric vehicle charging points, cycle parking, PERS audit, Travel Plan, Construction Logistics Plan (CLP) and Delivery and Servicing Plan (DSP)

Ealing Council

No objection.

Thames Water

No objection. Informatives are recommended.

REMARKS

1. The applicant, ASRA Housing Association, is looking to deliver a development which in many respects represents a variation of the approved scheme. The physical appearance of the building is identical to that previously approved. However, the extra care housing that is now proposed falls within Use Class C3(b) whereas the previous consent granted approval for a care facility within Use Class C2 or C2A. The envelope of the proposed building is the same as that previously approved, with the elevations that have been submitted being identical to those previously approved. However, the internal layout of the upper floors is different, with the proposal representing a number of self contained residential units (homes) with

communal facilities. Given that the approved scheme has not been built out (with respect to this plot), the applicant submitted a new full planning application rather than an application for a change of use.

General principle of the uses

2. The subject site is situated an area that is known as the “Heart of Park Royal”. It is situated next to Central Middlesex Hospital, the Asda store and other local shops. It is not within a designated Significant Industrial Location, but is in close proximity to such land. The extant consent granted permission for care and treatment floorspace on this and the adjoining sites. The rationale for that decision was partially based on the proximity to the hospital and the synergy that the proposed use had with the hospital.
3. While the proposed use falls within Use Class C3 (dwellinghouses), the applicant proposes to restrict this to C3(B) which relates to dwelling houses where care is provided for residents. The applicant has proposed that all of the units will be provided as Affordable Housing and that they will enter into a nominations agreement which prioritises those in need of greater levels of care. As such, your officers consider that the use that is now proposed also benefits from its proximity to the hospital. There is also a known need for Affordable extra-care housing within the Borough and the proposal will therefore provide a significant contribution towards addressing that need.
4. The Council's planning policies also look at the potential that the approval of sensitive uses that are close to existing polluting uses (e.g. noise pollution) may affect the viability of those uses. Park Royal is the largest Industrial Location within the Borough and any proposals that affect its viability may be harmful to employment provision within the borough. However, the proposed use is no more sensitive to the use that was previously approved. The previous consent was required to be designed to ensure that the future occupants were not significantly affected by the nearby industrial land. Safer Streets have recommended that a condition is attached which requires the approval of an updated noise assessment which examines current noise levels and proposes any measures that are required to ensure that the proposed uses will not be unduly affected by the nearby industrial land.
5. Your officers consider that the use will meet an identified need and is acceptable within this location given the restrictions on the use that have been proposed and the measures that are recommended to be secured through condition.
6. The commercial uses (flexible use within Use Class A1 and A3) were approved within the previous scheme and are still considered to be acceptable given their scale and the “Heart of Park Royal” location.

Layout, scale, massing and design

7. The scale, design and massing of the building do not differ from that of the extant consent and as such, this will not be discussed in detail within this report. The design of the building is considered to be acceptable and of considerably higher quality than the majority of the surrounding buildings. The internal layout is very similar to that previously approved, but not identical. Differences are minor, with retail / food and beverage uses on the ground floor together with the reception for the extra-care facility and the extra-care units and communal facilities on the upper floors.

Mix and quality of residential accommodation

8. The proposal includes 84 1-bedroom 2-person extra care units and 15 2-bedroom 3-person units. All units are to be built to Lifetime Homes standards and wheelchair accessible. Within standard housing schemes your officers would normally seek a higher proportion of 2-bedroom units and the inclusion of 3-bedroom units. However, the units are proposed as Affordable extra-care accommodation and the mix of units reflects the known demand for such units. As such, the proposed mix is considered to be acceptable.
9. No balconies have been proposed for the units and external amenity space is primarily provided on a 462 square metre communal roof terrace. This is significantly below the level suggested within SPG17. However, this is considered to be acceptable given the extra-care nature of the use. Play space has not been provided within the scheme. Again, this is acceptable given the nature of the use.
10. Many of the units only have a single aspect. However, they face north-west or south-east and as such, are not north facing. All units will exceed the London Plan minimum floorspace standards.
11. The GLA requested further information regarding the accessibility of units. This information has been provided and the GLA have commented that they are satisfied that the proposal meets the relevant requirements.

Highways

12. The proposal includes a total of 9 parking spaces, including two suitable for blue badge use. This is marginally below the maximum parking standards which would allow up to 13 spaces. The proposed level of parking is considered to be sufficient whilst remaining below the maximum standards and thus is considered to be acceptable. However, the GLA have commented that all parking should be provided as "blue badge" spaces. This would result in the loss of 2 parking spaces, reducing the total to 9 spaces. This is considered to be acceptable and it is recommended that the revised parking layout is secured through condition.
13. The proposal includes a total of 17 cycle parking spaces. Whilst below the normal levels for residential units, this is considered to be acceptable given the extra-care nature of the use.
14. No alterations are proposed to the vehicular or pedestrian access arrangements from those previously approved.
15. The GLA have requested that a PERS (Pedestrian Environment Review System) audit is undertaken. The applicant has confirmed that this will be submitted shortly. It will be discussed within the Supplementary Report.
16. Highways have recommended that a condition is attached which requires the implementation of the Travel Plan that was recently approved pursuant to the extant consent for the site (reference B6210 Rev A) and to secure the provision of the land to the front of the site to widen the public highway under a section 38/278 Agreement. The GLA have requested that a Construction Logistics Plan and Delivery and Servicing Plan are secured through condition. The GLA have also requested details of electric car charging points which are required at a rate of 20 % active and 20 % passive. It is also recommended that this is secured through condition.

Air Quality, Noise and Contamination

17. With regard to air quality, Safer Streets have recommended that conditions are attached in relation to the air quality implications of the CHP engine together with a Construction Method Statement. They also recommend that an updated noise assessment is secured through condition to ensure that internal noise levels are acceptable for future residents. Conditions have also been recommended regarding noise levels for building plant together with details of extraction systems for any commercial kitchen(s). Remediation of the land has already been undertaken as a part of the extant consent and Safer Streets have advised that no further remediation is necessary.

Surface Water

18. The GLA also requested further information regarding measures to reduce surface water run-off. The applicant has confirmed that they are compiling further proposals for this and the information will be submitted shortly. It will be discussed within the Supplementary Report.

Summary

19. The proposal largely reflects the extant consent relating to this site which can still be implemented. The design, massing and appearance of the building is identical to that approved while the layout is very similar. The key difference between the extant consent and the current proposal is the use of the upper floors. This application proposes a different use on the upper floors of the building, with Affordable "extra-care" housing within Use Class C3(B) instead of care and treatment within Use Class C2/C2A. The proposed Affordable "extra-care" housing will meet an identified need in the borough and will benefit from its proximity to the hospital. The proposed use is considered to be acceptable in this location and your officers recommend that the Planning Committee resolve to grant planning permission subject to the completion of a Section 106 and the Stage 2 referral to the Mayor of London.

REASONS FOR CONDITIONS

RECOMMENDATION: Grant Consent subject to Legal agreement

- (1) The proposed development is in general accordance with:-
National Planning Policy Framework

CONDITIONS/REASONS:

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

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

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

5213-S06 Rev C
5213-S07 Rev B
5213-S08 Rev C
5213-S09 Rev B
5213-S10 Rev A
5213-S11 Rev A
5213-S14 Rev C
050_030_revA
050_031_revA
S106_003

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

- (3) All parking spaces, turning areas, loading bays, access roads and footways shall be constructed and permanently marked out prior to commencement of use of each phase of the development as approved by the Local Planning Authority.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic or the conditions of general safety within the site and along the neighbouring highway.

- (4) The loading area(s) indicated on the approved plan(s) shall be maintained free from obstruction and not used for storage purposes (whether temporary or permanent) unless prior written approval has been obtained from the Local Planning Authority. Suitable arrangements shall be made and agreed in writing by the Local Planning Authority for the storage and disposal of rubbish and waste. All loading and unloading of goods and materials, including fuel, shall, unless otherwise agreed by the Local Planning Authority, be carried out entirely within the curtilage of the property.

Reason: To ensure that vehicles waiting or being loaded or unloaded are parked in loading areas, so as not to interfere with the free passage of vehicles or pedestrians within the site and along the public highway.

- (5) Notwithstanding the provisions of the Town & Country Planning (Use Classes Order) 1987, as amended, residential dwellings hereby permitted shall only be used for purposes within Use Class C3(B) and for no other purposes within Use Class C3 of the schedule to the Order or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification.

Reason: To ensure that the use remains appropriate for the building and site location and to ensure that the standards applied to the consideration of the approved development are maintained in connection with the completed development so approved.

- (6) Each phase of the development, as hereby permitted, shall not commence until further details of the following have been submitted to and approved in writing by the Local Planning Authority, unless otherwise agreed in writing by the Local Planning Authority:

i) infrastructure, including any roads, parking spaces, servicing areas, footpaths, street

furniture, including visitor cycle-parking spaces and planters;
ii) foul and surface water drainage;
iii) footpath layout including surface treatments;

The approved details shall be implemented in full.

Reason: In order to ensure a satisfactory development.

- (7) The cycle parking spaces shall be provided prior to first occupation of the development hereby approved and shall thereafter be retained unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure satisfactory facilities for cyclists.

- (8) A scheme of sound-insulation and ventilation for the building shall be submitted to and approved in writing by the Local Planning Authority prior to the piling of foundations for the development hereby approved and the approved scheme shall be implemented.

Reason: To safeguard the amenities of future occupiers.

- (9) The accommodation shall be designed to meet the acoustic criteria specified within the Department of Health's document: 'Health Technical Memorandum 08-01: Acoustics (2013)'. A test shall be carried out prior to first occupation of the units to demonstrate that the required internal noise levels have been met. Unless otherwise agreed in writing, the results of the test shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the units hereby approved.

Reason: To obtain required sound insulation and prevent noise nuisance

- (10) The development hereby approved shall not be occupied until a Delivery and Servicing Plan has been submitted to and approved in writing by the Local Planning Authority. The Delivery and Servicing Plan shall thereafter be implemented in full unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory development that does not affect the free and safe flow of traffic.

- (11) Details of materials for all external surfaces of the buildings and all other external works shall be submitted to and approved in writing by the Local Planning Authority prior to the piling of foundations and the works shall be carried out in accordance with the approved details.

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

- (12) A scheme for the landscape works and treatment of the surroundings of the proposed development and the roof gardens/terraces (including species, plant sizes and planting densities) shall be submitted to and approved in writing by the Local Planning Authority prior to the piling of foundations. Any approved planting, turfing or seeding included in such details shall be completed in strict accordance with the approved details prior to the occupation of the development or in accordance with a programme agreed in writing with the Local Planning Authority. Such a scheme shall include:-

- (a) the identification and protection of existing trees and shrubs not directly affected by the building works and which are to be retained;
- (b) proposed walls, fences or other means of enclosure, indicating materials and heights;
- (c) areas of hard landscape works and proposed materials;
- (d) the detailing and provision of green or brown roofs/amenity roofs;
- (e) details of the proposed arrangements for the maintenance of the landscape works.

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

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

- (13) Prior to the commencement of works, a Construction Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority and thereafter the development carried out in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway free-flow and safety.

- (14) Details of external lighting shall be submitted to and approved in writing by the Local Planning Authority, prior to the piling of foundations and the approved details shall be implemented in full.

Reason: In the interests of safety, amenity and convenience and in the interests of the amenities of the adjoining residents.

- (15) No impact piling shall take place unless a piling method statement (detailing the type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water or sewerage infrastructure and the programme for the works) has been submitted to and approved by the Local Planning Authority in consultation with the relevant water or sewerage undertaker. Any piling must thereafter be undertaken in accordance with the approved details.

Reason: The proposed works will be in close proximity to underground water and sewerage utility infrastructure. Piling has the potential to impact on local underground water and sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the details of the piling method statement.

- (16) 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 at least 10 dB below the measured background noise level when measured at the nearest noise sensitive premises. The method of assessment should be carried in accordance with BS4142:1997 'Rating industrial noise affecting mixed residential and industrial areas'. It should be assumed that each item of plant incurs a +5dB(A) penalty to account for tonal qualities.

An assessment of the expected noise levels and any mitigation measures necessary to achieve the required noise levels shall be submitted and approved in writing by the Local Planning Authority prior to the installation of the plant. 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 EP2

- (17) Unless otherwise agreed in writing by the Local Planning Authority, a revised parking layout demonstrating that all parking spaces shall be provided as blue badge spaces shall be submitted to and approved in writing by the Local Planning Authority and the approved details shall be implemented prior to first occupation of the building hereby approved.

Reasons: To ensure the development is sufficiently accessible.

- (18) Unless otherwise agreed in writing, prior to the installation of any CHP engine an Air Quality Impact Assessment demonstrating that the proposed CHP unit shall have no more than an imperceptible impact on neighbouring residents shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To protect local air quality, in accordance with Brent Policies EP3 and EP4

- (19) Details of the extract ventilation system and odour control equipment for the commercial kitchen, including all details of external ducting, must be submitted to and approved in writing by the Local Planning Authority prior to installation. The approved details shall thereafter be installed prior to the use of the relevant part of the building and the equipment shall be operated at all times during the operating hours of the use and maintained in accordance with

the manufacturer's instructions.

Reason: To protect the amenity of nearby residents

- (20) Prior to the commencement of the development a Construction Method Statement shall be submitted to and approved by the Local Planning Authority outlining measures that will be taken to control dust, noise and other environmental impacts of the development and the approved Statement shall thereafter be implemented.

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

- (21) Confirmation that all units have been provided to the Lifetime Homes Standards and as Wheelchair accessible units shall be submitted to the Local Planning Authority prior to first occupation of the development hereby approved unless otherwise agreed in writing by the Local Planning Authority.
- (22) The development hereby approved shall be subject to the provisions, measures and requirements set out within the Travel Plan dated April 2013 (reference: B6210 Rev A) submitted pursuant to the Section 106 agreement relating to planning consent reference 10/2164 unless an alternative Travel Plan is submitted to and approved in writing by the Local Planning Authority and that Travel Plan is thereafter implemented in full.


Reason: To ensure a sustainable development and in the interest of the free and safe flow of traffic on the local highway network.

INFORMATIVES:

- (1) Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

REFERENCE DOCUMENTS:

Any person wishing to inspect the above papers should contact David Glover, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5344

 <p>Brent</p>	<p>Planning Committee 11 December 2013</p> <p>Report from the Strategic Director of Regeneration & Growth</p>
For Information	Wards affected: ALL
<p>Appeals Decision Monitoring: April – September 2013 (Q1 & Q2)</p>	

1.0 Summary

1.1 This report follows previous monitoring information presented to the Members on 21 August 2013 and provides recent information and analysis of appeal decisions for the period of 1 April – 30 September 2013 (First & Second Quarter: 2013/2014).

1.2 The purpose of the analysis is to provide the following outcomes:

- To help evaluate how saved Unitary Development Plan (UDP) policies and Council's supplementary guidance (SPGs and SPDs) are currently being used in determining planning applications and help to ensure that the Council's new development plan documents (DPDs) being developed through the Local Development Framework (LDF) process are usable, effective in terms of development management and can be successfully defended at Appeal;
- To identify areas where Appeal Statements and/or Officer Reports can be strengthened to further justify reasons for refusal;
- To consider whether a revised approach should be taken when assessing applications if it is identified that the Planning Inspectorate consistently allows appeals on a particular ground.

2.0 Recommendations

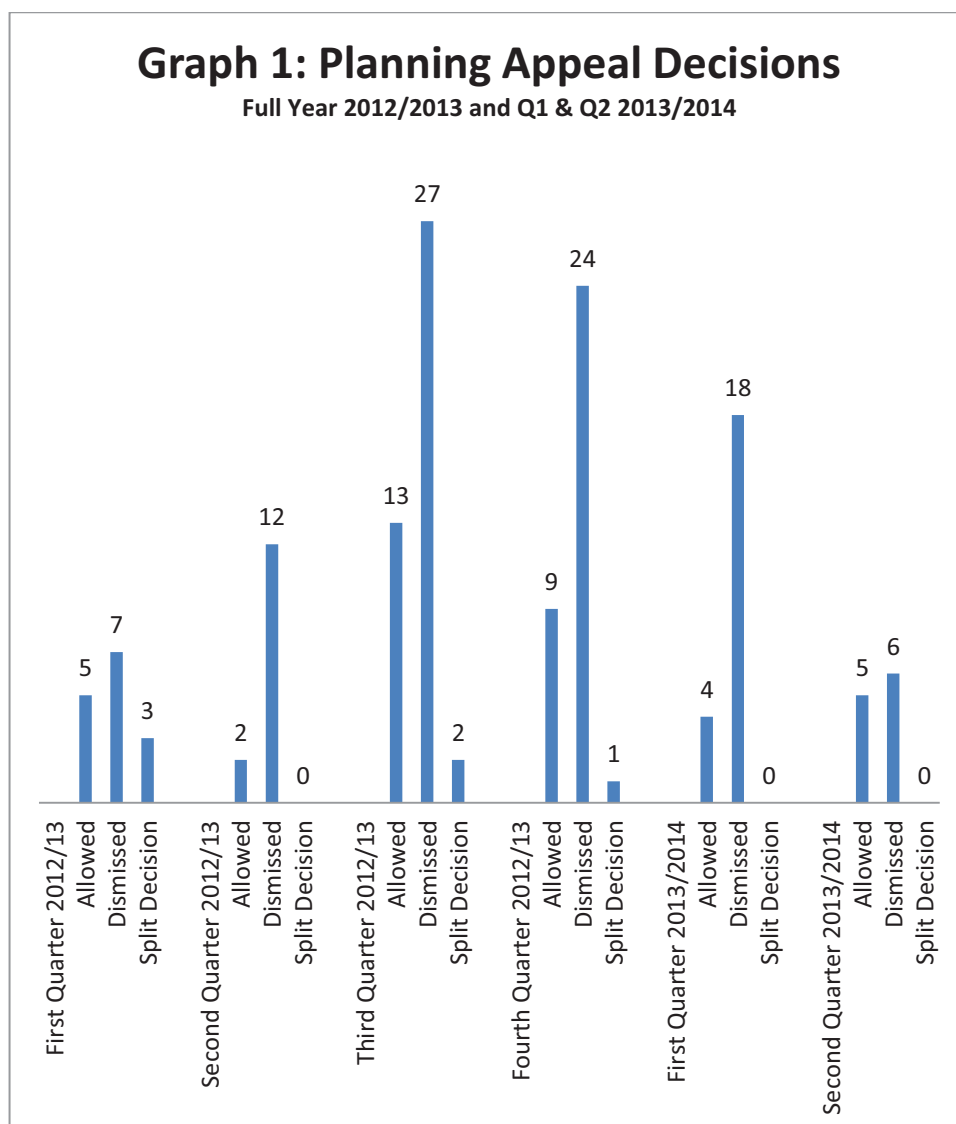
2.1 This report is a summary of appeal monitoring and is for information only.

3.0 Background Information

Planning Appeal Decisions

3.1 Between 1 April 2013 and 30 September 2013 (2013/2014 – Q1 & Q2), the Council determined a total of 1921 planning applications (1439 granted); of these applications 75% were granted and 25% were refused.

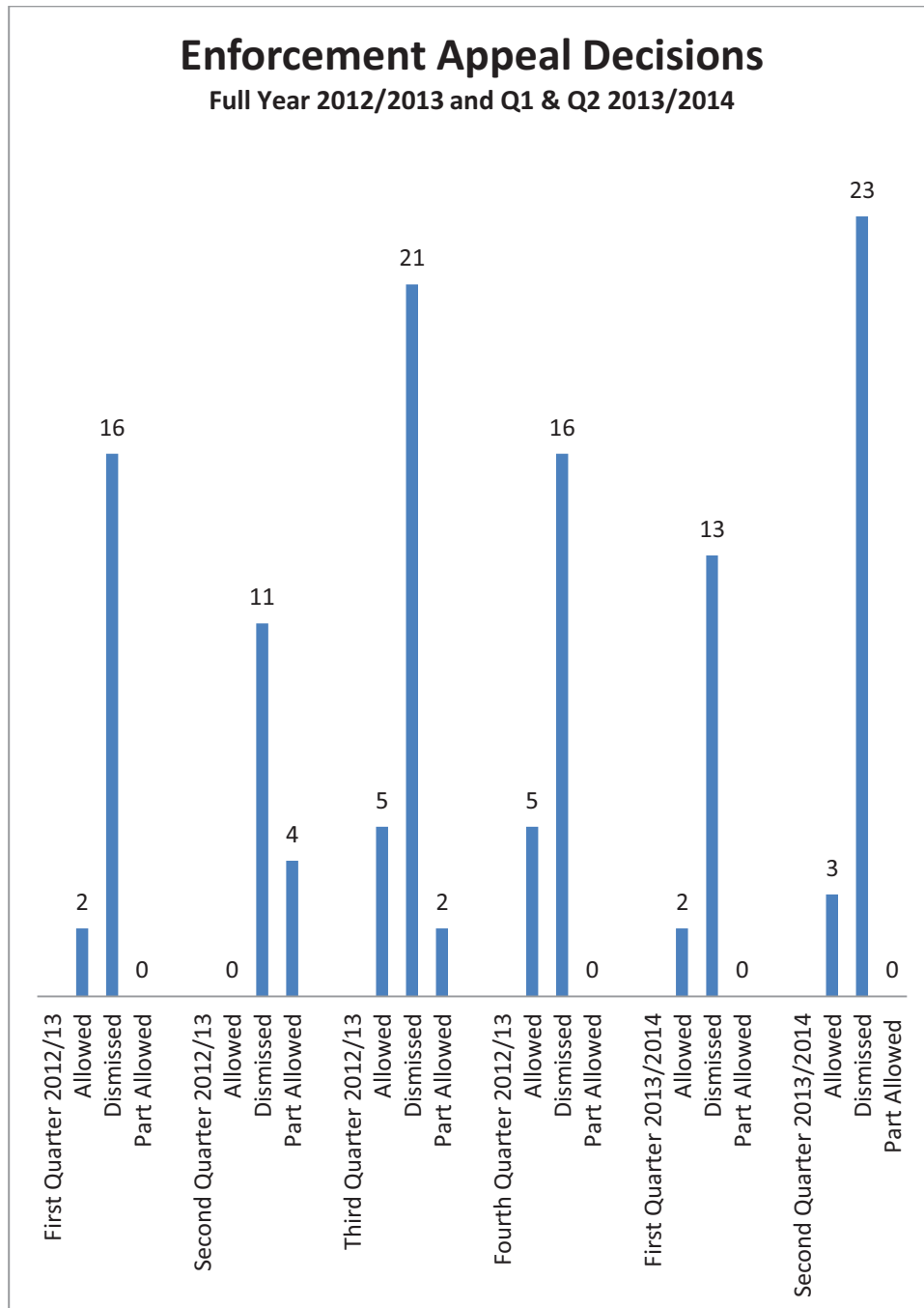
- 3.2 During this period, 33 appeal decisions were issued by the Planning Inspectorate. *Graph 1: Planning Appeal Decisions* shows the proportion of planning appeals which were 'Allowed', 'Dismissed' or where a 'Split Decision' has been issued, comparing the periods 2012/2013 (Full Year) and 2013/2014 (Q1 & Q2).
- 3.3 For information, whilst the Planning Inspectorate has the authority to issue a 'Split Decision' (where part of the proposal is part allowed and part is dismissed) the Council is not able to issue this type of decision. In these cases, whilst the Council may have found part of the scheme acceptable, the entire proposal is refused.



- 3.4 Graph 1 shows that the Council was successful in defending the majority of planning appeals across the period of analysis. Overall, the number of appeal decision issued is less than the same period for last year. As more data is being collated, seasonal fluctuations in the number of appeal decisions is becoming apparent. It is noted that there is significant variation in the number of appeals determined between the First Quarter 2013/2014 and Second Quarter 2013/2014.

Enforcement Appeal Decisions

- 3.5 Graph 2 shows the number of enforcement appeal decision (Full Year 2012/2013 and Q1 & Q2 2013/2014). In the Second Quarter of 2013/2014, a total of 87% were dismissed which is an improvement on the same period last year when 73% were dismissed.



- 3.6 A brief summary of the 5 cases which were allowed by the Planning Inspectorate in the Second Quarter of 2013/2014 are set out below:

(1) 31A-C Dyne Road, London NW6 7XG (E/08/0464)

Breach: The formation of a hard surface and the erection of a boundary wall to side of front garden at the premises.

The Enforcement Notice was quashed as it was determined that the requirements of the notice exceeded works which needed to be carried out to remedy the breach.

(2) 10 Oakleigh Court, Edgware, HA8 5JB (E/12/0219)

Breach: Without planning permission, the erection of a building to the rear of the premises.

The outbuilding measures approximately 9m x 4m and the maximum height being 3.5m. The Planning Inspectorate concluded that the building would not have an unacceptably harmful effect on the character and appearance of the area.

(3) 57 Berkhamstead Avenue, HA9 (E/12/0382)

Breach: Without planning permission, the erection of a building to the rear of the premises

The outbuilding measures approximately 6.5m x 5.2m and the maximum height being 3.56m. The Planning Inspectorate concluded that the building would not have an unacceptably harmful effect on the character and appearance of the area.

(4) 23B Bryan Avenue, NW10 (E/09/0536)

Breach: The erection of a building in rear garden of the premises.

The outbuilding measures approximately 6.5m x 5.2m and the maximum height being 3.56m. The Planning Inspectorate concluded that the building would not have an unacceptably harmful effect on the character and appearance of the area & amenity of neighbouring occupiers.

(5) 19 Watford Road, HA0 (E/12/0773)

Breach: The construction of an unauthorised building at the rear of the premises.

The outbuilding measures approximately 7.6m x 5.7m and the maximum height being 2.9m. The Planning Inspectorate concluded that the building would not have an unacceptably harmful effect on the character and appearance of the area & amenity of neighbouring occupiers.

4.0 Further Analysis of Planning Appeal Decisions

- 4.1 Further analysis undertaken involves an assessment of reasons for refusal cited in the decision issued by the Council and recording whether the reasons are:

‘Upheld’ the Planning Inspectorate did not agree with the Council’s decision

‘Not Upheld’ the Planning Inspectorate agreed with the Council’s decision

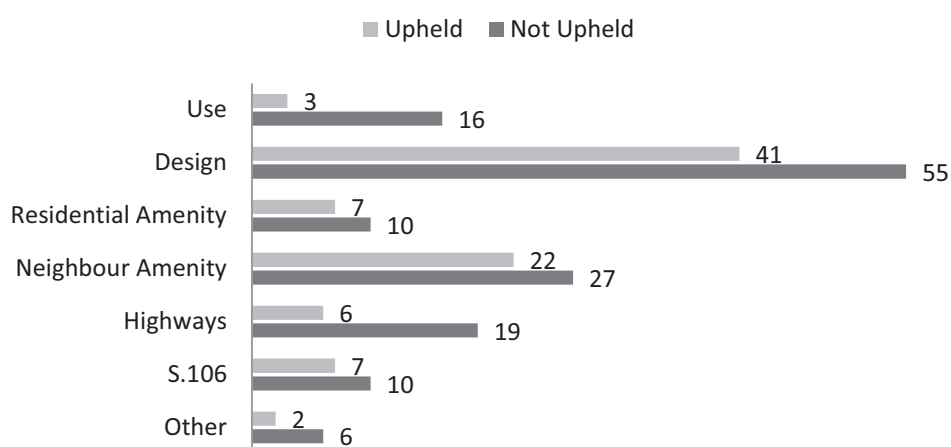
- 4.2 It should be noted that in some cases, whilst the Planning Inspectorate has dismissed the appeal, not all reasons for refusal cited by the Council have been supported by the Planning Inspectorate. The reasons for refusal have been categorised as set out in the *Table 1: Categorisation of Reasons for Refusal*.

Table 1: Categorising Reasons for Refusal

Use:	principle of use proposed i.e. whether the change of use in a Primary Shopping Area complies with our policy to protect A1 retail shopping frontages.
Design:	consideration of the height, bulk, use of materials etc. and the appropriateness in the local context.
Residential Amenity:	quality of accommodation provided for future occupiers including provision of external amenity space, internal space standards.
Neighbour Amenity:	reasons which have cited an impact on neighbouring occupiers. This may include noise nuisance, loss of light etc. from building works and other amenity impacts on neighbouring occupiers.
Highways:	includes parking, access and highway safety.
Section 106:	included in all cases where an obligation would be required; this generally is to accord with the Councils SPD: Planning Obligations.
Other:	includes reasons that don’t fall into the above categories.

- 4.3 The frequency that each category of reason for refusal is cited is set out in *Graph 3: Frequency Reasons for Refusal Upheld/Not Upheld*; this provides an indication of how successful the Council has been in defending each category of reason for refusal at appeal.
- 4.4 This additional data further supports trends previously identified and the need to focus work on reviewing decisions where ‘design’ and ‘neighbouring amenity’ have been cited as reasons for refusal.

Graph 3: Frequency of Reasons for Refusal and Upheld/Not Upheld



Notable Issues

- 4.5 On 30 May 2013, the permitted development allowance changed and a new 'Prior Approval' procedure was introduced relating to single storey rear extensions (between 3 metres and 6 metres for an attached house and between 4 metres and 8 metres for detached houses). To date, the Council has received a total of 400 household prior approval applications and determined 294 applications.
- 4.6 One valid appeal has been made to the Planning Inspectorate relating to a prior approval application refused due to the amenity impacts of the proposed extension on neighboring properties. The application site is at 94 Ravenscroft Avenue, HA9 (LPA Ref: 13/1443); a 7.1m deep extension was refused due to the amenity impacts on the neighboring properties. It was also noted in the decision that the proposal did not comply with the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) ["GPDO"]. The Planning Inspectorate dismissed the appeal but did not make a determination on the amenity impacts given the failure to comply with the GPDO.

5.0 Conclusions

- 5.1 Including more recent appeal data helps to clearly identify trends. This will ensure that further work, in particular when updating guidance documents, can focus on these specific issues. A more detailed review will be carried out at the end of the period 2013/2014.

6.0 Legal Implications

- 6.1 It is anticipated that this work will help the Council when defending reasons for refusal at appeal.

7.0 Diversity Implications

- 7.1 It is not the intention to prevent development but to ensure that the works are appropriate in the local context.

8.0 Staffing/Accommodation Implications

- 8.1 This work may result in a reduction in planning appeals in the future which will reduce officer workload.

9.0 Environmental Implications

- 9.1 The aim of these documents is to ensure development is in compliance with the Councils adopted policy

10.0 Background

- 10.1 Sourced from Brent's IT system - Acolaid

Contact Officers

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Andy Donald, Strategic Director of Regeneration & Growth

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