



## Planning Committee

**Wednesday 16 November 2016 at 7.00 pm**

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

### Membership:

#### Members

Councillors:

Marquis (Chair)  
Agha (Vice-Chair)  
Hylton  
Long  
Maurice  
Moher  
J Mitchell Murray  
Pitruzzella

#### Substitute Members

Councillors:

A Choudry, Colacicco, Daly, Ezeajughi, Hoda-Benn, Kabir, Khan and Naheerathan

Councillors

Colwill and Kansagra

**For further information contact:** Joe Kwateng, Governance Officer  
020 8937 1354; [joe.kwateng@brent.gov.uk](mailto: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](http://democracy.brent.gov.uk)**

**The press and public are welcome to attend this meeting**

**Members' briefing will take place at 6.00pm 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 personal and prejudicial interests and discloseable pecuniary interests in any matter to be considered at this meeting.		
2. Minutes of the previous meeting - 19 October 2016		1 - 6
<b>PART 1 - DEVELOPMENT PRESENTATIONS</b>		
3. 403-405 Edgware Road, London NW2 6LN (Ref. 16/0213PRE)	Dollis Hill	9 - 24
<b>PART 2 - APPLICATIONS FOR DECISION</b>		
4. 6 Bowmans Trading Estate, Westmoreland Road NW9 9RL (Ref.16/0595)	Queensbury	29 - 64
5. 3 The Grove, Kingsbury, London NW9 0TL (Ref. 16/4104)	Fryent	65 - 74
6. 15 Littleton Road, Harrow HA1 3SY (Ref. 16/0852)	Northwick Park	75 - 98
7. Land rear of 274-280 Kingsbury Road NW9 Ref. 15/2313)	Fryent	99 - 122
8. Harlesden Christian Centre, Winchelsea Road NW10 (Ref. 16/0760)	Stonebridge	123-162
9. 1-24 inc. The Elms, Nicoll Road, London NW10 9AA (Ref. 16/3428)	Harlesden	163-178
10. Summit Court Garages, Shoot up Hill, London NW2 (Ref. 16/3585)	Mapesbury	179-202
11. Any Other Urgent Business Notice of items to be raised under this heading must be given in writing to the Head of Executive and Member Services or his representative before the meeting in accordance with Standing Order 64.		

**Date of the next meeting: Wednesday 14 December 2016**



Please remember to switch your mobile phone to silent 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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## LONDON BOROUGH OF BRENT

### MINUTES OF THE PLANNING COMMITTEE Wednesday 19 October 2016 at 7.00 pm

PRESENT: Councillor Marquis (Chair), Councillor Agha (Vice-Chair) and Councillors Daly (alternate for Councillor J Mitchell Murray), Hylton, Long, Moher and Pitruzzella

Also present: Councillor Perrin

Apologies for absence were received from Councillors J Mitchell Murray and Maurice

#### 1. **Declarations of personal and prejudicial interests**

Green Car Park, First Way, Wembley.

Councillor Marquis declared that due to a sensitive interest she would withdraw from the meeting room during the presentation for the scheme.

183 Abbotts Road, Wembley

Councillor Moher declared that the applicant was a family friend.

All members declared that the applicant was known to them.

81 Cricklewood Broadway NW2

All members declared that they had received photographs from Councillor Colaccico

Councillor Pitruzzella informed the meeting that she had received an approach from an objector, Mr Al Forsyth, Chair of Brondesbury Residents And Tenants' Association (BRAT) in connection with the application for 23 Plympton Road.

All members affirmed that they would consider all applications with an open mind.

#### 2. **Minutes of the previous meeting - 14 September 2016**

RESOLVED:-

that the minutes of the previous meeting held on 14 September 2016 be approved as an accurate record of the meeting.

#### 3. **Green Car Park, First Way, Wembley (Ref. 16/0489PRE)**

SCHEME:

The Reserved Matters for the development of Plot E03 pursuant to outline planning application reference 15/5550 (the Quintain Masterplan).

Proposed construction of 1- to 26-storey building to provide 743 flats (397 private rent and 346 discount market rent), 490 square metres of community or employment floor space Use Class D1 / B1), 91 coach parking spaces for

Wembley Stadium events, energy centre for outline consent area and associated external amenity space, cycle storage, hard and soft landscaping and accesses to the highway.

Members received a detailed presentation from Ann Clements and Richard Harvey. Members then questioned the presenters and raised issues for further consideration prior to submission of a planning application.

The main issues raised at the meeting were;

- Affordable Housing and Discounted Market Rent provision
- Level of family sized housing
- Coach parking levels plus impact on residents of coaches and their passengers
- Operation and benefits of the energy centre
- Amenity space provision
- Levels of business space
- Public engagement plans
- Wind assessment of tall buildings
- Meanwhile use of empty coach park

#### **4. Land rear of 274-280 Kingsbury Road, London NW9 (Ref. 15/2313)**

PROPOSAL: Erection of two-storey building comprising 4 no. self-contained flats with provision of 6 no. car parking spaces, secure cycle storage, bin store area, associated landscaping and new Vehicular access to Uphill Drive

RECOMMENDATION: That the Committee resolve to GRANT planning permission and that the Head of Planning be delegated authority to issue the planning permission and impose conditions and informatives to secure the matters set out in the report.

Adrian Harding (Acting DM Manager) introduced the report and answered members' questions

Members discussed the application during which they felt that the width of the area for egress and exit was inadequate to the detriment of existing residents and pedestrians. They also highlighted the parking situation and concluded the scheme could give rise to overspill parking. For those reasons members voted by a majority to refuse the application.

DECISION: Refused planning permission for inadequate egress and exit for existing residents and pedestrians and overspill parking.

Voting on the substantive recommendation for approval was recorded as follows:

FOR	Councillors Agha, Hylton and Daly	(3).
AGAINST:	Councillors Marquis, Long and Pitruzzella	(3)
ABSTENTION:	Councillor Moher	(1)

The Chair exercised her casting vote for refusal of the application.

**5. 16 Princes Court, Wembley, HA9 7JJ (Ref. 16/2399)**

PROPOSAL: Conversion of existing dwellinghouse into 2 self-contained flats (1 x 2bed and 1 x 3bed) to include the demolition of side garage, single storey side extension and rear conservatory, erection of single storey rear extension, single storey side extension and rear dormer window, subdivision of rear garden, car parking and cycle storage

RECOMMENDATION: That the Committee resolve to GRANT planning permission and that the Head of Planning be delegated authority to issue the planning permission and impose conditions and informatives to secure the matters set out in the report.

Adrian Harding (DM Manager) introduced the report, outlined the proposal and answered members questions. He drew members' attention to an amendment to condition 5 for an acceptable width of the crossover and an additional condition to prevent the applicant to convert the building to a house in multiple occupation (HMO).

DECISION: Granted planning permission as recommended as amended in condition 5 and an additional condition against an HMO.

**6. 183 Abbots Drive, Wembley, HA0 3SH (Ref. 16/3412)**

PROPOSAL: Improvement to front garden to remove existing part hard standing and add hedges, plant shrubs and replace crazy paving with permeable bio diverse paving system.

RECOMMENDATION: That the Committee resolve to GRANT planning permission and that the Head of Planning be delegated authority to issue the planning permission and impose conditions and informatives to secure the matters set out in the report.

Adrian Harding (DM Manager) introduced the report, outlined the proposal and answered members' questions.

Members considered the application and in endorsing the recommendation, added an additional informative advising the applicant to inform the Council's Highways prior to commencement of works so that any damage to public realm can be restored.

DECISION: Granted planning permission as recommended an additional informative about any damage to public realm.

**7. Studio & First Floor Flats, 81 Cricklewood Broadway & Rooms 1-7 Inc, 81A Cricklewood Broadway, London, NW2 (Ref. 14/3476)**

PROPOSAL: Conversion of existing rear ground, 1st and 2nd floors of building to 5 self-contained flats (1x3bed, 3x2bed & 1x1bed); with demolition of existing rear

office and erection of a part single and part 2 storey rear extension, a Mansard roof extension with part 2nd floor roof extension, provision of 1 car parking space, cycle parking, a new front boundary wall with railings, bin storage and landscaping fronting Anson Road.

RECOMMENDATION: That the Committee resolve to GRANT planning permission subject to an additional condition for a car free agreement for the development and that the Head of Planning be granted delegated authority to issue the planning permission and impose conditions and informatives to secure the matters set out in the report.

Damian Manhertz (Deputy Area Planning Manager) outlined the scheme and introduced the application with reference to the supplementary report. He drew members' attention to an additional condition for a car free agreement as set out in the supplementary report.

Members discussed the application and in endorsing the officers' recommendation as set out in the main and supplementary reports, added an informative as set out in the decision below.

DECISION: Granted planning permission as recommended with an additional condition for a car free agreement and an informative requesting the applicant to inform the Council's Highways officers prior to commencement of the work to ensure that any damage to the public realm can be restored.

#### **8. 23 Plympton Road, London, NW6 7EH (Ref. 16/2722)**

PROPOSAL: Conversion into 3 self-contained flats (1 x 3bed and 2 x 2bed) to include the erection of a rear dormer window, side infill extension, single storey rear extension, alteration to window to first floor rear elevation, insertion of window on flank elevation at ground floor, alteration to side boundary wall and associated cycle store and bin store

RECOMMENDATION: That the Committee resolve to GRANT planning permission and that the Head of Planning be delegated authority to issue the planning permission and impose conditions and informatives to secure the matters set out in the report.

Damian Manhertz (Deputy Area Planning Manager) outlined the scheme and introduced the application.

Members discussed the application and in endorsing the officers' recommendation as set out in the report, added an informative as set out in the decision below.

DECISION: Granted planning permission as recommended and an informative requesting the applicant to inform the Council's Highways officers prior to commencement of the work to ensure that any damage to the public realm can be restored.

## **9. Any Other Urgent Business**

Farewell to Mike Kiely

Members were informed that this was the last meeting for Mike Kiely, Interim Head of Planning. Members were unanimous in expressing their thanks to Mike Kiely for his contribution to the Committee over the past months. Members also welcomed Alice Lester, Head of Planning to her first meeting of the Committee.

The meeting closed at 8.40 pm

COUNCILLOR MARQUIS  
Chair

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## **PART 1 DEVELOPMENT PRESENTATIONS**

### **Introduction**

1. This part of the agenda is for the committee to receive presentations on proposed developments, particularly when they are at the pre-application stage.
2. Although the reports are set out in a particular order on the agenda, the Chair may reorder the agenda on the night. Therefore, if you wish to be present for a particular application, you need to be at the meeting from the beginning.
3. The following information and advice only applies to reports in this part of the agenda.

### **Advice to Members**

4. These proposed developments are being reported to committee to enable Members of the committee to view them at an early stage and to comment upon them. They do not constitute applications for planning permission at this stage (unless otherwise stated in the individual report) and any comments made are provisional and subject to full consideration of any subsequent application and the comments received as a result of consultation, publicity and notification.
5. Members of the committee will need to pay careful attention to the probity rules around predisposition, predetermination and bias (set out in the Council's Constitution). Failure to do so may mean that the Councillor will not be able to participate in the meeting when any subsequent application is considered.

### **Further information**

6. Members are informed that any relevant material received since the publication of this part of the agenda, concerning items on it, will be reported to the Committee in the Supplementary Report.

### **Public speaking**

7. The Council's Constitution only provides for public speaking rights for those applications being reported to Committee in the "Applications for Decision" part of the agenda. Therefore reports on this part of the agenda do not attract public speaking rights.

### **Recommendation**

8. The Committee is not required to make any decisions with respect to the reports on this part of the agenda. The reports are presented as background information.

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## **PRE-APPLICATION REPORT TO COMMITTEE**

**Planning Committee on**            **16 November 2016**  
**Item No**  
**Case Number**                    **16/0213/PRE**

## **SITE INFORMATION**

**RECEIVED:**                        **2016**

**WARD:**                                **Dollis Hill**

**LOCATION:**                            403-405 Edgware Road, NW2 6LN

**SCHEME:**            Demolition of the existing three storey building (plus two basements) and replacement with mixed use development (including tall building up to 27 storeys), comprising:

- Flexible Class B1/B2/B8 employment space (approx. 1,375 sq. m), predominantly located on ground floor, with some also on first floor;
- Banqueting and conference centre, comprising one large hall, two smaller halls, (located on the first floor, with ground floor lobby/reception area);
- Fitness centre and health spa (including a swimming pool);
- Residential accommodation (providing approx. 150 apartments);
- Roof garden and outdoor terrace;
- Dedicated service yard within the building to service the employment floorspace, accommodate other delivery vehicles and for refuse/waste collection;
- Three levels of basement car parking, providing space for approximately 166 spaces, together with cycle storage.

**APPLICANT:**    Amafh Investments Ltd

**CONTACT:**        Contour Planning

**PLAN NO'S:**      n/a

**LINK TO DOCUMENTS ASSOCIATED TO THIS APPLICATION**            No plans as this is a pre-application item. Members will view a presentation at Committee.

**SITE MAP**  
This map is indicative only



## DEVELOPMENT DETAILS

Ref: **16/0213/PRE**

Location: 403-405 Edgware Road, NW2 6LN

Ward: Dollis Hill

**Description:** Proposed demolition of the existing three storey building (plus two basements) and replacement with mixed use development (including tall building up to 27 storeys), comprising:

- Flexible Class B1/B2/B8 employment space (approx. 1,375 sq. m), predominantly located on ground floor, with some also on first floor;
- Banqueting and conference centre, comprising one large hall, two smaller halls, (located on the first floor, with ground floor lobby/reception area);
- Fitness centre and health spa (including a swimming pool);
- Residential accommodation (providing approx. 150 apartments);
- Roof garden and outdoor terrace;
- Dedicated service yard within the building to service the employment floorspace, accommodate other delivery vehicles and for refuse/waste collection;
- Three levels of basement car parking, providing space for approximately 166 spaces, together with cycle storage.

Applicant: Amafh Investments Ltd

Agent: Contour Planning

Case Officer: Gary Murphy (South Area Team)

## BACKGROUND

1. This pre-application submission is being presented to enable Members of the committee to view it before any subsequent planning application is submitted and to comment upon it. The development does not constitute an application for planning permission and any comments made upon it are provisional and subject to full consideration of any subsequent revised application and the comments received as a result of consultation, publicity and notification.
2. This is the first time the proposed development is being presented to Members. Prior to this the applicants have been engaged in pre-application discussion with Council Officers and the Greater London Authority (GLA), including Transport for London (TfL).

## PROPOSAL and LOCATION

### Proposal

3. The scheme involves the demolition of the existing building and its redevelopment for a mixed use building comprising of:
  - Flexible Class B1/B2/B8 employment space (approx. 1,375 sq. m), predominantly located on ground floor, with some also at first floor;
  - Banqueting and conference centre, comprising one large hall ('Grand' hall at first floor), two smaller halls, (located on the first floor), with ground floor lobby/reception area. Overall these halls have combined capacity for up to 2230 persons;
  - Fitness centre and health spa (including a swimming pool) for use by the general public, (Use Class D2) at basement level -03;
  - Residential accommodation (providing approx. 150 apartments) over floors 3-27. Two separate tower elements are proposed, one up to 27 storeys and a lower tower up to

8 storeys. It is the lower element where it is proposed to provide the affordable housing units.

#### *Proposed residential mix*

- 150 units are proposed: It is indicated at this stage that 120 would be as private and 30 as affordable units, which equates to 25% affordable housing.

The proposed dwelling mix is:

35 x 1-bedroom (23%)

62 x 2-bedroom (41%)

53 x 3-bedroom (35%)

- Roof garden on top of podium and outdoor amenity terraces;
- Dedicated service yard within the building accessed from Oxgate Lane, with turning table to service the employment floorspace, and accommodate other delivery vehicles and for refuse/waste collection;
- Three levels of basement car parking with access gained from Oxgate Lane, providing space for approximately 166 spaces (including 17 disabled spaces), together with associated cycle storage.

#### **Site and Surroundings**

4. The site is located at the junction of Oxgate Lane and Edgware Road (A5), the existing three storey (above ground) building has a frontage onto both roads. The site is 0.3ha in area and accommodates a three storey 1940s brick building, with two levels of basement below and parking provided in a central courtyard area. Including basement level accommodation the existing floorspace is approximately 8427sqm.
5. The site is situated within the Staples Corner Industrial Estate, a designated Strategic Industrial Location (SIL). Surrounding uses are of an employment/industrial nature. Wing Yip is to the south-east and south-west and this site accommodates an oriental cash and carry use as well as China House business centre. Wing Yip has also acquired the site immediately to the west of the application site and has been granted planning permission for redevelopment and a change in the use of the site from B1 to B2/B8 use. North-west of the site and north towards the Staples Corner gyratory junction are industrial/warehouses uses. East of the site on the opposite side of the A5, located within the London Borough of Barnet is a retail park with multi-screen cinema. Beyond that is the location of the planned new Cricklewood Thameslink station.
6. Surrounding building heights within the borough are typically 3 to 4 storey's high.

#### **Relevant Planning History**

7. A Lawful Development Certificate (92/1425) was granted which established the use of building above basement floors for offices and research purposes (B1 use). A separate Certificate (92/1762) established the use of basement floors for B1 use.
8. In 1993 permission was granted (93/0696) for roof extensions, a change of use to B8 (storage and distribution), with restrictive conditions attached. Sometime after this being granted the building (in part) was used as a carpet showroom(s) though the roof extensions were never implemented. It is understood that the B8 use was not implemented.
9. There is a current enforcement investigation into the unauthorised use of the building for religious purposes.

## CONSULTATION

10. The following will be consulted regarding any subsequent planning application:

Consultee:

(Internal)

- Ward Councillors for Dollis Hill (Brent)
- Transportation (Brent)
- Environmental Health (Brent)
- Landscape Design (Brent)
- Heritage & Conservation officer (Brent)
- Tree Officer (Brent)
- Sustainability Officer (Brent)
- Housing (Brent)
- Urban Design Officer (Brent)
- Planning Policy (Brent)
- Flood/drainage engineer (Brent)
- Streetcare/waste/refuse (Brent)

(External)

- Greater London Authority (GLA)
  - Transport for London (TfL)
  - London Borough of Barnet (LBB)
  - Secure by Design Officer (Met Police)
  - Thames Water
  - Environment Agency - tbc
- 
- All existing properties and addresses within at least 100m of the application site.

*(N.B. This is not a final list and is subject to further review/change should any formal planning application be submitted)*

## COMMUNITY ENGAGEMENT

11. In accordance with the National Planning Policy Framework and Brent's Statement of Community Involvement the developer is required to engage with the local community whilst developing their proposals for the site, as part of the pre-application process. No details of any pre-application consultation have been provided to date. Full details should be submitted as part of a Statement of Community Involvement document in support of any future planning application.

## POLICY CONTEXT

12. The National Planning Policy Framework (NPPF) 2012. At the heart of the NPPF is a presumption in favour of sustainable development. Building a strong, competitive economy is of the core principles of the NPPF and paragraph's 21 and 22 are of relevance.

13. The site is designated as a SIL in the London Plan. London Plan Policy 2.17 seeks to protect SIL, as these locations are London's main reservoirs of industrial and related capacity, including general and light industrial use, logistics, waste management and other uses.

14. Brent Core Strategy policy CP20 seeks to protect designated SIL for B1, B2 and B8, Sui Generis and/or other uses that are closely related. B1 office space is considered to be acceptable in SIL where it is ancillary to other industrial and warehouse uses and where any necessary transport infrastructure required to support the development is properly assessed and provided for in time for occupation. The

regeneration of SIL is supported where proposals will not undermine the employment land hierarchy.

15. The Development Management Policies will be considered for formal adoption at the Full Council meeting on 21 November 2016. In the meantime, in accordance with paragraph 216 of the National Planning Policy Framework, the council will take the Development Management Policies into account as a material consideration with significant weight in determining planning applications. The following policies are considered to be relevant: DMP1, DMP7, DMP11, DMP12, DMP13, DMP14, DMP15, DMP18 and DMP19.

### **APPLICANTS OBJECTIVES**

**To quote the applicant, their objectives are:**

- I. To create a dynamic development in this key London gateway;
- II. To provide a catalyst for the regeneration of the Staples Corner area and the Edgware Road corridor;
- III. To help counter-balance the effects of Brent Cross Cricklewood scheme, providing a development that is accessible to Brent residents and workers;
- IV. To create a vibrant mixed use development, which would bring jobs and new homes to the Borough, together with leisure and community facilities.

### **MATERIAL PLANNING CONSIDERATIONS**

The main issues relate to:

- Loss of Strategic Industrial Land and the introduction on non-policy compliant uses.
- Affordable housing
- Placemaking, scale and massing
- Design and layout
- Transport: parking, servicing and access
- Density
- Heritage Asset
- Quality of residential accommodation:

#### **Issue 1**

#### **Loss of Strategic Industrial Land (SIL) and the introduction of non-policy compliant uses**

16. The impact on the SIL, which has been designated due to its significance not only to Brent's economy but the London economy as a whole, is a material consideration for any proposed redevelopment.
17. As set out in the National Planning Policy Framework (NPPF) the planning system is to contribute to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places to support economic growth. Paragraph 21 of the NPPF outlines that local planning authorities should '*meet the anticipated needs (of businesses) over the planning period*'. 'Anticipated needs' can be assumed to be the range of demand scenarios as described in the demand forecasting exercise in Brent's Employment Land Demand Study (2015). The recently completed ELDS scores the Edgware Road site highly, (within which this site sits, forming part of Staples Corner south SIL, cluster 4.2) and recommends it is retained in employment use in order to help meet forecast demand for employment land for development in the B use classes and closely related sui generis uses. This managed approach to retaining employment land to meet business need, whilst releasing those sites which score poorly, is an approach to industrial land management which is consistent with the NPPF and London Plan policy 4.4 (Managing Industrial Land and Premises).

18. This is also consistent with London Plan policy 2.17 (Strategic Industrial Locations) and Core Strategy policy CP 20, which protects SIL for industrial employment uses characterised by use classes B1, B2 and B8, or closely related Sui Generis uses.
19. Draft Development Management Policy DMP14 supports the continued provision of employment sites and will seek to limit their loss to approximately 11.5ha in the period to 2029. Weight should be attached to protect land that is designated SIL, and SIL will only be released where
  - (a) it has been identified for release in the Employment Land Study;
  - (b) it can be shown to be integral to and delivered as part of a wider comprehensive housing-led regeneration scheme with substantial benefits to Brent, providing at least 50% affordable housing, and consistent with the wider objectives of the Development Plan and/or is of strategic significance to London; or
  - (c) where it delivers social and physical infrastructure of a substantial scale.

None criteria (a-c) would be satisfied by the current proposal.

There is currently no plan-led approach being pursued within Brent along the A5 corridor that would involve comprehensive redevelopment and release of SIL.

20. The introduction of non-employment uses including a large banqueting and conference use, and this level of residential use on the site would be a departure from policy. As well as the loss of employment land required to meet anticipated need it will threaten the character, function and long-term viability of the wider SIL which, at 40ha of employment land accounts for over 10% of Brent's employment land.
21. The applicant considers that the NPPF overrides the Brent core strategy (2010) as it is more recent and Brent's plan was adopted pre NPPF. The applicant notes that although the London Plan SIL policies have not been updated since the plan was prepared in 2011, so, it is said these too pre-date the introduction of the NPPF. For these reasons the applicant considers that neither London Plan policies that relate to SIL, nor Brent's policies are fully compliant with the NPPF, which advises that greater flexibility is required regarding the release of designated employment land if alternative beneficial development can be brought forward, or if there is clear evidence that demonstrates employment uses are no longer viable.

## **Issue 2 Affordable Housing**

22. London Plan policy 3.12 requires borough's to seek the maximum reasonable amount of affordable housing, taking account of a range of factors including local and regional requirements, the need to encourage rather than restrain development and viability. The policy requires boroughs to take account of economic viability when negotiating on affordable housing, and other individual circumstances.
23. Emerging policy DMP15 confirms the Core Strategy target (policy CP2) that 50% of all new homes in the borough will be affordable. The maximum reasonable amount will be sought on sites capable of providing 10 units or more. 70% of new affordable housing should be social/affordable rented housing and 30% intermediate housing at affordability levels meeting local needs. Where a reduction to affordable housing obligations is sought on economic viability grounds, developers should provide a viability appraisal to demonstrate that schemes are maximising affordable housing output.
24. London Plan policy 3.12 says that the maximum reasonable amount of affordable housing should be sought when negotiating on schemes and that negotiation on sites should take account of their individual circumstances including development viability.
25. The current proposal shows 30 affordable units, which would be less than the required 50%. Should any future application be submitted proposing less than 50%

then this would be robustly tested at application stage. The applicant would need to submit a financial appraisal in order to determine what the maximum reasonable proportion of affordable housing is that the scheme can viably deliver.

26. Policy CP21 of Brent's Core Strategy 2010 seeks for 25% of units to be family sized (three bedrooms or more). The proposal achieves 35% family sized units, so is policy compliant.

### **Issue 3**

#### **Placemaking, scale, massing and height**

27. London Plan policy 3.5 promotes quality in the design of housing developments.
28. London Plan Policy 7.6 on 'Architecture' states that buildings should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate. This is regarded as being particularly important for tall buildings.
29. London Plan policy 7.7 on tall and large buildings states that the location of these should be part of a plan-led approach to change or develop an area. At this time there is no such plan-led approach being pursued in this location. It is noted in the GLA's pre-application response (dated 23 July 2015) they comment that, in the absence of a programme for redevelopment of the area (whilst noting the proximity to Brent Cross Opportunity Area), and an overall tall building strategy for the area, justification for the proposed density and scale would be challenging.
30. At its tallest the proposed building would be 27 storeys above ground level, stepping down to an 8 storey element further west along Oxgate Lane. The surrounding context in Brent is predominantly 3/4 storey buildings. As such a building of the scale proposed would be significantly taller than its surroundings, incongruous with its context and would have a significant visual impact on the townscape from close and long distance viewpoints. The dramatic increase in scale that is proposed would fail to pay appropriate regard to the existing Brent context.
31. To the east of the site on the opposite of the A5 is land within Barnet, including the Brent Cross Regeneration Area, which has outline consent for comprehensive redevelopment including 7,500 homes, 370,000sqm of offices, open space, transport improvements, and an extension to Brent Cross Shopping Centre. This 151ha site, at its western most end is located approximately 150m from the application site. This outline consent allows for a cluster of tall buildings up to 25 storeys within approximately 300m of the application, as well as a new rail station within approximately 250m.

### **Issue 4**

#### **Design and layout**

32. Detailed designs for the proposed development have not yet been advanced, though it is envisaged from the limited material presented that the design of the tower will be curvilinear in form, with the lower element being rectilinear in form, with a podium over two levels forming the relationship at street level. In the absence of any further information on massing and architectural approach (including materials) no further comments can be given on the design, appearance or architecture.
33. The site occupies a prominent position on the A5 so must respond appropriately at street level. The proposed ground floor uses will provide a level of activity, however opportunities to further maximise this along the A5 frontage should be explored, with consideration for re-location/re-arrangement of the gym entrance to assist with this.
34. The footprint of the proposed building provides little opportunity for public realm improvements. Existing street trees along the A5 and Oxgate Lane are to be retained,

so this welcomed, subject to this being confirmed. However given the scale of development proposed, and the prominence of the site more significant public realm benefits should be proposed. It may be possible to achieve this by setting back the building further at ground floor; this would improve how the building relates at ground floor and would increase opportunities for additional planting and wider public realm enhancements.

## **Issue 5**

### **Transport – access, parking and servicing**

35. The location of the site along the A5, and its proximity to the Staples Corner junction (where the M1, A406 and A5 converge) means the site has good access to the strategic road network. Public transport connectivity is however a constraint, accessibility is limited reflected by a PTAL rating at the low end, currently the site is partly PTAL 2 and 3. The closest rail or London Underground stations are located at Cricklewood, Brent Cross and Hendon. Of these, Cricklewood station is closest, being approximately 1.2 miles (24 minute walk) away)
36. The future rail station that will come forward as part of the Brent Cross Regeneration Area will be approximately 250m from the proposal site (within the London Borough of Barnet) and will improve the public transport accessibility of the site from 2. Funding of this station is committed; however this new major piece of infrastructure is a number of years down the line in terms of delivery.
37. There are two bus stops within 50m of the site and a number of bus routes are accessible, it is suggested by the applicants that up to 30 buses per hour pass within an acceptable walking distance of the site.
38. There is a shared use bus and cycle lane approximately 120m to the south-east of the site on the A5 heading northbound. There is also a shared use pedestrian and cycle lane which runs from Oxgate Lane to the Staples Corner roundabout. A number of new cycle routes have been proposed as part of the Brent Cross regeneration which will connect the A5 with this redevelopment to the north-east.
39. There have been initial discussions between the applicant and Transport for London (TfL), and TfL advises that due to the scale of development a robust transport assessment be prepared in accordance with TfL's best practice guidance. This should consider the impact of the development both as a whole and its constituent proposed land uses, on all modes of transport at both the occupation and construction phases. This will enable TfL and the Council's Transport officers to determine the likely level of impact and what measures may be required to mitigate the impact of this sizeable development on the transport network. No such assessment has been submitted at this stage for consideration.

#### *Access:*

40. The proposal seeks to provide vehicle access to the basement car park via a 5.5m wide ramp, and dedicated servicing/loading area from Oxgate Lane.
41. A vehicle drop-off point is envisaged along the Oxgate Lane frontage, though not clearly demonstrated on plans. Whilst this would need to be fully demonstrated any on-street servicing/drop-off area along the frontage may be resisted by Transportation given its proximity to the busy A5 junction.
42. Pedestrian accesses to residential and commercial are proposed along the Oxgate Lane frontage. In support of any subsequent application TfL have advised that a peak hour's pedestrian review system (PERS) audit and cycling environment study be undertaken within a 150m radius of the site. TfL expects that a scheme of this size contributes to the delivery of improved and safe routes. Cycling access would also need to be segregated from vehicles accessing the basement car park levels.

*Parking:*

43. Parking for 166 cars (including 17 disabled bays) is proposed within three basement levels, with a ramped access which allows entry/exit from Oxgate Lane. 59 spaces will be provided at basement level -01, for the commercial uses and the gym. The two levels of basement parking below will provide a further 107 residential parking spaces, resulting in a provision of 0.7 spaces per unit. Given the low PTAL of the site currently (partly PTAL 2 and 3) such reduced standards would not normally be supported and the appropriate level of parking to support residential development of the scale and mix proposed would be 194 spaces to accord with adopted standards in PS14 of the adopted UDP (2004). Even applying the approach to seek 75% of the maximum standard on-site for all private units, and a reduced standard of 50% of any affordable units there is still an under provision of on-site residential parking. As part of any justification to support a lower parking level consideration must be given to the impacts of any overspill parking. In this case, there is concern that the scale of overspill parking occurring on surrounding roads would be problematic due to the absence of any on-street parking restrictions, and potentially harmful to the day-to-day functioning of the surrounding industrial estate and the local road network. Emerging Development Management policy DMP12 should also be afforded weight in determining the level of on-site parking required to support the different uses proposed. By applying these standards a maximum standard of 176.5 spaces would be required, resulting in provision of 0.84 spaces per unit, meaning standards would not be met.
44. Visitor and staff parking for the various uses should be provided in accordance with adopted standards, as set out in the UDP (2004). Proposed B class uses attract a standard of 1 space per 150sqm. The banqueting/conferencing element, as too the proposed gym use would attract a standard of 1 space per 60 visitors, equivalent to 37 spaces, and on space for every five employees. The applicant would need to demonstrate further how/if their proposal is in accordance with these standards. As above emerging Development Management policy DMP12 should also be afforded weight in determining the level of on-site parking required to support the different uses proposed, and where venues provide a capacity over 500 persons proposed parking levels will be subject to a detailed transport assessment.
45. 20% of the spaces should be installed with electric vehicle charging points, with a further 20% with passive provision. Such details should be confirmed to ensure London Plan compliance.
46. It is submitted that cycle parking will be provided at a level that meets Brent and London Plan policy requirements, though no figure has been specified. Whilst this commitment is welcomed, further details would be needed to ensure this is proposed in a secure, convenient and accessible location to serve the range of uses on site. Both short and long-term parking provision would be required.
47. One of the considerations is to robustly assess what level of impact the proposed range of uses will have on traffic and parking conditions locally. A banqueting/conference facility with the ability to cater to up to 2230 persons at any one time would be a significant trip generating use, and in the absence of a detailed Transport Assessment officers, at this stage have concerns with the scale of this use, given its location and low PTAL, the nature of the use (i.e. people attending weddings and private functions) and the appropriateness of the location for such a use. Even with a Travel Plan in place to encourage a modal shift the likelihood is that this type of use, due to its location with good access to the strategic road network and the level of public transport accessibility currently available, will attract large numbers of visitors by car or coaches. Due to the level of parking provision on-site then this has the potential to result in overspill parking and associated with this increased congestion at peak times to the detriment of the surrounding road network.
48. The applicant has indicated that any formal proposal would fully assess the site's accessibility as well as the transport impacts associated. It is said this would be

supported by a Travel Plan to help manage travel for large events held in the banqueting/conference halls, whilst also noting that there is un-restricted on-street parking currently. It is also mentioned that locations for strategic coach drop-off and pick-up will need to be identified, and further information in respect of this would be welcomed. Officers are of the view at this time that given the scale of the proposed uses, whilst a Travel Plan would deliver some benefits in terms of modal shift and encouraging non-car access that this mechanism alone would not provide sufficient mitigation for the scale and types of uses proposed in this location.

49. A large visitor attracting use and large trip generator such as the conference/banqueting use that will be used for leisure, commercial, cultural and community purposes is considered to be a main town centre use in terms of the NPPF . Proposals for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan should be subject to a sequential test (paragraph 24 of the NPPF). Main town centre uses should be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered. When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to a town centre. Such a use would be subject to a sequential test.

*Servicing:*

50. A 232sqm internal service yard is proposed, it is understood this will have shared use for refuse vehicle and all necessary loading/servicing required for the range of on-site uses proposed. This has been designed to have a turntable so that vehicles can enter and leave in forward gear. A mixed use scheme such as this would need to be supported by a Servicing and Delivery Plan in order to demonstrate how the competing daily servicing demands can be effectively managed on this site. There are concerns that on a practical day-to-day level a single shared loading bay such as this may result in high levels of demand for its use during peak times, with the result being unacceptable servicing being carried out from the adjoining highways. Until it has been demonstrated to officer satisfaction that competing demands can be accommodated and managed appropriately then the servicing strategy proposed remains of concern.
51. Emergency vehicle access can be gained from both Oxgate Lane and the A5.
52. It is envisaged that a Car Parking Management Plan would be required, and this be secured by condition, and also a Construction Logistics Plan would need to be submitted in support of any future application.
53. TfL have advised that they are in the process of developing a bus priority strategy for the wider area to account of the planned growth in the London Borough of Barnet. According to specific impacts, development will need to contribute funding to enable the growth in bus services. The applicants transport assessment will need to include an analysis of trip generation in order for TfL to determine if any level of contribution would be required from this development.
54. The Councils Transportation officers will provide formal comment on the proposed parking strategy, transport impacts and servicing proposals should any future application be submitted.

**Issue 6  
Density**

55. Residential density should be calculated in accordance with guidance in London Plan paragraphs 3.30 and 3.31 in support of London Plan Policy 3.4, and the Mayor's Housing SPG. The London Plan density matrix should be the applicant's guide, for a site like this with a PTAL 2 to 3 in an 'urban' setting, taking into account local context and character, design principles and transport capacity. It is recognised that the site does not display all the characteristics of an 'urban' setting, as such we would expect

density to be at the lower end of the appropriate range (200-450 hr/ha or 45 – 120 u/ha).

56. Net residential density of the scheme has not been provided to date, however it is anticipated that a scheme of this size would be above the parameters of the density matrix which supports London Plan policy 3.4. The density matrix alone is not a single tool to be used to assess the suitability of a scheme in density terms, but it is a determining factor. High density development must be assessed in terms of its bearing on the capacity of existing local amenities, infrastructure and services to support the development, and tested with regards to its contribution to local place shaping. It was recognised by the GLA in their July 2015 pre-application response though that justification for the proposed density and scale, in this location will be challenging.

## **Issue 7**

### **Heritage Asset**

57. The existing building is a non-designated heritage asset. It is of local architectural and historic significance as it was originally designed as a War Office citadel in the 1930's to provide protected accommodation for central government in the event of an attack on central London. The GLA, in their July 2015 pre-app response advised that consideration be given to the building's retention, assessment for its potential for alternate uses and the applicant should provide robust justification for its loss.
58. Non-designated heritage assets (locally listed buildings) are protected through Brent's Unitary Development Plan (UDP) 2004 Saved Policy BE24 and emerging Local Plan DMP7. The National Planning Policy Framework (NPPF) advocates that heritage significance is a material consideration in the planning process. Demolition would cause substantial harm as set out in the Planning Practice Guidance. Appropriate marketing is required to demonstrate the redundancy of the heritage asset in the circumstances set out in paragraph 133, of the National Planning Policy Framework.
59. Furthermore, the building and structure which is locally listed has not been assessed for statutory designation (listing). A threat of demolition is likely to mean an application and consideration for 'spot listing'. A heritage statement will therefore be required assessing the architectural and historic significance and justification for the proposals that would result in its demolition. An archaeological assessment will also be necessary given the proximity to the old Roman road.
60. The applicant has sought to present a robust justification for the building's demolition citing the poor state of repair of the building currently, the fact that basement level 2 is flooded, and has it is claimed been the case for approximately 10 years. It is also suggested that multiple building ownership over the years has resulted in the building being stripped of any original features that would point to the use for which the building was originally intended.
61. Any subsequent application will need to be supported by a detailed Heritage Statement, justification for demolition showing that it cannot be retained and proof of marketing. It is noted that the applicant has appointed a historic building's advisor on the matter. Consultation with the Council's Heritage and Conservation Officer will be required.

## **Issue 8**

### **Quality of proposed residential accommodation**

62. Core principles of the NPPF seek to secure high quality design and a good standard of amenity for all existing and future occupiers, and also to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs. To achieve this development should:

- Establish a strong sense of place that is an attractive and comfortable place to live, work and visit;
  - Promote opportunities for meetings between members of the community who might not otherwise come into contact with each other;
  - Promote developments containing clear and legible pedestrian routes, and high quality public space.
63. Access to high quality open spaces and opportunities for sport and recreation make an important contribution to the health and well-being of communities.
64. All of the above are important in helping to create a sense of place, and provide a good quality of life for future occupiers, including their health and wellbeing. Access to local amenities and social infrastructure are material considerations for a proposal of this scale. Any subsequent application would need to demonstrate what local provision there is, and the level of accessibility to local amenities and social infrastructure in order for this to be assessed.
65. Within the development site a separation distance of 20m between facing habitable room windows is required, this would also include balconies, unless it can be demonstrated through innovative design that a reduced separation is acceptable. The relationship between the two residential cores fails to meet this, contrary to SPG17 and is likely to result in unacceptable levels of overlooking and a subsequent lack of privacy for future occupiers. The scheme design and internal layout of residential units would need to be re-considered in view of this unless it can be clearly demonstrated that the privacy of the units in question will not be compromised.
66. The siting of habitable windows in relation to site boundaries would be less than the required 10m, as set out in SPG17. The scheme is therefore very reliant on adjoining sites in order to maintain future outlook and amenity for residents, and this represents an unacceptable arrangement.
67. The quantum of amenity space on-site should be in accordance with SPG17 standards, which seek 50sqm per family unit (3+ bedrooms) and 20sqm for one and two bedroom units. In applying these standards there would appear to be a significant shortfall in on-site amenity space, which may not be justifiable in policy terms. The applicant should provide a detailed breakdown of the quantum and types of amenity space in support of any future planning application. This shall also demonstrate compliance with the Mayor's Housing SPG in respect of the levels of on-site playspace for children of a range of ages. The quality of any outside amenity space is also likely to be harmfully impacted upon by the site's proximity to surrounding SIL and the busy A5 road.
68. The internal floor area of all residential units should comply with the details set out within the Mayor's Housing Standards SPG and Minor Alterations to the London Plan (March 2016). Likewise, 10% of units should be wheelchair accessible (part M4(3)) and the remainder designed to comply with part M4(2). It will need to be demonstrated in support of any planning application that this is the case and this information will need to be set out as part of the planning application.
69. The Mayor's Housing SPG advises that developments should minimise the number of single aspect dwellings. Single aspect units that are north facing, or exposed to noise levels above which significant adverse effects on health and quality of life occur, or which contain three or more bedrooms should be avoided. It is noted that the scheme involves a number of single aspect units, with some facing onto the front tower element, as such the number of dual aspect units should be maximised further. Information should also be provided to demonstrate that all units receive good levels of daylight and ventilation given the relationship between the two tower elements, and this should also apply to the areas of outside amenity space.

70. Details of access arrangements to the residential entrances, the podium garden and other outside amenity spaces is required to demonstrate these are fully inclusive
71. A noise assessment will need to be undertaken to demonstrate that the residential units and amenity spaces are not adversely impacted by the adjoining industrial operations and vehicle noise from the adjacent A5, which is affected by heavy traffic.
72. The site is within an Air Quality Management Area, and given its proximity to the Edgware Road and surrounding SIL is also subject to pollution levels as well as noise. As such a detailed air quality assessment would also be needed to demonstrate an acceptable residential environment can be provided.
73. All residential entrances should be clearly legible, which does not appear to be the case along the Oxgate Lane frontage. This should be looked at again to improve the situation.

#### **OTHER CONSIDERATIONS**

74. Due to the scale and massing of the building proposed detailed studies/assessment of the impacts of this on wind conditions, daylight, sunlight and overshadowing would be needed in support of any application.
75. A detailed energy/sustainability strategy would need to be submitted to demonstrate compliance with the Mayor's strategy of Be Lean, Be Clean, Be Green, as well as London plan policies relating to reduction carbon emissions and renewable energy. Major residential developments are required to demonstrate they meet the targets for zero carbon emissions, in accordance with London Plan policy 5.2. Opportunities for connection to any nearby district heating network shall be considered and presented. This shall also demonstrate what the on-site drainage strategy is proposed to be and any on-site improvement, including Sustainable Urban Drainage measured detailed in full to demonstrate if it meets the requirements set out in the Mayor's Sustainable Drainage Hierarchy. Brent Core Strategy also seeks that commercial development achieves a BREEAM 'Excellent' rating, and this would need to be demonstrated. In addition to the above, the scheme is required to meet water efficiency targets set out in the London Plan, for 105 litres of usage per person per day.
76. A land contamination/site investigation report will be required.

#### *Applicant position:*

77. In support of the proposal the applicant considers the following to be of relevance:
  - The loss of such a small amount of SIL land (0.1% of Brent's allocated SIL) would not be harmful to the supply of employment land. Particularly as the proposed use would yield at least as many jobs on-site as SIL compliant uses could. It is estimated the proposed range uses could generate circa 192 jobs versus the 92 jobs that would be associated with the reuse of the existing building for B8 use and the 179 jobs if reused for B2 (general industrial) use.
  - There is a lack of demand for B uses on site, as demonstrated by previous owner's attempts to market the building for such purposes.
  - Building does not lend itself to occupation and re-use by Class B2 or B8 operators due to current day requirements.
  - The current rental values for a B2/B8 use are inadequate to fund the necessary repair and maintenance costs (n.b no evidence has been submitted at this time to substantiate this). It would not be viable to redevelop the site for modern industrial/warehouse use.
  - The site is on the periphery of designated SIL and is located at a key 'gateway' location. Surrounding uses are non SIL uses, such as the Wing Yip cash and carry business. Other non SIL uses are referred to along the A5.
  - There is evidence of the changing character along the A5 corridor, including the former Oriental City site in Colindale, including a 22-storey building. A number of

other large developments, with tall buildings are referred to in the London Borough of Barnet. Within this changing context the applicant submits the site is suitable for the proposed scheme.

- The proposals incorporate circa 1375sqm of policy compliant B1(b)/B2/B8 floorspace.
- The banqueting/conference centre offer will meet a need due to the lack of existing facilities in the wider area. The nearest similar facility is said to be 3km away, in Colindale. This will provide flexible space available for private rent, with the suggestion that some of the floorspace/halls be made available for use by local community groups (n.b. Whilst this is welcomed no further details have been provided in terms of how this would be provided and whether there is recognised demand for such community facilities in this location).
- Will help address housing need.
- The gym facility will be open to the general public, delivering a benefit to the local community.
- Presents an opportunity for mixed-use development that will maximise the use of previously developed land, consistent with NPPF objectives.

## **PLANNING OBLIGATIONS**

78. In accordance with the Council's Planning Obligations SPD, the proposal would be likely to attract the following obligations to mitigate the impact of the development, if it is acceptable in policy terms:

- Affordable Housing - Final proportion to be subject of a detailed financial viability assessment if less than 50% proposed, and a post implementation/occupation review.
- Employment and training opportunities during construction.
- Car-Parking Permit Free development to remove the rights of future residents to apply for parking permits in the surrounding roads in the vicinity of the site in the event a Controlled Parking Zone is introduced, and a contribution towards CPZ consultation and/or extension and implementation
- Join and adhere to Considerate Constructors scheme
- Energy – For residential buildings achieve Zero carbon in terms of improvement over the Target Emission Rate (TER) 2010 Building Regulations on CO2 emissions and to provide a carbon off-set contribution of (amount to be agreed) to be used towards on / or off-site improvements related to carbon reduction to off-set any shortfall below the target level. For non-domestic buildings achieve a BREEAM 'Excellent' rating and achieve a reduction in CO2 emissions in line with London Plan (2016) policy 5.2.
- Submission and approval of a commercial and residential Travel Plan to score a PASS rating under TfL's ATTruTE programme prior to first occupation, to include provision of a subsidised Car Club membership for future residents and to fully implement the approved plan for the lifetime of the development thereafter.
- Undertaking of any highway works through an agreement under S38/S278 of the Highways Act 1980 (N.B. the precise nature of highway works necessary to be confirmed at application stage).
- Community Access Plan in relation to the on-site banqueting/conferences floorspace.
- Contribution towards bus capacity enhancement, subject to this being confirmed as necessary by TfL, and an amount to be agreed with TfL
- Contributions to enhance/upgrade existing open space

*(N.B this is not a definitive list of required obligations and maybe subject to further changes)*

## **Community Infrastructure Levy (CIL)**

79. This would be development that is liable for Mayoral and Brent CIL. The level of liability that this would attract will be confirmed at a later stage when the precise quantum and form of proposed development is known.

## **CONCLUSIONS**

80. Members should note the above development is still in the pre-application stage and that additional work remains to be carried out prior to the submission of any subsequent planning application. Any such formal application would be referable to the Mayor London.

## PART 2 APPLICATIONS FOR DECISION

### Introduction

1. In this part of the agenda are reports on planning applications for determination by the committee.
2. Although the reports are set out in a particular order on the agenda, the Chair may reorder the agenda on the night. Therefore, if you wish to be present for a particular application, you need to be at the meeting from the beginning.
3. The following information and advice only applies to reports in this part of the agenda.

### Material planning considerations

4. The Committee is required to consider planning applications against the development plan and other material planning considerations.
5. The development plan for Brent comprises the following documents:
  - London Plan March 2016
  - Brent Core Strategy 2010
  - Brent Site Specific Allocations 2011
  - West London Waste Plan 2015
  - Wembley Action Area Plan 2015
  - Sudbury Town Neighbourhood Plan 2015
  - Saved 2004 Unitary Development Plan Policies 2014
6. Decisions must be taken in accordance with section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004. Section 70(2) of the Town and Country Planning Act 1990 requires the Committee to have regard to the provisions of the Development Plan, so far as material to the application; any local finance considerations, so far as material to the application; and any other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Committee to make its determination in accordance with the Development Plan unless material planning considerations support a different decision being taken.
7. Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects listed buildings or their settings, the local planning authority must have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest it possesses.
8. Under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects a conservation area, the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.
9. Under Section 197 of the Town and Country Planning Act 1990, in considering whether to grant planning permission for any development, the local planning authority must ensure, whenever it is appropriate, that

adequate provision is made, by the imposition of conditions, for the preservation or planting of trees.

10. In accordance with Article 35 of the Development Management Procedure Order 2015, Members are invited to agree the recommendations set out in the reports, which have been made on the basis of the analysis of the scheme set out in each report. This analysis has been undertaken on the balance of the policies and any other material considerations set out in the individual reports.
11. Members are reminded that other areas of legislation cover many aspects of the development process and therefore do not need to be considered as part of determining a planning application. The most common examples are:
  - **Building Regulations** deal with structural integrity of buildings, the physical performance of buildings in terms of their consumption of energy, means of escape in case of fire, access to buildings by the Fire Brigade to fight fires etc.
  - Works within the highway are controlled by **Highways Legislation**.
  - **Environmental Health** covers a range of issues including public nuisance, food safety, licensing, pollution control etc.
  - Works on or close to the boundary are covered by the **Party Wall Act**.
  - **Covenants and private rights** over land are enforced separately from planning and should not be taken into account.

#### **Provision of infrastructure**

12. In accordance with Policy 6.5 of the London Plan (2015) the Mayor of London has introduced a London wide Community Infrastructure Levy (CIL) to fund CrossRail. Similarly, Brent Council's CIL is also payable. These would be paid on the commencement of the development.
13. Brent Council's CIL provides an income stream to the Council to fund (either in whole or in part) the provision, improvement, replacement, operation or maintenance of the following types of new and existing infrastructure:
  - public realm infrastructure, including town centre improvement projects and street trees;
  - roads and other transport facilities;
  - schools and other educational facilities;
  - parks, open space, and sporting and recreational facilities;
  - community & cultural infrastructure;
  - medical facilities;
  - renewable energy and sustainability infrastructure; and
  - flood defences,
14. except unless the need for specific infrastructure contributions is identified in the Section 106 Planning Obligations Supplementary Planning Document or where section 106 arrangements will continue to apply if the infrastructure is required to make the development acceptable in planning terms.
15. Full details are in the Regulation 123 List is available from the Council's website: [www.brent.gov.uk](http://www.brent.gov.uk).

16. Other forms of necessary infrastructure (as defined in the CIL Regulations) and any mitigation of the development that is necessary will be secured through a section106 agreement. Where these are necessary, it will be explained and specified in the agenda reports.

**Further information**

17. Members are informed that any relevant material received since the publication of this part of the agenda, concerning items on it, will be reported to the Committee in the Supplementary Report.

**Public speaking**

18. The Council's Constitution allows for public speaking on these items in accordance with the Constitution and the Chair's discretion.

**Recommendation**

19. The Committee to take any decisions recommended in the attached report(s).

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## COMMITTEE REPORT

Planning Committee on  
Item No  
Case Number

16 November, 2016  
  
**16/0595**

## SITE INFORMATION

**RECEIVED:** 10 February, 2016

**WARD:** Queensbury

**PLANNING AREA:** Brent Connects Kingsbury & Kenton

**LOCATION:** 6 Bowmans Trading Estate, Westmoreland Road, London, NW9 9RL

**PROPOSAL:** Demolition of existing single storey temple building and erection of a new 5 storey temple with a shikhar (tower), basement level for storage and plant equipment, ancillary library and educational use, priest accommodation, and a function room (Use class Sui Generis) along with associated parking and landscaping

**APPLICANT:** Swaminarayan World Organisation UK

**CONTACT:** Studio V architects

**PLAN NO'S:** Please see condition 2.

### LINK TO DOCUMENTS ASSOCIATED TO THIS APPLICATION

#### When viewing this on an Electronic Device

Please click on the link below to view **ALL** document associated to case

[https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR\\_126512](https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_126512)

#### When viewing this as an Hard Copy .

Please use the following steps

1. Please go to [pa.brent.gov.uk](http://pa.brent.gov.uk)
2. Select Planning and conduct a search tying "16/0595" (i.e. Case Reference) into the search Box
3. Click on "View Documents" tab

# SITE MAP

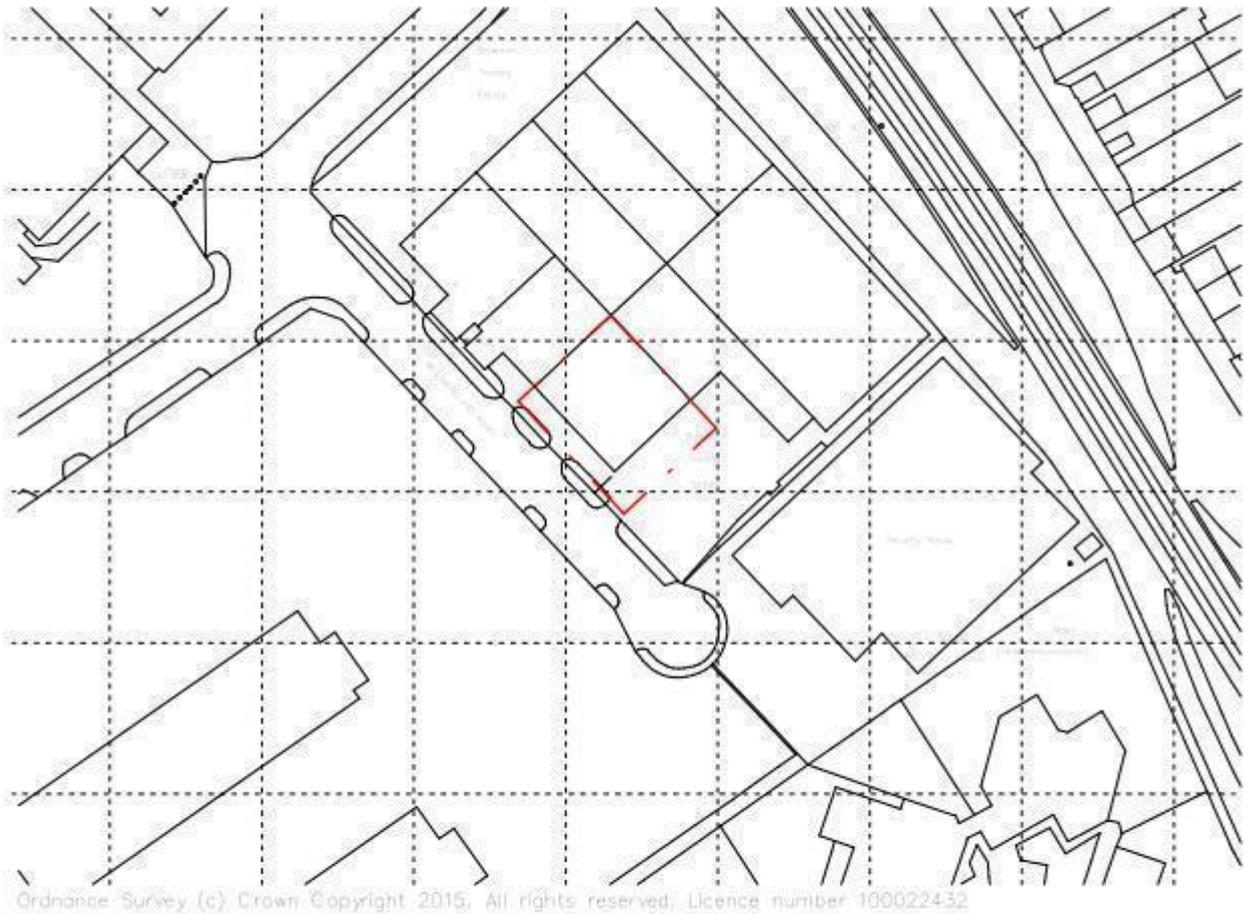


## Planning Committee Map

Site address: 6 Bowmans Trading Estate, Westmoreland Road, London, NW9 9RL

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This



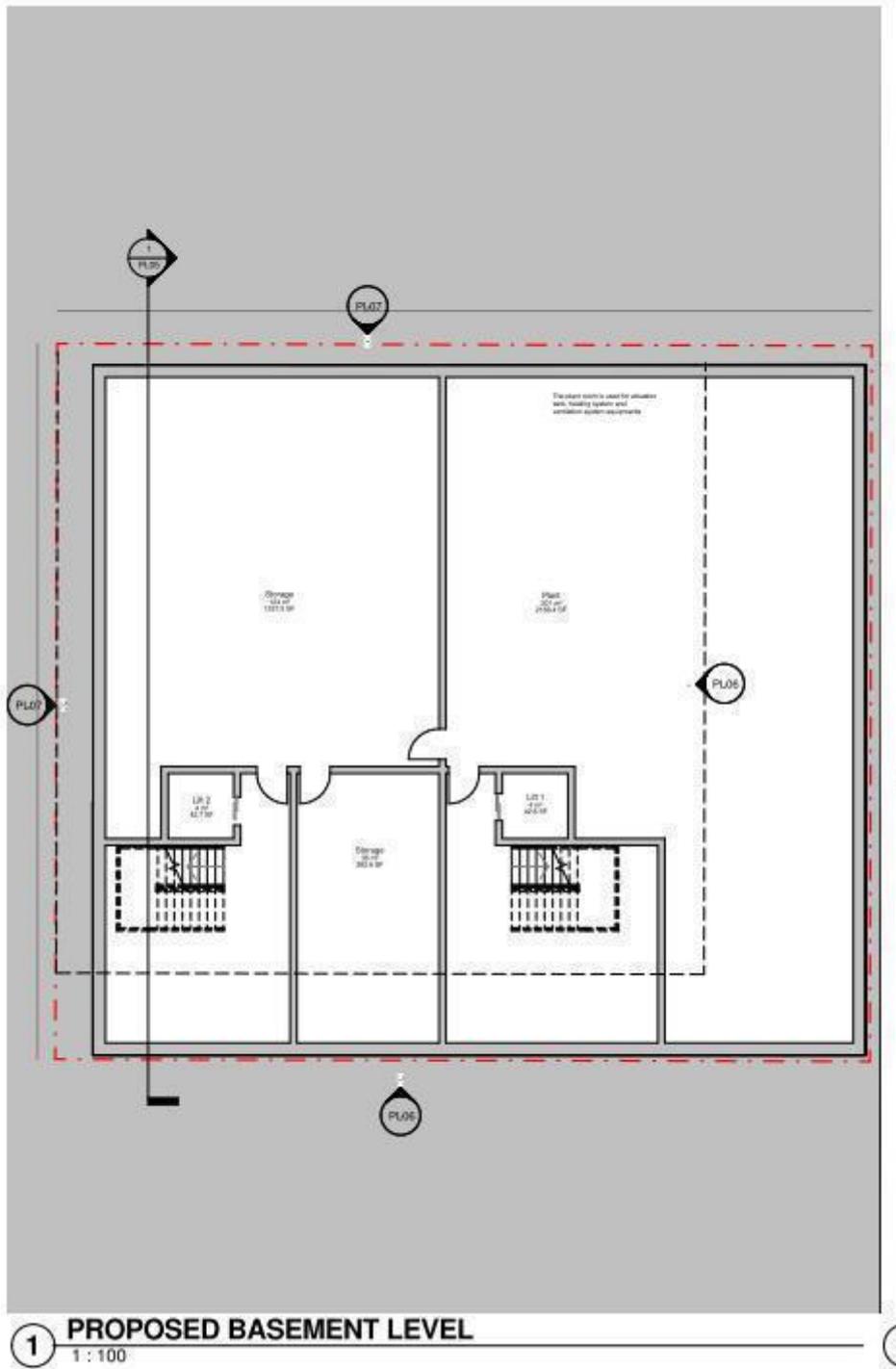
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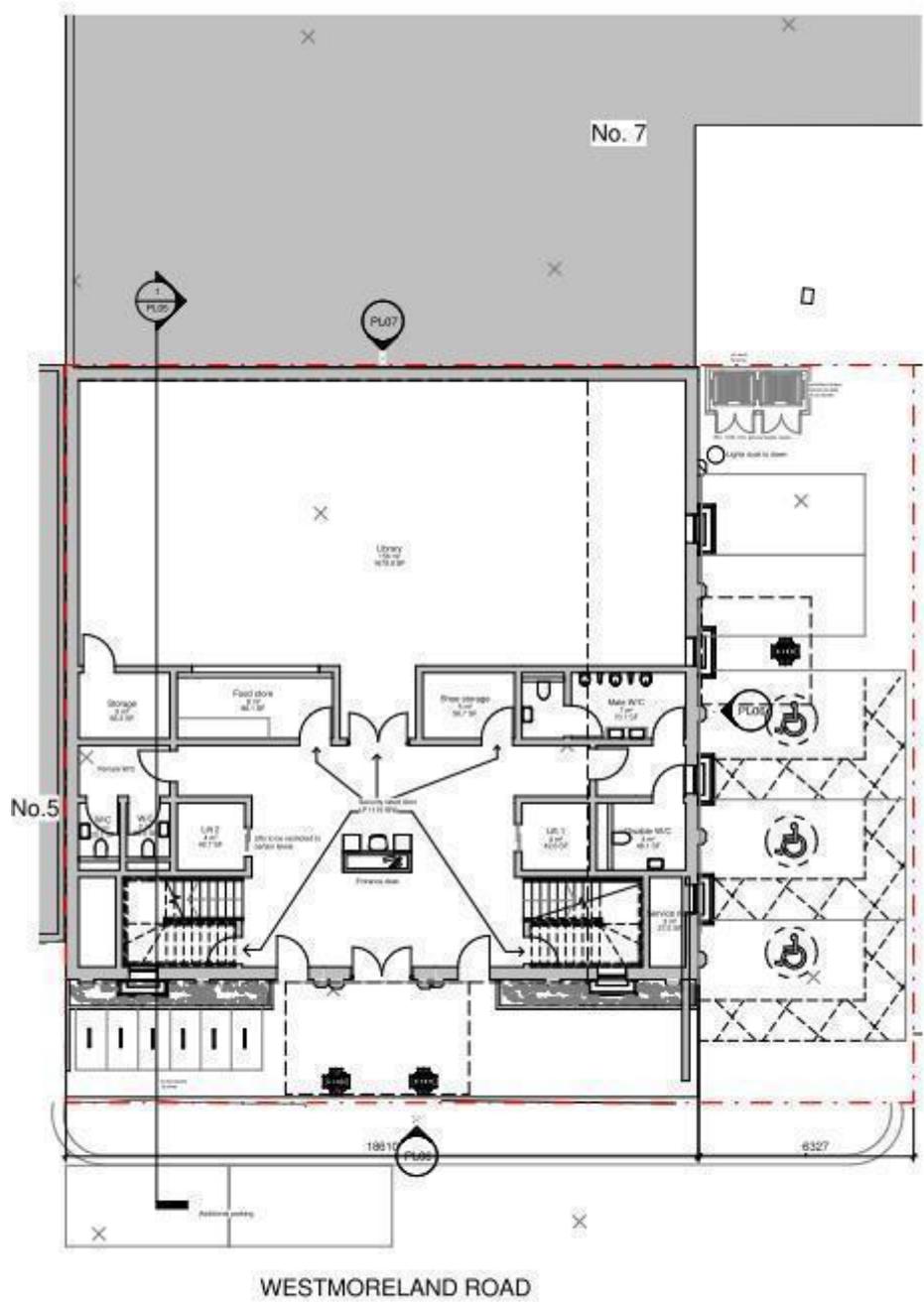
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map is indicative only.

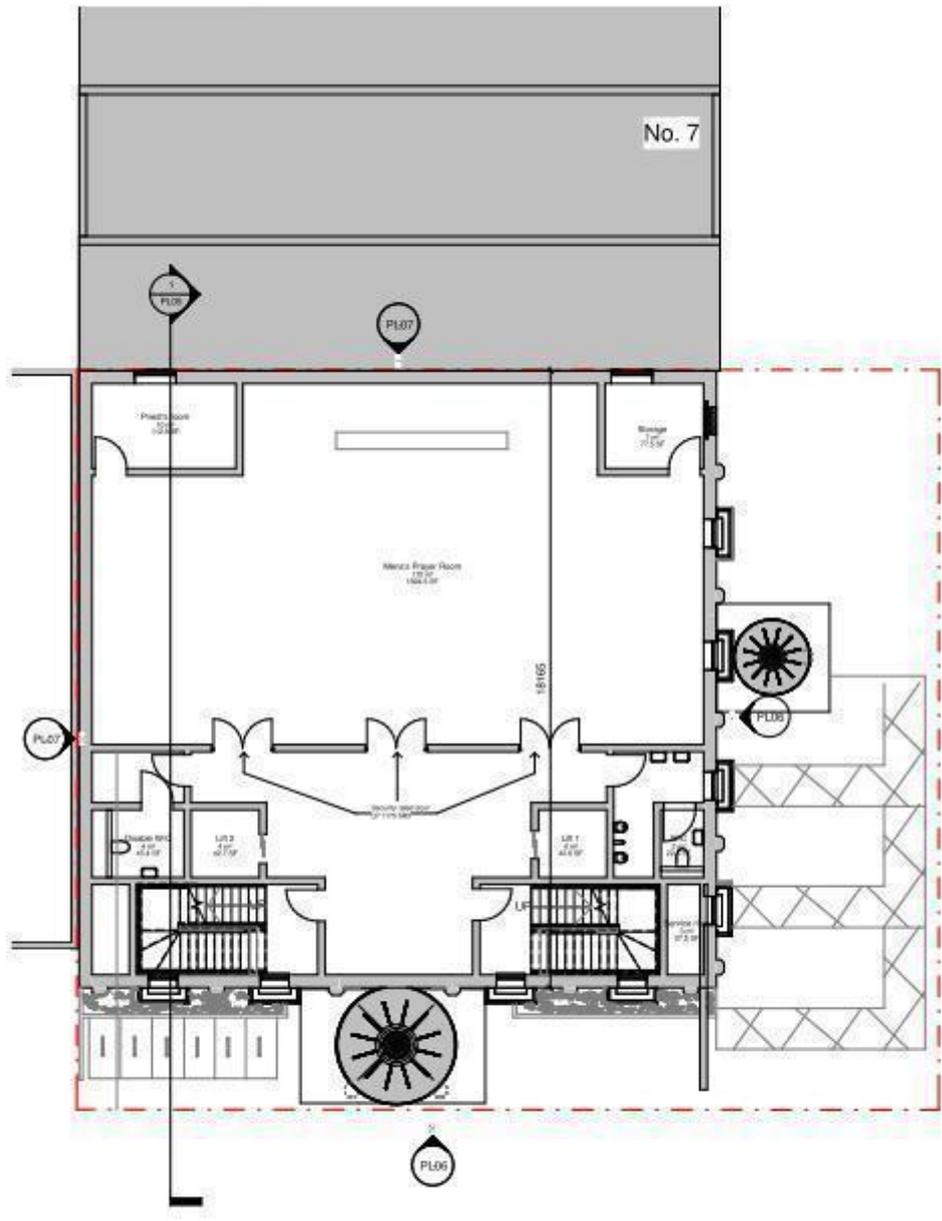
# SELECTED SITE PLANS

## SELECTED SITE PLANS

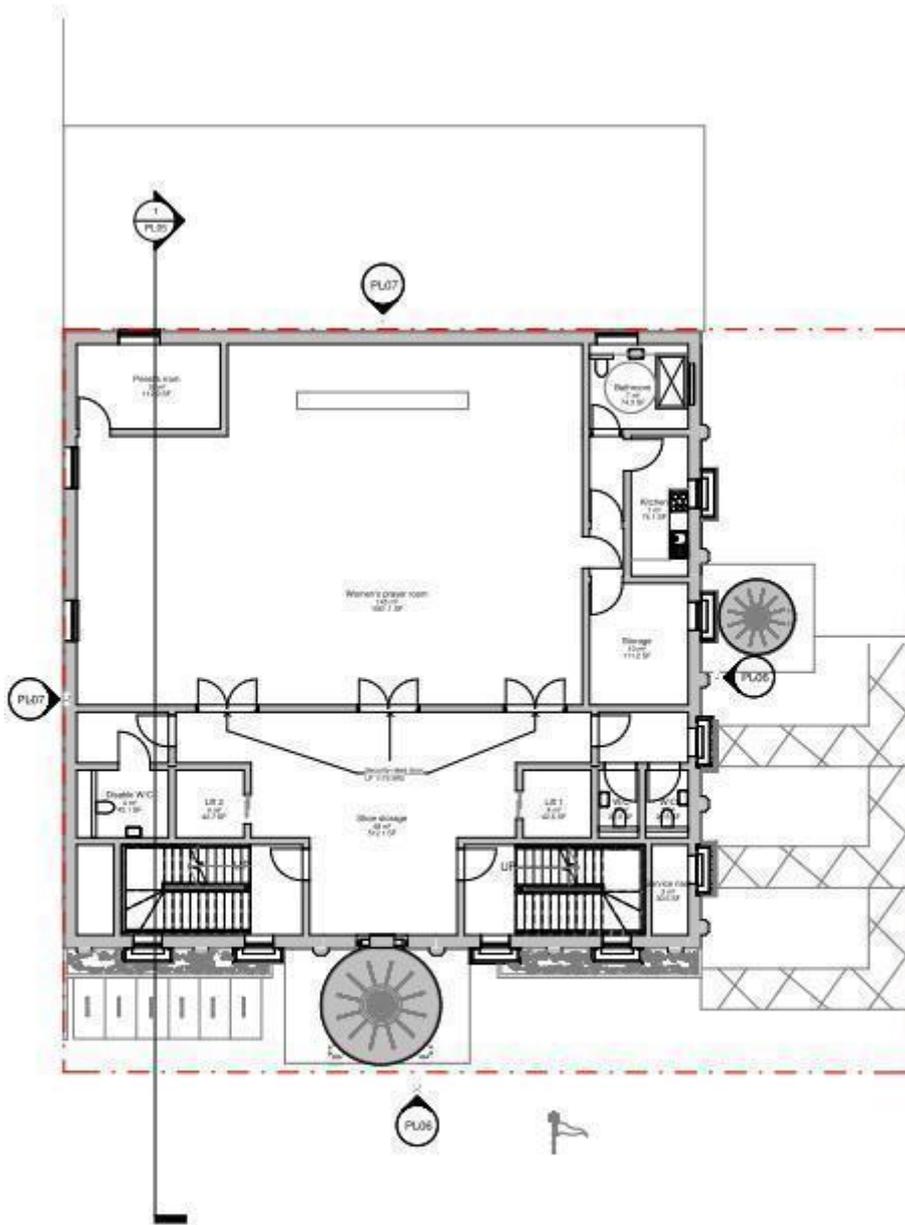




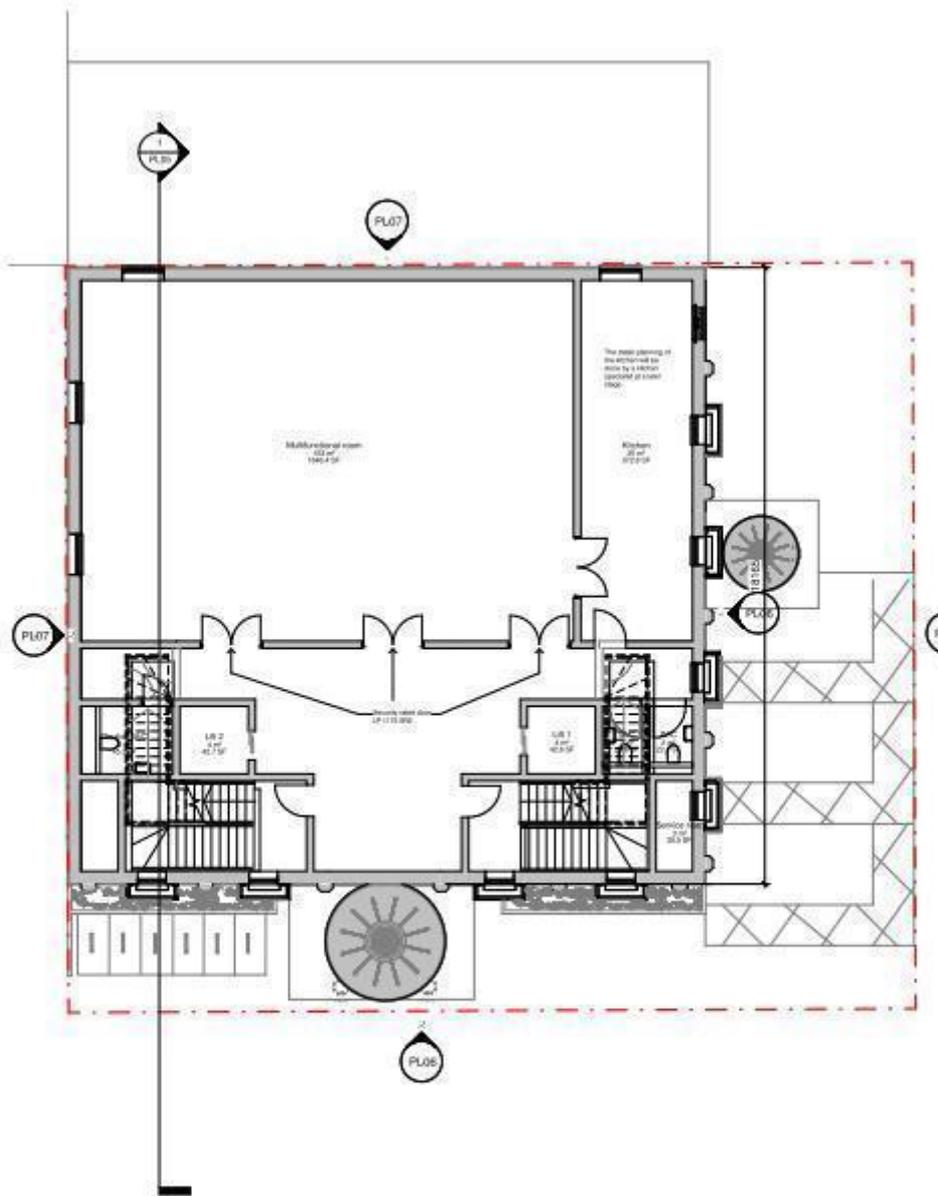
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**PROPOSED FIRST FLOOR PLAN**  
1 : 100

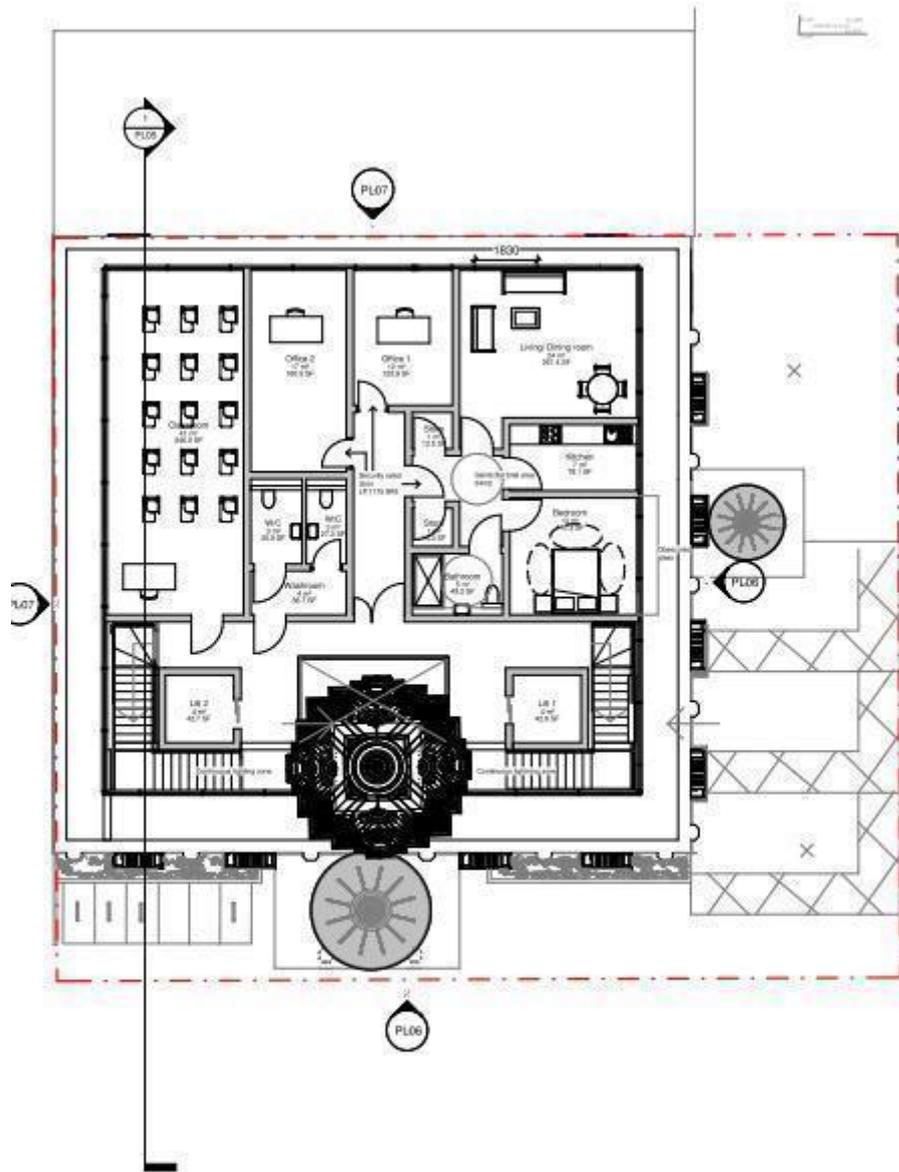


**1 PROPOSED SECOND FLOOR PLAN**  
1 : 100



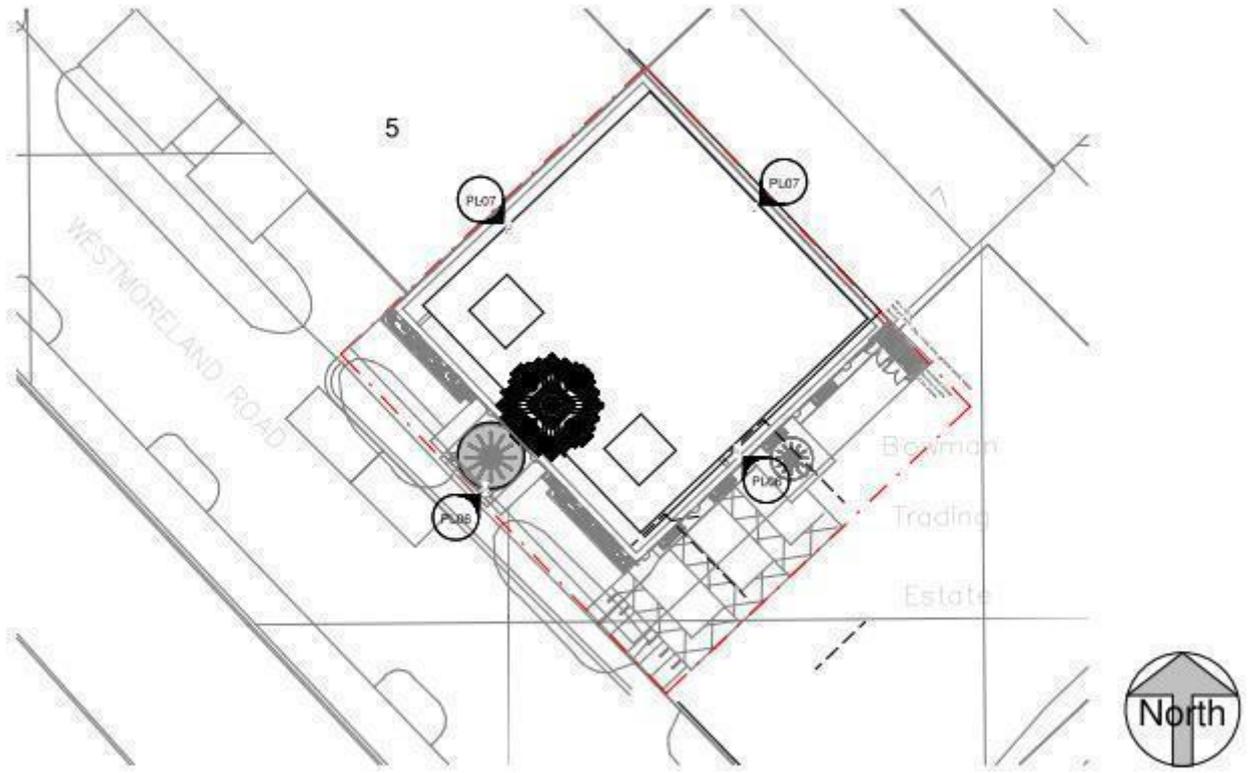
**2 PROPOSED THIRD FLOOR PLAN**

1 : 100

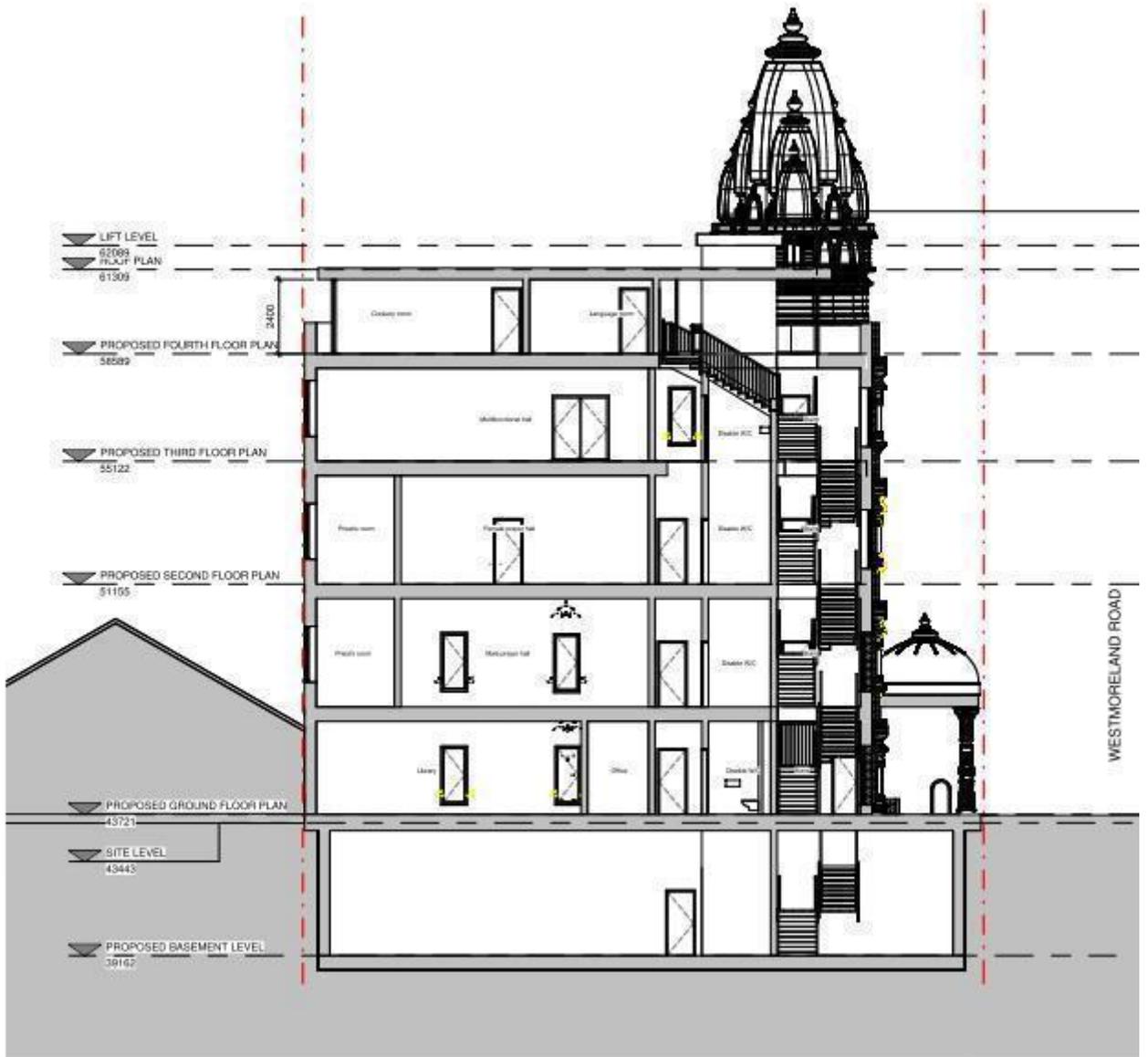


**3** PROPOSED FOURTH FLOOR PLAN  
1 : 100

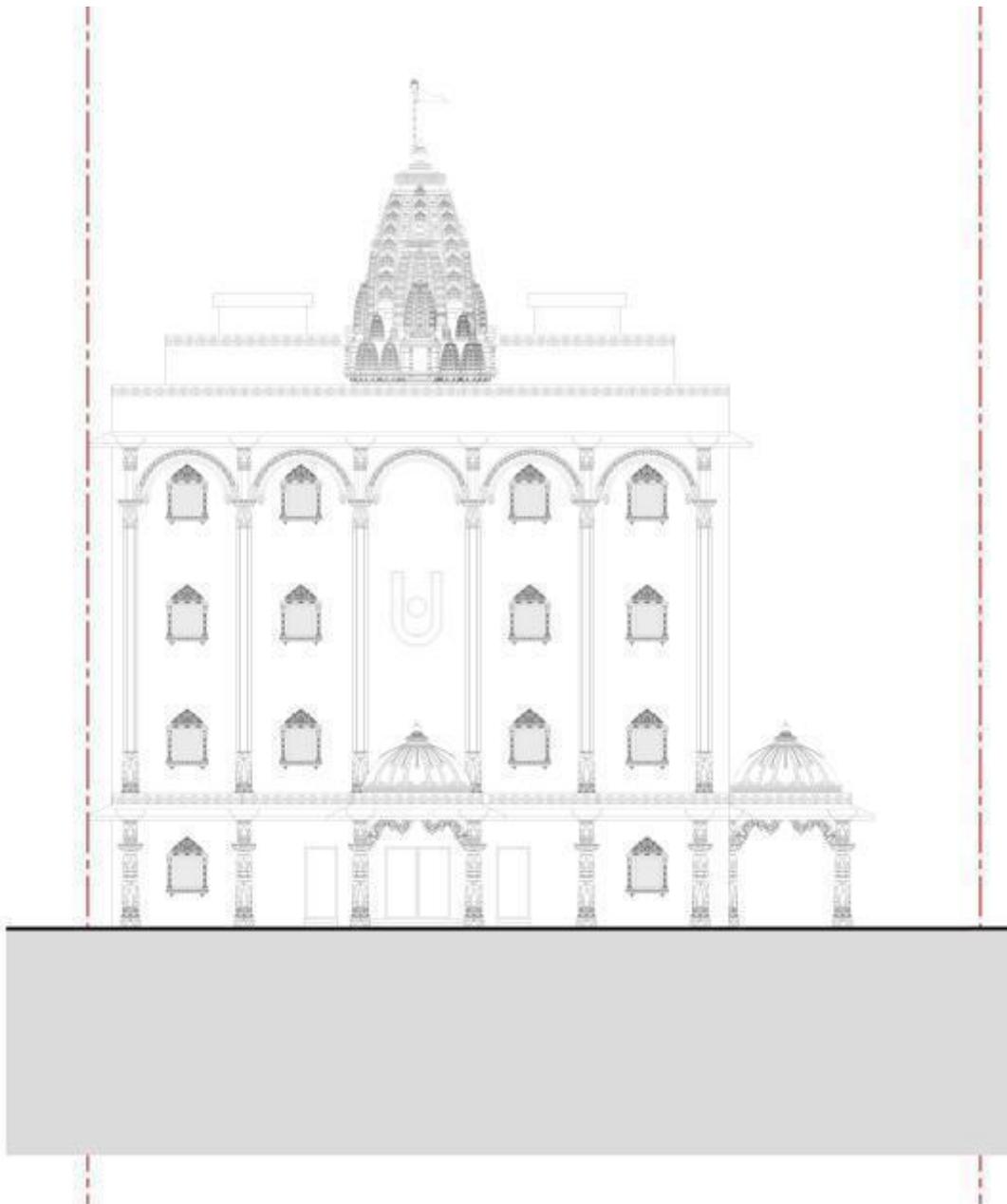
1	01.12.15	UPGRADE TO SECURE BY DESIGN	BY	SR
2	05.10.15	ALSO REMOVE BASEMENT STAIRS	BY	SR



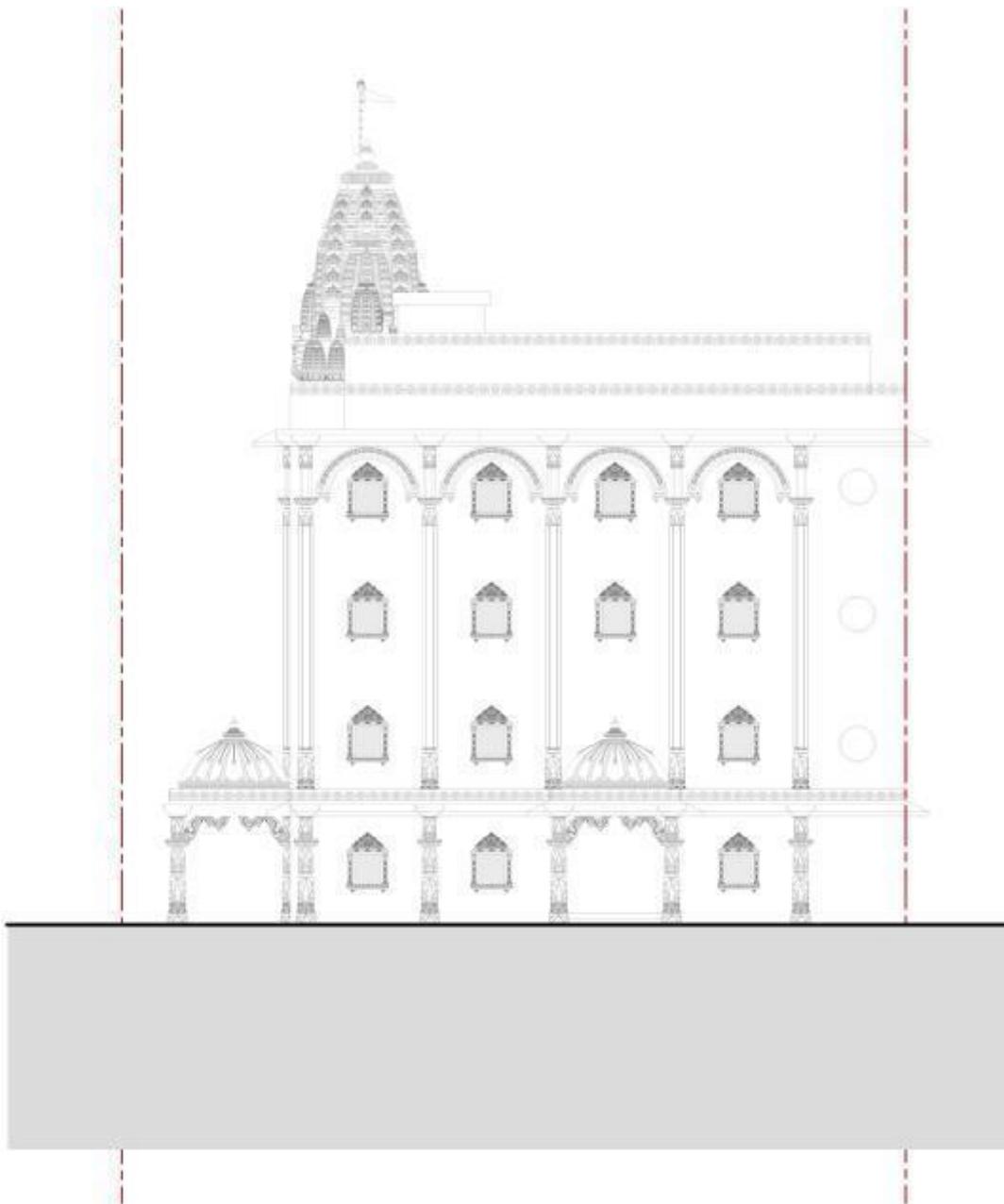
**3** ROOF PLAN  
1 : 200



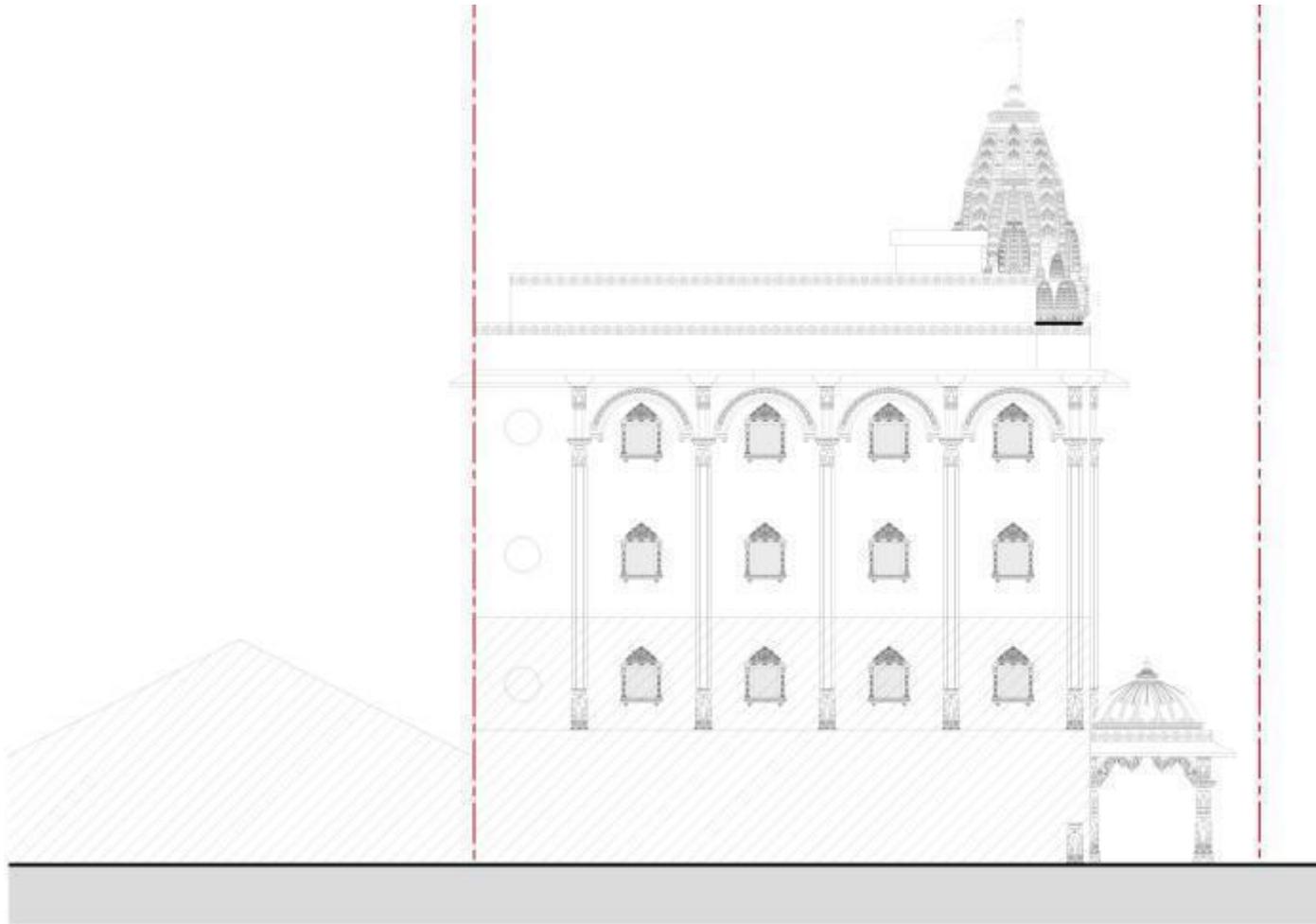
1 Section A-A  
1 : 100



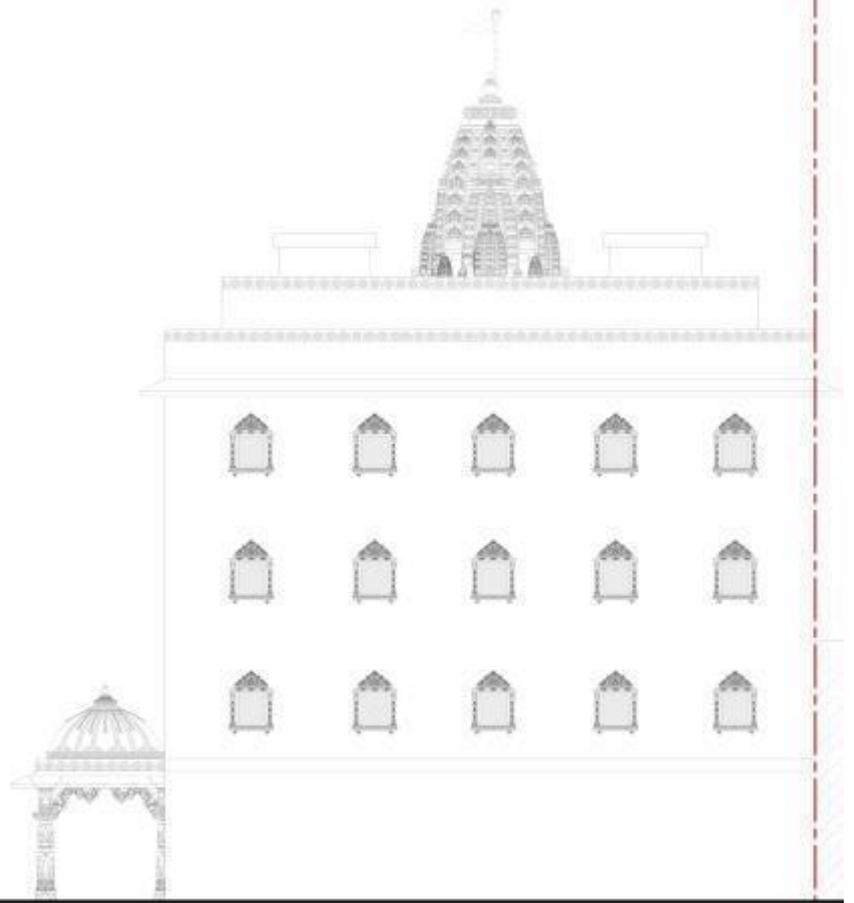
PROPOSED  
Front elevation @1:100



PROPOSED  
Side elevation @1:100



PROPOSED  
Back elevation @1:100



PROPOSED  
Side elevation @1:100



1

3D VIEW 1



2

3D VIEW 2

## RECOMMENDATIONS

That the Committee resolve to GRANT planning permission subject to:

The prior completion of a legal agreement to secure the following planning obligations:

- Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance
- Notification of material start 28 days prior to commencement

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Ref: 16/0595 Page 6 of 35*

- Temple Management Plan to cap maximum attendance at 350 people and to reasonably limit those occasions when that volume of visitors is expected – prior to occupation submit and gain approval for a Temple Management Plan which will provide for:
  - a. Prayers and Temple Community Uses with no more than 350 visitors and staff.
  - b. No Temple Community Uses shall be held at the same time as a Religious Event or Major Religious Event if 350 visitors and staff are present for those Events
  - c. At no time shall more than 350 visitors and staff be present on the Temple premises.
- Travel Plan – standard obligation prior to occupation to submit for approval and then implement and adhere to a Revised Travel Plan with review mechanisms and penalties to be defined
- Energy Strategy – standard obligation to achieve 35% reduction on Building Reg 2013 target emissions rates or pay carbon offset contribution
- Financial Contribution – £30,000, index linked, for review of and if necessary alterations to CPZs within the vicinity of the land payable on a Material Start

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

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

#### Conditions

1. Time Limit for implementation
2. Approved drawings/documents
3. Highway Works
4. Crossover reinstatement
5. Considerate constructors scheme
6. Noise impact of plant equipment
7. Construction method statement
8. Contaminated land: investigation
9. Contaminated land: remediation and verification
10. Extraction systems
11. Lighting
12. Priest accommodation
13. Hours of operation

#### Informatives

1. The need to agree any road closures and parking suspensions during construction works with Brent Council's Transportation Unit, to agree the need for a temporary construction crossover access to the site in place of the existing crossover from the Environment & Protection service and to also obtain an approval in principle (AIP) for all basement excavation works from the Transportation Unit.
2. Party Wall Act
3. Any other informative(s) considered necessary by the Head of Planning

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

And that, if within 3 months of the committee meeting the legal agreement has not been completed, the Head of Planning is delegated authority to refuse planning permission.

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

#### **A) PROPOSAL**

The application seeks planning permission for the demolition of the existing single storey temple building and the erection of a new 5 storey temple with a shikhar (tower), basement level for storage and plant equipment, ancillary library and educational use, priest accommodation, and a function room (Use class Sui Generis) along with associated parking and landscaping

## B) EXISTING

The application site comprises a former warehouse building located within the Bowman Trading Estate off Westmoreland Road. It is currently in use as a place of worship. It is located within a Locally Significant Industrial Site.

A lawful development certificate was granted on 15 September 2014 for existing use of premises as a place of worship (LPA Ref: 14/2880).

## C) AMENDMENTS SINCE SUBMISSION

### D) SUMMARY OF KEY ISSUES

#### Principle of the use of the site

The temple (D2 use class) is now an established use within this Locally Significant Industrial Site and the proposal is to redevelop an existing facility. On this basis there are no objections to the principle of the use.

#### Design and impact on street scene

Officers consider the proposed temple is a well-proportioned building of high-quality materials that is of a scale and bulk appropriate for its location. Although clearly different to other buildings in the streetscene, the temple is faithful to ancient traditional Hindu architectural styles and has an arrangement and detailing which adheres to the religious symbolism of the community's faith.

#### Parking and Access

The Travel Plan and proposed parking spaces will ensure more sustainable methods of transport are used and will help restrict traffic congestion in the area.

#### Impact on neighbouring amenity

The separation distance to surrounding residential properties is considered to be sufficient for there to be no significantly detrimental impacts on the occupant's amenity. The applicant will be required to sign up to the considerate constructor's scheme and a number of environmental conditions will ensure that the impact of construction work will be reduced. Restrictions are proposed to the maximum number of people who would attend at any one time and the hours of attendance, to be secured through the Temple Management Plan.

## E) MONITORING

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

Primary Use	Existing	Retained	Lost	New	Net Gain (sqm)
Non-residential institutions	468		468	1477	

### Monitoring Residential Breakdown

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
EXISTING ( Flats û Market )										
PROPOSED ( Flats û Market )	1									1

## RELEVANT SITE HISTORY

### Relevant planning history

**14/2880:** Certificate of lawfulness for existing use of premises as a place of worship - Granted 15/09/2014.

**06/2584:** Full planning permission sought for change of use from B1/B2/B8 to Use Class B2 to incorporate as its main function the preparation of food with ancillary use for meditation prayer in the evening - Withdrawn - 24/10/2012.

**06/0572:** Full Planning Permission sought for change of use from B1, B2, B8 & Car Showroom to B1 & D1 to use as place of worship including internal alterations to provide prayer room, rest rooms, kitchen areas and provision of bin-storage area - Withdrawn, 01/09/2006.

**04/3717:** Full Planning Permission sought for change of use from B1, B2, B8 & Car Showroom to B1 & D1 to use as place of worship including internal alterations to provide prayer room, rest rooms, kitchen areas and provision of bin-storage area and 13-17 car-parking spaces adjacent to the building - Refused, 21/01/2005.

## CONSULTATIONS

Site Notice displayed on 17/03/2016

Press Notice 24/03/2016

The owner/occupier of 170 different properties were notified of the application 14/03/2016. This included properties in the following locations:

*Acacia Court  
Palm Court  
Tulip Court  
Cypress Court  
Westmoreland Road*

63 representations were received, 39 in support, 22 objecting and 2 neutral.

The objections were on the following points:

Grounds for objection	Response
Parking is not sufficient as it is, concern over the impact of the additional cars from future use	Parking has been assessed by the transportation team and is discussed in paragraphs 23-41 below.
Construction impact, noise and dust construction traffic all impacting on quality of life of local residents	It is inevitable that there would be some degree of disruption, as there would with any development of this sort of scale. A Construction Method Statement will be secured by condition, and there is other legislation (outside of planning control) that can be used to control working hours, and minimise noise and disturbance should this be required.
Outlook from surrounding properties will be destroyed.	Neighbouring outlook has been duly considered, as set out in paragraphs 12-22.
Proposal will result in a loss of light to surrounding properties and their amenity spaces.	The separation distances as discussed in paragraphs 12-22 of the report.
Increase in traffic flow	The development may see an increase in vehicles to the site, however, proposed measures ease concern of transportation team. See paragraphs 23-41
Overlooking/loss of privacy. Additional height will also impact on privacy.	The impact of the proposal on surrounding properties has been assessed in the report in paragraphs 12-22 and is found to be acceptable.
The development is too high and out of scale for the locality.	Officers have found the scale and height of the proposal to be acceptable. This issue is discussed in more detail in paragraphs 12-22 of the report below.
Inaccurate information in parking surveys etc	The submitted information has been assessed by the transportation team, additional information is requested through a travel plan to ensure appropriate measures are in place for the

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development. This is discussed in more detail in paragraphs 23-41 of the report.

The representations supporting the proposal referenced the benefit the development would have on the community; the positive contribution the applicants and temple have made over the last 12 years; the facilities that would be provided for children; that the proposal would be a catalyst for positive change in the area; and the enhanced living value that would occur for residents.

### **Statutory consultees**

#### Transportation

There are no Transportation objections, subject to:

- (a) a financial contribution of £30,000 towards non-car access/highway safety improvements
- (b) The redundant crossover at the front of the site will be reinstated back to footway at the developers expense.
- (c) The following highway works shall be completed or funded, in the interest of highway and pedestrian safety, prior to the occupation of the development (i) Double yellow lines to be implemented at the turning circle on Westmoreland.
- (d) A revised Travel Plan to be submitted of sufficient quality to score a PASS rating using TfL's ATTrBuTE programme
- (e) Construction Method Statement to be submitted for LPA approval including any required temporary traffic management or temporary highway closures required for loading/unloading of materials/equipment.

An informative is recommended, advising the applicant to contact the Head of Transportation to arrange for the various highway works to be undertaken.

#### Environmental Health

No objection subject to conditions relating to: noise impact of plant; construction noise and dust; construction method statement; air quality; contaminated land (investigation, remediation and verification); Odour extraction; and lighting.

#### Local Lead Flood Officer

I have checked the S W Management Report and it complies with our requirements. The developers are taking appropriate action to prevent flooding in the area and also by installing storage tank on-site this will further reduce the flooding and discharge to existing sewer network.

#### Planning Policy

The proposed redevelopment is within a Locally Significant Industrial Site (LSIS). Core Strategy policy CP 20 protects LSIS for employment uses characterised by use classes B1, B2, B8 and closely related sui generis uses. It is noted that the temple (D2 use class) is now an established use within the LSIS and the proposal is to redevelop an existing facility. On this basis there are no objections to the principle of the redevelopment.

#### Landscape

I cannot see any landscape in any of the information submitted. So I cannot support application in its current form.

N.B. Details of landscape will be secured via condition.

#### London borough of Harrow

No objection to the application, subject to a Travel Plan being conditioned as part of any planning approval.

## **POLICY CONSIDERATIONS**

### **National Planning Policy Framework (NPPF)**

The NPPF was published on 27 March 2012 and replaced Planning Policy Guidance and Planning Policy Statements with immediate effect. It seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. It includes a presumption in favour of sustainable development in both plan making and decision making. The NPPF is intended to provide a framework within which local people and Councils can produce their own distinctive Local and Neighbourhood Plans. It aims to strengthen local decision making and reinforce the importance of keeping plans up to date.

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. The Core Strategy will also need to be in conformity with both the London Plan and the NPPF. In doing so it has significant weight attached to it.

The recommendation here is considered to comply with the 12 Core Principles set down in the NPPF:

- Planning should be genuinely plan led empowering people to shape their surroundings. Plans should be kept up-to-date and provide a practical framework within which decisions on planning applications can be made.
- Creation of the opportunity to be creative in finding ways to enhance and improve places in which people live their lives.
- Proactively drive and support sustainable economic development to deliver homes, business and industrial units, and thriving local places that the country needs. Plans should set out a clear strategy for allocating sufficient land which is suitable for development in their area taking account of the needs of the residential and business communities.
- Secure a high standard of design and levels of amenity.
- Promote the vitality of the main urban areas whilst protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside.
- Aim for a low carbon future in a changing climate and encourage the use of renewable resources.
- Conserve and enhance the natural environment and reduce pollution. Allocations of land for development should prefer land of lesser environmental value.
- Encourage the use of brownfield land provided it is not of high environmental value.
- Promote mixed use developments.
- Conserve heritage assets in a manner appropriate to their significance.
- Manage patterns of growth to make the fullest use of public transport, walking and cycling focussing significant development on locations which are or can be made sustainable.
- Support strategies which encourage health, social and cultural well being for all and deliver community and cultural facilities and services to meet local needs.

Mayors London Plan 2015

The relevant issues set down in the London Plan, and identified by the GLA, are as follows:

- Social Infrastructure
- Mix of Uses
- Density
- Historic Environment
- Urban Design
- Inclusive Access
- Sustainable Development
- Transport
- Crossrail.

Also relevant is Brent Core Strategy policy CP17 on Protecting and Enhancing Suburban Character in Brent. In terms of density, the number of units proposed is appropriate for the site as it is within a range considered by the London Plan to be appropriate for this type of location (urban) and which benefits from very good public transport accessibility.

Adopted in July 2010, the Core Strategy has 12 strategic objectives:

- Objective 1: to promote economic performance & regeneration
- Objective 2: to meet employment needs and aid the regeneration of industry and business
- Objective 3: to enhance the vitality and viability of town centres
- Objective 4: to promote the arts and creative industries
- Objective 5: to meet social infrastructure needs

- Objective 6: to promote sports and other recreational activities
- Objective 7: to achieve housing growth and meet housing needs
- Objective 8: to reduce the need to travel and improve transport choices
- Objective 9: to protect and enhance Brent's environment
- Objective 10: to achieve sustainable development, mitigate & adapt to climate change
- Objective 11: to treat waste as a resource
- Objective 12: to promote healthy living and create a safe and secure environment

The following spatial policies are considered relevant to this application:

- 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
- CP17 Protecting and Enhancing Suburban Character in Brent.
- CP18 Protection and enhancement of Open Space, Sports & Biodiversity. Protects open space from inappropriate development.
- 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

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 A pattern of development that reduces the need to travel, especially by car, will be achieved.
- STR11 Seeks to protect and enhance the quality and character of the Boroughs built and natural environment and resist proposals that have a harmful impact on the environment and amenities.
- 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 to make a positive contribution to improving the quality of the urban environment in Brent
- STR15 Major development should enhance the public realm.

#### *Built Form*

- BE2 On townscape: local context & character states that proposals should be designed with regard to their local context, making a positive contribution to the character of the area.
- BE3 Relates to urban structure, space and movement and indicates that proposals should have regard for the existing urban grain, development patterns and density in the layout of development sites.
- BE4 States that developments shall include suitable access for people with disabilities.
- BE5 On urban clarity and safety stipulates that developments should be designed to be understandable to users, free from physical hazards and to reduce opportunities for crime.
- BE6 Landscape design in the public realm and draws particular attention to the need to create designs which will reflect the way in which the area will actually be used and the character of the locality and surrounding buildings.
- BE7 Public Realm: Streetscene
- BE9 Seeks to ensure new buildings, alterations and extensions should embody a creative, high quality and appropriate design solution and should be designed to ensure that buildings are of a scale and design that respects the sunlighting, daylighting, privacy and outlook for existing and proposed residents.
- BE12 States that proposals should embody sustainable design principles commensurate with the scale and type of development.

#### *Environmental Protection*

- EP3 Noise and vibration
- EP3 Requires developments within Air Quality Management Areas to support the achievement of National Air Quality Objectives.

### *Transport*

- TRN1 Planning applications will be assessed, as appropriate for their transport impact on all transport modes including walking and cycling.
- TRN2 Development should benefit and not harm operation of public transport and should be located where access to public transport can service the scale and intensity of the proposed use
- 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
- 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.
- TRN27 Loss of existing off-street parking
- TRN34 The provision of servicing facilities is required in all development covered by the plan's standards in Appendix TRN2.
- 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
- PS19 Servicing standards

### *Tourism, Entertainment & the Arts*

- TEA2 Location of small-scale tourist, visitor and arts, culture and entertainment facilities.

### *Community Facilities*

- CF5 Location of large scale community facilities
- CF4 Community facilities capable of holding functions should have an acceptable transport impact. Where the number and/or scale of functions could have an unacceptable impact on residential amenity these will be limited by condition.
- CF14 Places of worship permitted where there would be no loss of residential amenity or unacceptable transport impact.

## Brent Council Supplementary Planning Guidance and Documents

### *SPG 17 "Design Guide for New Development"*

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"*

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.

## **DETAILED CONSIDERATIONS**

### **Introduction**

1. The London Borough of Brent is the most ethnically diverse local authority area in England and Wales (2011 census data) and also one of the most religiously diverse. The population of Brent is 41.5% Christian, 17.8% Hindu (55,393 people) and 18.6% Muslim. This is the second largest percentage of Hindu population in a local authority area in the UK with the neighbouring London Borough of Harrow being the largest with 25.3%. This compares with the population of London which is only 5.2% Hindu. Nationally the total Hindu population is 817,000 or 0.7% of the population; thus the 55,393 Hindu residents of Brent represent 6.7% of the Hindu population of the UK. Combined with Harrow's Hindu

population of 40,548 and Barnet's 21,011, this site lies close to 19% of the Hindu population of the UK.

- The London Borough of Brent has local policy objectives to meet the needs of the borough's diverse community in respect of cultural facilities and sport and recreational activities. The Temple provides a valuable community and religious use within the borough for the local Hindu population.

### Principle of the redevelopment of place of worship

- The proposed redevelopment is within a Locally Significant Industrial Site (LSIS). Core Strategy policy CP 20 protects LSIS for employment uses characterised by use classes B1, B2, B8 and closely related sui generis uses. It is noted that the temple (D2 use class) is now an established use within the LSIS and the proposal is to redevelop an existing facility. On this basis there are no objections to the principle of the redevelopment.
- When assessing a planning application for place of worship, policy CP1 in Brent's UDP 2004 is a material consideration. This policy seeks to provide large scale community facilities in town centre, edge of town centres or areas of good public transport accessibility. It should be noted that this site is not located within a town centre or an area of good public transport accessibility.
- The temple is designed to update and increase the facilities provided for its users. The applicants describe the current accommodation as being cramped and not including the required facilities of teaching space for adults and children, separate worship space for men and women or a library facility. There are not separate kitchen/dining facilities and at the moment this takes place in the worship rooms, causing disruption to the congregation. Accommodation for the priest is required on site as this will allow the temple to operate as per Vastu and Swaminarayan traditions. There are currently no disabled toilets or baby changing facilities. Certain activities and training programmes have to be organised at external venues due to the lack of existing facilities at the centre. There is no storage or office space and the management team faces a major challenge of storing centre / prayer related material, as well as the organisation and management of the facility.
- The existing building contains three halls one larger and 2 smaller ones. Overall floorspace is around 468sqm. The new building will contain a library at ground floor (156sqm), hall at first floor (156sqm), women's prayer room at second floor (156sqm), multifunctional rooms at third floor (153sqm) and classroom plus Saint's flat at fourth floor. Overall the building increases in floorspace from around 468sqm to 1945sqm.
- The increase in floor area has the potential to attract a significant increase in the level of activities/visiting numbers in comparison to the current building. The supporting information submitted with the application includes details of proposed hours of use, activities and visitor numbers. This includes evening events that can attract up to 300 people. Conditions will be attached to any permission which may be granted to ensure that the numbers highlighted below are not exceeded.

Current operation of facility:

Day	Time	Occupancy	Location	Floor
Mon-Thurs	6.00am–8.00am	20	Worship Hall	Ground Floor
	5.00pm–9.00pm	30	Worship Hall	Ground Floor
Friday	6.00am–10.00am	30	Worship Hall	Ground Floor
	5.00pm-9.00pm	50		Ground Floor and First Floor
Saturday	6.00am-10.00am	30	Worship Hall	Ground Floor
	5.00pm-7.00pm	250		Ground Floor and First Floor
Sunday	6.00am-10.00am	35	Worship Hall	Ground Floor and

	5.00pm-9.00pm	200	Library	First Floor
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Expected timetable of when and how the space is proposed to be occupied during the week.

Day	Time	Occupancy	Location	Floor
Monday-Thursday	6.00am-8.00am	30	Worship Hall	1 and 2
	8.00am-10.00am	25	Library	Ground Floor
	5.00pm-7.00pm	30	Worship Hall	1 and 2
	7.30pm-9.00pm	30	Worship Hall	1 and 2
Friday	6.00am-8.00am	30	Worship Hall	1 and 2
	8.00am-10.00am	25	Library	Ground Floor
	5.00pm-7.00pm	30	Worship Hall	1 and 2
	7.30pm-9.00pm	50	Worship Hall	1 and 2
Saturday	6.00am-8.00am	30	Worship Hall	1 and 2
	8.00am-10.00am	25	Library	Ground Floor
	5.00pm-7.00pm	40	Worship Hall	1 and 2
		20	Library	Ground Floor
		30	Kitchen/Function Room	3rd Floor
	7.30pm-9.00pm	300	Worship Room	1 and 2
		20	Kitchen	3rd Floor
		20	Classroom	4th Floor
Sunday	6.00am-8.00am	30	Worship Hall	1 and 2
	8.00am-10.00am	40	Library	Ground Floor
	5.00pm-7.00pm	150	Worship Hall	1 and 2
		20	Kitchen/Function Room	3rd Floor
	20	Classroom	4th Floor	
	7.30pm-9.00pm	150	Worship Hall	1 and 2

8. Your officers are satisfied that requirements of the temple groups can be accommodated to the satisfaction of all parties. Normal day-to-day activities as set out in the timetable would result in up to 300 people being present on site; the implications of this is included in the Transport Assessment and this is considered acceptable.

9. Given the main surrounding uses are commercial in nature and their operation is mainly during business hours of a working week, the proposed activities will predominantly take place outside of these hours and therefore it is unlikely that they will be competing or conflicting with each other and consequently the impact of the additional facilities in this location are considered to be acceptable in these terms. The impact of the proposed development on the nearby residents is assessed further in the report below.
10. The development also includes accommodation within the building which is for the priest whose responsibilities include the running of the temple. It will only be the priest who resides within this accommodation. Accommodation of a Priest in a Hindu temple is common practice as there are lots of daily rituals they need to perform during different times of the day. The priest accommodation will be ancillary to the temple and will not function like other residential accommodation. A condition can be attached to any permission granted to ensure that this is the case.
11. As outlined in the introduction section of this report, the London Borough of Brent is an extremely diverse Borough with a significant Hindu population who require community and religious facilities for their members. Your officers have taken into consideration the need for providing more modern facilities for the temple members. Your officers have therefore given a significant amount of weight to the requirement of providing both religious and cultural facilities to people and also to the potential harm that the proposal could have on other local people living in the area who do not attend the Temple. After careful consideration of the potential impacts associated with the proposal (as discussed later in this report) and the suggested conditions limiting numbers, your officers consider that the development is acceptable in principle and can be supported.

### **Design and character**

12. The character of the surrounding area is varied in nature and the majority of the buildings, particularly those that are industrial in nature, are not of any architectural merit and make a limited contribution to the locality. The design concept and scale of the building are considered to be acceptable in street scene terms. The design features and overall character of the building are of high quality and result in a good overall design. Whilst different in nature to the buildings surrounding the site, the design features and overall approach for the building is appropriate for the building type and its use. Additionally, the window openings are sympathetic to the subject building and are considered to be appropriate.
13. The scheme proposes a fairly simple approach to architectural detailing and the use of good quality materials would complement the orderly form of the building massing. The detailing and build quality will however be critical to achieving the best possible standard of architecture and the Council will secure key details to ensure this is achieved and built through. Quality materials are proposed that weather well and provide a soft overall finish to the building.
14. Some residents have objected that this scheme would not be in keeping with the character of the area. It would undoubtedly be a dramatic intervention into the streetscene and would have a substantial effect on the character of the area, not only in terms of scale of the proposed temple but clearly also in terms of the distinctive architecture and stonework.
15. It is not considered, however, that the effect on the character of the area would be harmful; the proposed temple is a well-proportioned building of high-quality materials that is of a scale and bulk appropriate for its location. Although clearly different to other buildings in the streetscene, the temple is faithful to ancient traditional Hindu architectural styles and has an arrangement and detailing which adheres to the religious symbolism of the community's faith.

### **Neighbouring amenity**

16. The proposed building is of a similar scale to the residential development opposite it. The ground floor of the building opposite is situated some 16 metres away, with the residential facade set slightly behind this. The impact of the proposal on the amenity of these existing occupiers has been duly considered. It is relevant to note that the residential units within these existing buildings which face the application site already look onto the existing industrial building. The proposal will result in a reduction in the amount of light and the outlook, as residents will be able to see above the existing industrial buildings at present. However, the proposal is a similar height to the residential buildings and is set a similar distance back from the back-edge of footway. As such, the proposal is not considered to result in an undue level of overlooking, loss of privacy or light and outlook, and such a relationship over a highway is considered to be acceptable.

17. Your officers have considered the fact that there are concerns from a significant number of objectors that the Temple is looking to increase the number of people visiting the Temple. The Applicant's Statement of Use has confirmed the existing number of members that attend the prayer services available at the Temple. Your officers suggest the inclusion of a Temple Management Plan to limit the number of visitors and staff who can attend the Temple, via a planning obligation secured under a S106 legal agreement. The Temple Management Plan will set out the maximum number of people that can attend the Temple at each service provided and also attend larger festivals and weddings. This is a robust method of ensuring that the number of visitors and staff do not significantly increase above current levels and should help to ensure that the impact on local people is not material.
18. The site is opposite a recently constructed mixed use scheme with residential flats on the upper floors (Alpine Place). The design and construction of the building should be such that the proposed activity would not cause unduly detrimental noise problems to nearby residents. This should also include sound proofing measures for areas which are likely to be used for functions/drums/dance/singing etc.
19. Air conditioning facilities have been included for those areas of the building so that the activities can be conducted without the need for opening windows/doors to minimise noise from escaping.
20. It is recognised that basement excavations can affect neighbouring amenity during construction through dust, noise and vibrations. Brent's approach to basement development proposals is to seek to minimise these impacts and therefore applicants are expected to provide a Construction Method Statement as required by Brent's 'Basements Practice Guide'.
21. Through any permission that may be granted, a Construction Method Statement can be secured which will detail how the potential impacts of the proposal during construction will be mitigated. In terms of nuisance, some disruption during construction is unavoidable but limited to usual hours of working for construction sites. It is recommended that a condition is attached requiring the contractor to be a member of the Considerate Constructors Scheme.
22. Your officers do not consider that the proposal is likely to result in an unduly detrimental level of harm would in terms of noise & disturbance, particularly since the site is part of a LSIS and thus can be used for potentially noisy industrial processes. Despite this, a condition will be imposed to ensure noise not heard beyond the boundaries of the site. Hours of operation of the temple, will be imposed via condition and the Travel Plan and management plan for special events including weddings will be imposed via the section 106 agreement to ensure neighbouring amenity is not unduly harmed. On the basis of this, your officers believe the proposal is acceptable in terms of its impact on residential amenity and thus would comply with policy.

## Highways and Transportation

### Parking

23. In terms of car parking provision, maximum allowances are set out in standard PS12 of the adopted UDP 2004. The existing site has a capacity of 200 spaces and therefore a maximum of 40 spaces is permitted. The site currently has 8 spaces in the car park adjacent to the building and possibly a further two spaces in the front forecourt and the existing use does not satisfy standards. The proposed site will have an increased attendance of 350 and therefore a maximum of 70 spaces is permitted for this site. The proposal will result in the provision of 3 disabled parking spaces and 2 off street spaces.
24. Point 4.3 of the TS states that the adjoining car park has a total of 24 spaces out which 8 spaces are owned by the temple but the temple does have access to all 24 spaces in the evenings and weekends when the business are closed. The proposed alterations to the building will result in a loss of some parking spaces however, the existing parking does not satisfy demand for the temple and therefore the lack of off street parking is an existing situation. Consideration needs to be given to the impact of overspill parking on traffic flow and road safety and a Transport Statement and a Parking Beat Survey have been submitted.

### Transport Statement

25. Table 4.1 indicates an increase of 25-35 worshippers Mon – Fri Am, an increase of 30 worshippers Mon – Fri pm, an increase of 90 worshippers Saturday evenings and with the largest increase of 140 worshippers on Sunday.
26. A survey was carried out on Saturday 30<sup>th</sup> May 2015 sampling 204 worshippers. The results found that 70% of them had walked, 18% had travelled by bus and 11% of them car shared with only 1% travelling

by car alone. From this the consultant has identified that the largest increase of 140 people on Sundays will result in an additional 98 people walking, 25 who will use the bus, 15 who will car share and only 1 who will drive alone.

27. A parking beat survey was carried out Tuesday 5<sup>th</sup> May (11am – 7pm) and Saturday 9<sup>th</sup> May 11am – 11pm). A further parking survey was carried out Thursday 5<sup>th</sup> Nov and Sat 7<sup>th</sup> Nov to take into account additional parking stress from the new flats Alpine House development. The roads that were surveyed were Westmoreland Road, Honeypot Lane, Ruskin Gardens, St Paul's Avenue, Mary Close and Ruth Close. As the borough boundary runs through Honeypot Lane, majority of these streets are with London Borough of Harrow and therefore Harrow should be consulted. Only Westmoreland Road and Honeypot Lane are within the L.B. Brent.
28. Table 1 (in the parking beat survey) found average parking stress of 83% on Westmoreland on Tuesday 5<sup>th</sup> May and a huge increase in the parking stress average 121% on Westmoreland Rd by Thursday 11<sup>th</sup> Nov 2015. Table 2 (in the parking beat survey) showed an average parking stress of 78% on Saturday 9<sup>th</sup> May 2015 with an increase of average 125% parking stress on Saturday 7<sup>th</sup> Nov 2015. This shows that Westmoreland Road is a heavily parked street and this was also the case prior to the development of Alpine House in the area.
29. The streets within Harrow are residential streets with varied parking stress of 60% or more throughout the day. The development of Alpine House does not appear to have affected the parking stress levels by November 2015 and in fact parking stress on some roads have reduced for example Mary Close had a 90% parking stress level on May Saturday but this was reduced significantly to 40% by November Saturday. In conclusion, with no spare capacity on Westmoreland Road it is likely that any overspill parking that may occur will be within L.B. Harrow streets.
30. Harrow Council have been consulted on the application and have held discussions with the applicants in relation to the potential impacts of the scheme. Harrow Council do not have an objection to the application, subject to a Travel Plan being conditioned as part of any approval.
31. The private car park adjoining the site was also surveyed on Saturday 23<sup>rd</sup> May and found that car park was never at full capacity. The peak capacity was between 7-8pm where it was recorded at 84% capacity with low capacity during the rest of the day. As the car park has low capacity during the evenings and weekends it could accommodate any increase in vehicular travel as a result of this proposal.
32. The TS also states that Morrisons' car park is used and worshippers combine shopping with their trip when they attend the temple and the use of the supermarket car park has the potential to relieve on-street parking pressure from car-borne visitors.
33. Our traffic team is currently proposing a controlled parking zone in the area that will include Westmoreland Road and this will further assist the Highway Authority to control overspill parking from the temple.

#### Refuse and Servicing

34. Refuse collection is not mentioned and therefore it assumed it will be as existing. A servicing bay has also not been provided however, the TS states that this will be as existing. With the temple proposed to be used for weddings now, servicing will be required for catering etc and a service bay should be provided 6m deep and 3m wide. The proposed two off street bays could be used for this.

#### Travel Plan

35. A travel plan framework has been submitted. The framework states that measures will be implemented at start of operation however, the site is currently used as temple and therefore we request a full operational Travel Plan to be submitted for LPA approval which is implemented straightaway.

#### Highway Works

36. As the vehicular crossover into the front of the site is no longer required it should be reinstated back to footway.
37. As the street is heavily parked and with the increased attendees to the site, it would lead to vehicles looking for parking in the street and when they can not find any they would carry out a turn in the road resulting in illegal manoeuvres and to the detriment of pedestrians. As the street is heavily parked, we would request waiting restrictions in the form of double yellow lines to be implemented at the turning

circle of Westmoreland Road to allow vehicles to turn around safely. A condition is recommended requiring such works to be undertaken at the developers expense.

#### Cycle Parking

38. Drawing number PL03E proposes 5 cycle stands and 10 spaces should be provided to comply with PS16 of the UDP-2004. These should be in secure covered location to protect from theft and weather.

#### Highways Conclusions

39. The applicant has provided data from the existing use of the site as a temple and this does show a low car usage with the adjoining car park (24 spaces) not operating at full capacity. The proposal will increase attendance and as it could now be used for weddings, it may see an increase in the vehicles to the site. The adjoining car park (24 spaces) will still be used by the site and the lack of parking remains an existing situation. Westmoreland Road has parking restrictions and Honeypot Lane is a London Distributor Road and there are future proposals to implement a Controlled Parking Zone, which would help to control parking in the area. This does ease concerns of overspill parking on streets within L.B. Brent, although streets within Harrow may suffer more from overspill parking.

40. Any temporary traffic management or temporary closures required for the construction of these works must be agreed with the Highway Authority prior to commencement of works. This is controlled through the Highways Act.

#### Financial contribution

41. A financial contribution of £30,000 towards improvements to sustainable transport infrastructure in the vicinity of the site would be sought to support the future increases in walking, cycling and public transport trips to the site.

#### **Conclusion**

42. Your officers have given considerable weight to the fact that the proposal will provide a valuable and more modern facility for the Hindu community within the London Borough of Brent. Planning officers have worked closely with the applicant through pre-application discussions, to try minimise the likely impacts on the surrounding area and local people. In addition to this the Applicant has agreed to heads of terms setting out the planning obligations to be secured by a S106 legal agreement including a Travel Plan, Temple Management Plan and financial contribution to review the CPZ to limit the number of visitor numbers and also reduce the reliance on cars and promote more sustainable methods of transport.

43. Your officers conclude that the planning merits of the scheme are such that the proposal can be supported and accordingly recommend approval.

## **SUSTAINABILITY ASSESSMENT**

At the time the planning application was submitted London Plan policy 5.2 requires a reduction in carbon dioxide emissions of 40% based on 2010 Building Regulations (equivalent to 35% based on the 2013 regulations). The Energy Statement report concludes that the scheme will include Air Source heat pumps and PV panels, resulting in an 26% improvement on Part L 2013. This is below policy requirements and as such contribution to the local carbon off-setting fund will be required in line with the standard in the Mayor's Sustainable Design & Construction SPG of £60 x 30 years = £1,800 per tonne of carbon dioxide to be off-set.

Core Strategy policy CP 19 requires non-residential development to achieve BREEAM excellent. The BREEAM pre-assessment demonstrates that 'Excellent' rating can be achieved.

The above will need to be secured via planning condition.

## **S106 DETAILS**

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

- Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance
- Notification of material start 28 days prior to commencement
  - Temple Management Plan to cap maximum attendance at 350 people and to reasonably limit those occasions when that volume of visitors is expected – prior to occupation submit and gain

approval for a Temple Management Plan which will demonstrate how the Temple will be managed to ensure that the total number of people within the premises at any one time (including visitors and staff) does not exceed 350.

- Travel Plan – standard obligation prior to occupation to submit for approval and then implement and adhere to a Revised Travel Plan with review mechanisms and penalties to be defined;
- Energy Strategy – standard obligation to achieve 35% reduction on Building Reg 2013 target emissions rates or pay carbon offset contribution;
- Financial Contribution – £30,000, index linked from the date of the committee meeting, for review of and if necessary alterations to CPZs within the vicinity of the land payable on a Material Start;

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

## CIL DETAILS

This application is liable to pay **£62,809.75\*** under the Community Infrastructure Levy (CIL).

We calculated this figure from the following information:

Total amount of eligible\*\* floorspace which on completion is to be demolished (E): 468 sq. m.

Total amount of floorspace on completion (G): 1945 sq. m.

Use	Floorspace on completion (Gr)	Eligible* retained floorspace (Kr)	Net area chargeable at rate R (A)	Rate R: Brent multiplier used	Rate R: Mayoral multiplier used	Brent sub-total	Mayoral sub-total
Assembly and leisure	1945		1477	£0.00	£35.15	£0.00	£62,809.75

BCIS figure for year in which the charging schedule took effect (Ic)	224	224
BCIS figure for year in which the planning permission was granted (Ip)	271	
<b>Total chargeable amount</b>	£0.00	£62,809.75

\*All figures are calculated using the formula under Regulation 40(6) and all figures are subject to index linking as per Regulation 40(5). The index linking will be reviewed when a Demand Notice is issued.

\*\***Eligible** means the building contains a part that has been in lawful use for a continuous period of at least six months within the period of three years ending on the day planning permission first permits the chargeable development.

**Please Note : CIL liability is calculated at the time at which planning permission first permits development. As such, the CIL liability specified within this report is based on current levels of indexation and is provided for indicative purposes only. It also does not take account of development that may benefit from relief, such as Affordable Housing.**



TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

=====

Application No: 16/0595

To: Mr Vekaria  
Studio V architects  
224  
West Hendon Broadway  
West Hendon  
Greater London  
NW9 7ED

I refer to your application dated 10/02/2016 proposing the following:  
Demolition of existing single storey temple building and erection of a new 5 storey temple with a shikhar (tower), basement level for storage and plant equipment, ancillary library and educational use, priest accommodation, and a function room (Use class Sui Generis) along with associated parking and landscaping

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

at 6 Bowmans Trading Estate, Westmoreland Road, London, NW9 9RL

The Council of the London Borough of Brent, the Local Planning Authority, hereby GRANT permission for the reasons and subject to the conditions set out on the attached Schedule B.

Date:

Signature:

**Alice Lester**  
Head of Planning, Transport and Licensing

**Notes**

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

DnStdG

## SUMMARY OF REASONS FOR APPROVAL

- 1 The proposed development is in general accordance with the:-  
National Planning Policy Framework  
London Plan consolidated with alterations since 2011  
Brent LDF Core Strategy 2010  
Brent Unitary Development Plan 2004  
Emerging Brent Development Management Policies  
Council's Supplementary Planning Guidance - SPG17
  
- 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 plan/ elevations PL01  
Proposed plans PL03 F  
Proposed plans PL04 E  
Proposed section/ roof plan PL05 A  
Proposed elevations PL06 B  
Proposed elevations PL07 B  
Location plan PL00  
Planning Design and Access January 2016  
Travel Plan by Stillwell Partnership  
Parking Survey Report by Stillwell Partnership  
Sustainability Statement by Mendick Waring LTD  
Acoustic Report by Acoustic Plus  
Surface Water Management Report by Nimbus Engineering Consultants  
  
Reason: For the avoidance of doubt and in the interests of proper planning.
  
- 3 The development shall not be occupied unless reinstate the redundant crossover at the front of the site has been reinstated back to a footway at the developers expense.  
  
Reason: in the interest of highway and pedestrian safety
  
- 4 No development shall be carried out until the person carrying out the works is a member of the Considerate Constructors Scheme and its code of practice, and the details of the membership and contact details are clearly displayed on the site so that they can be easily read by members of the public.  
  
Reason: To limit the impact of construction upon the levels of amenity that neighbouring occupiers should reasonably expect to enjoy.
  
- 5 The residential accommodation provided within the development shall be used as ancillary accommodation for the priest in association with the temple only, and can not be used for private rent or sale or any other purpose for the lifetime of the development.  
  
Reason: To ensure a suitable standard of accommodation.
  
- 6 The development hereby permitted shall not be used, other than by staff, outside the following times: 0600 hours and 2100 hours seven days a week.

Reason: To safeguard the amenities of the locality and residential occupiers.

- 7 Details of materials for all external work, including samples which shall be made available for viewing on-site, shall be submitted to and approved in writing by the Local Planning Authority before any of the external materials are laid / erected. 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 First use of the development shall not take place unless the following Highways works have been completed at the expense of the applicant/developer: Double yellow lines to be implemented at the turning circle on Westmoreland.

Reason: In the interest of highway and pedestrian safety.

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

- 10 Prior to the commencement of the development a Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority outlining measures that will be taken to control dust, noise and other environmental impacts of the development together with details of any required temporary traffic management or temporary highway closures required for loading/unloading of materials/equipment. The approved statement shall be implemented in full for the duration of construction of the development.

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

- 11 Prior to the commencement of building works, a site investigation shall be carried out by competent persons to determine the nature and extent of any soil contamination present. The investigation shall be carried out in accordance with the principles of BS 10175:2011. A report shall be submitted to the Local Planning Authority, that includes the results of any research and analysis undertaken as well as an assessment of the risks posed by any identified contamination. It shall include an appraisal of remediation options should any contamination be found that presents an unacceptable risk to any identified receptors, and shall propose any necessary remediation measures. The written report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of construction works (excluding demolition) and all approved remediation measures shall be implemented in full.

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

- 12 Any soil contamination remediation measures identified pursuant to condition 10 or as otherwise required by the Local Planning Authority shall be carried out in full. A verification report shall be submitted to the Local Planning Authority prior to first use of the development, demonstrating that remediation has been carried out in accordance with the approved remediation scheme and the site is suitable for end use (unless the Planning Authority has previously confirmed that no remediation measures are required).

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

- 13 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 the installation of any such equipment. The approved equipment shall be installed in accordance with the approved details and shall thereafter be maintained in accordance with the manufacturers instructions.

Reason: To protect the amenity of nearby residents.

- 14 Details of the height, type, position, angle and spread of any external lighting, including luminance levels within the site and outside of the site, shall be submitted to and approved in writing by the Local planning authority prior to the installation of any external lighting. The external lighting shall be installed and maintained in accordance with the approved details to minimise light spillage and glare outside the designated area.

Reason: to protect the amenity of nearby residents

## INFORMATIVES

- 1 Given the age of the building to be demolished it is possible that asbestos may be present. The applicant is reminded of their duties under the Control of Asbestos Regulations and must ensure that a qualified asbestos contractor is employed to remove all asbestos and asbestos-containing materials and arrange for the appropriate disposal of such materials.
- 2 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](http://www.communities.gov.uk)
- 3 The applicant is advised to notify the Council's Highways Service of the intention to commence works prior to commencement. They shall contact Mark O'Brien (Public Realm Monitoring Manager) at [Mark.O'Brien@brent.gov.uk](mailto:Mark.O'Brien@brent.gov.uk), and include photographs showing the condition of highway along the site boundaries.

Any person wishing to inspect the above papers should contact Andrew Neidhardt, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 1902

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## COMMITTEE REPORT

Planning Committee on  
Item No  
Case Number

16 November, 2016  
**16/4104**

## SITE INFORMATION

**RECEIVED:** 21 September, 2016

**WARD:** Fryent

**PLANNING AREA:** Brent Connects Kingsbury & Kenton

**LOCATION:** 3 The Grove, London, NW9 0TL

**PROPOSAL:** Reduction in the overall roof height of the single storey rear outbuilding from 2.85m to 2.5m

**APPLICANT:** Mr Naheerathan

**CONTACT:**

**PLAN NO'S:** Site Plan (Drawing: 16/213-OS), Existing Detached Play Room (Drawing: 16-213 Exis) & Existing & Proposed (Drawing: 16/213A).

**LINK TO  
DOCUMENTS  
ASSOCIATED TO  
THIS  
APPLICATION**

[When viewing this on an Electronic Device](#)

Please click on the link below to view **ALL** document associated to case

[https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR\\_130293](https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_130293)

[When viewing this as an Hard Copy](#) .

Please use the following steps

1. Please go to [pa.brent.gov.uk](http://pa.brent.gov.uk)
2. Select Planning and conduct a search tying "16/4104" (i.e. Case Reference) into the search Box
3. Click on "View Documents" tab

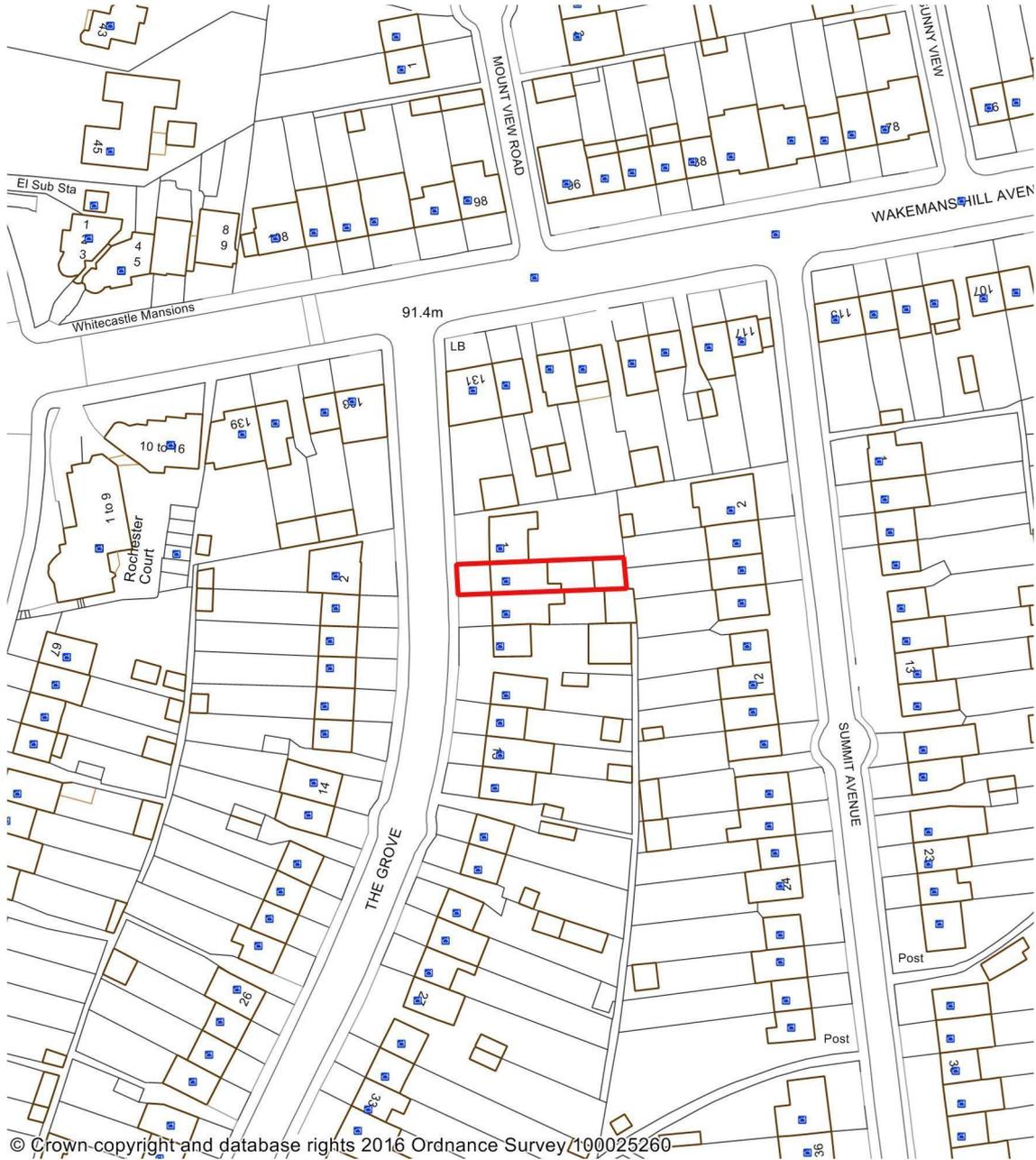
# SITE MAP



## Planning Committee Map

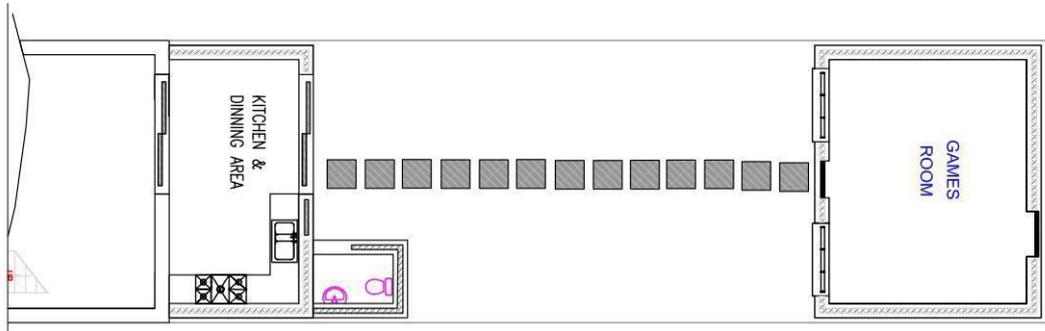
Site address: 3 The Grove, London, NW9 0TL

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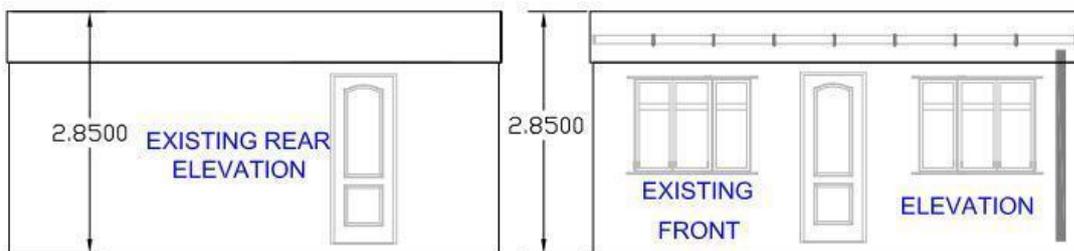


This map is indicative only.

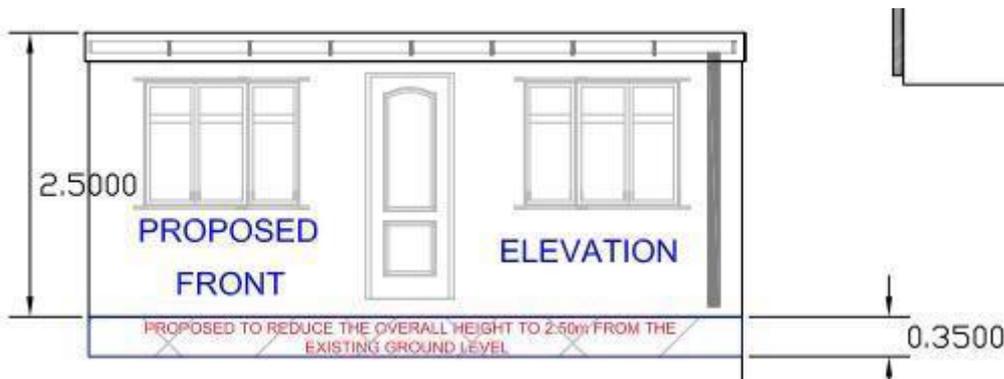
# SELECTED SITE PLANS



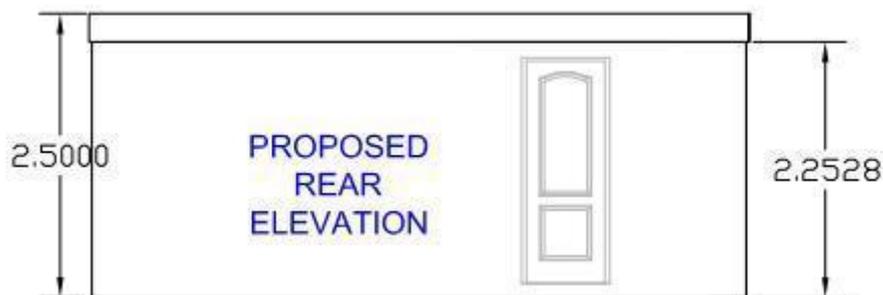
Site plan



Existing front and rear elevations



Proposed front elevation



Proposed rear elevation

# RECOMMENDATIONS

1. That the Committee resolve to GRANT planning permission.
2. That the Head of Planning is delegated authority to issue the planning permission and impose conditions and informative to secure the following matters:

#### **Conditions**

1. That works on the development must commence within 3 years of the decision
2. That works are carried out in accordance with the approved plans
3. The building hereby approved shall be used for purposes incidental to the use of the existing house as a single family dwelling and shall not be used for commercial storage relating to other premises nor for self-contained residential accommodation. It shall not contain a kitchen, toilet or shower room.

#### **Informative**

1. The applicant may have obligations under the provisions of the Party Wall etc. Act 1996
2. The applicant is reminded that there is an outstanding enforcement notice that is required of to be complied with (LPA Ref: E/12/0350). The applicant is therefore advised to contact the enforcement team to agree timescales for implementing this planning permission. If this planning permission is not implemented within the agreed timescales or the enforcement notice is not complied with, the Council will consider taking prosecution proceedings or direct action to obtain compliance with the enforcement notices.

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

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

#### **A) PROPOSAL**

Reduction in the overall roof height of the single storey rear outbuilding from 2.85m to 2.5m.

#### **B) EXISTING**

The application site comprises a mid-terraced dwellinghouse located on The Grove. It is not located within a conservation area nor is it a listed building. The site lies within a residential area whereby the houses in the frontage are laid out with gardens to the rear and these adjoin similar houses and gardens in Summit Avenue.

#### **D) SUMMARY OF KEY ISSUES**

**Design:** The reduced height will ensure that the building will appear significantly less dominant in the locality.

**Residential Amenity:** The building will be far less obtrusive above the boundary screening and would address concerns with regard to the overbearing appearance of the structure. It is recommended that a condition is imposed requiring the elevations to all be rendered and painted.

## RELEVANT SITE HISTORY

**E/12/0350:** Enforcement investigation into without planning permission, the erection of a building to the rear of the premises ("the unauthorised development") - Enforcement Notice served and dismissed on appeal.

**13/3476:** Reduction in width of existing single storey outbuilding in rear garden to dwellinghouse - granted with conditions (not implemented)

**14/0879:** Details pursuant to condition 4 (timber cladding and new tree) of full planning permission reference 13/3476 - granted

## CONSULTATIONS

Four nearby properties along The Grove and Summit Avenue were consulted regarding the proposal for a minimum of 21 days on 4/10/2016. During this time, 1 objection was received.

No statutory consultees were notified.

The grounds of objection from the resident's consultation are summarised below:

- The outbuilding by virtue of excessive, height and close proximity to the side and new boundaries appeared as an obtrusive and overbearing feature.
- The height reduction of 0.35m will not make a difference and would impact on the amenity of 4 Summit Avenue.

*Officers Response:*

These matters are discussed in the main body of the report.

## POLICY CONSIDERATIONS

### Core Strategy

The Council's Core Strategy was adopted by the Council on 12th July 2010. As such the policies within the Core Strategy hold considerable weight.

CP17: Protecting and Enhancing the Suburban Character of Brent - The distinctive suburban character of Brent will be protected from inappropriate development. Development of garden space and infilling of plots with out of scale buildings that do not respect the setting of the existing dwellings will not be acceptable.

### Brent's UDP 2004

BE2: Townscape: Local Context & Character - Proposals shall be designed with regard to their local context, making a positive contribution to the character of the area.

BE9: Architectural Quality - Extensions and alterations to existing buildings shall be designed to:-

(a) be of a scale, massing and height that is appropriate to their setting, civic function and/or townscape location; (b) have attractive front elevations which have a direct relationship with the street at ground level, with well proportioned windows, and habitable rooms and entrances on the frontage, wherever possible; (c) be laid out to ensure that buildings and spaces are of a scale, design and relationship to each other, which promotes the amenity of users, providing a satisfactory level of sunlighting, daylighting, privacy and outlook for existing and proposed residents; and (d) employ materials of high quality and durability, that are compatible or complementary colour and texture, to the surrounding area.

### Supplementary Planning Guidance

## DETAILED CONSIDERATIONS

### Background

1. The application site comprises a mid terraced dwellinghouse located on The Grove. A detached building has been built in the end part of the rear garden without the benefit of planning permission.
2. An enforcement notice was served in relation to the unauthorised detached building on 28 November 2012 (LPA ref: E/12/0350) requiring it to be demolished. The enforcement notice was subsequently appealed and decision upheld by the Planning Inspector. The enforcement decision concludes that: *"The building, by virtue of excessive size, height and close proximity to the side and rear boundaries, appears as an obtrusive and overbearing feature, spanning the full width of the garden at a height in excess of 2.5m, which is disproportionately large and out of character with the local area and detrimental to the visual amenities of the neighbouring properties and the locality. This is contrary to the National Planning Policy 2012, Policy CP17 of Brent's Core Strategy 2010 and Policies BE2 and BE9 of Brent's Unitary Development Plan."* The Planning Inspector required the building to be demolished within three months of the date of the appeal decision dated 8 August 2012. These works were not carried out and the notice remains in effect.
3. An application (13/3476) to reduce the width of the proposed outbuilding was subsequently submitted and approved by the Council on 09 January 2014, subject to conditions. These included the installation of timber cladding on the flank and rear elevations and details of the size and species of a tree to be planted next to No. 5 The Grove. This permission has not been implemented.
4. This application seeks now to reduce the height of the outbuilding to 2.5m whilst retaining the current footprint. A height of 2.5m is proposed to accord with the parameters set out within permitted development legislation.
5. It is noted that there is a large outbuilding within the rear garden of No. 5 The Grove, but this is shown on the aerial photos since at least 2008, and is therefore immune from enforcement action. The other neighbouring properties at No. 1 The Grove and within Summit Avenue (Nos. 4 and 6) have smaller garden sheds within their rear gardens close to the boundary with the application property.

### Design and Amenity

6. The proposed outbuilding will span the full width of the garden and have an overall height of 2.5m. In the appeal decision the Inspector noted that: *"the area of garden "hinterland" between the houses on the road frontages is generally open with landscaped gardens and a few trees. There are also many sheds and other outbuildings in the vicinity of the site but these tend to be much smaller than the appeal site building. Further, there is also a fair degree of screening afforded by the variety of walls and fences on property boundaries. However, I observed that these tend to be less than 2m in height, consequently the appeal building is seen well above the surrounding fences."* The Inspector goes on to recommend that: *"if the requirements of the notice (Enforcement) are complied with and the building is demolished, the appellant maybe able to exercise PD rights and erect a smaller building that meets the terms of the GPDO. Nevertheless, I consider this would be likely to be materially different in its effect and a building of a height of 2.5m would be less intrusive above the boundary screening"*.
7. The Inspector does consider whether conditions to require a reduction in height of the building and improvements to the external elevations are not all finished (there is some exposed blockwork) by being rendered and painted would overcome the concerns with regard to the structure. However, the Inspector does state that *"...while the basic appearance of the building could be improved that mitigation would not address the harm caused by the overall massing and extent of the structure"*. Notwithstanding this, the applicant could erect a similar structure under permitted development and there is no reason to consider

that the footprint of such a building would be smaller than the existing building. The proposed reduction in height of the outbuilding is considered to reduce the visual impact and dominance of the building and whilst it is considered that a building with a reduced footprint would sit more comfortably within the site, the reduced height will ensure that the building will appear significantly less dominant in the locality.

- 8 In terms of neighbouring amenity, the reduction in height will mean that the building will be far less obtrusive above the boundary screening and would help address concerns with regard to the overbearing appearance of the structure. It is recommended that a condition is imposed requiring the elevations to all be rendered and painted.

### Conclusions

1. Overall, it is considered that the revisions to the outbuilding are sufficient to address concerns regarding the appearance and amenity impact of the existing structure. The existing enforcement notice remains in effect and if the works are not completed within a timeframe agreed with Planning Enforcement.



**Brent**

**DRAFT NOTICE**

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

=====

Application No: 16/4104

To: Mr Naheerathan  
3 The Grove  
London  
NW9 0TL

I refer to your application dated 20/09/2016 proposing the following:  
Reduction in the overall roof height of the single storey rear outbuilding from 2.85m to 2.5m  
and accompanied by plans or documents listed here:  
Site Plan (Drawing: 16/213-OS), Existing Detached Play Room (Drawing: 16-213 Exis) & Existing & Proposed (Drawing: 16/213A).  
at 3 The Grove, London, NW9 0TL

The Council of the London Borough of Brent, the Local Planning Authority, hereby GRANT permission for the reasons and subject to the conditions set out on the attached Schedule B.

Date:

Signature:

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

**Alice Lester**  
Head of Planning, Transport and Licensing

**Notes**

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

DnStdG

## SUMMARY OF REASONS FOR APPROVAL

- 1 The 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
  
- 1 The development to which this permission relates must be begun not later than the expiration of three months beginning on the date of this permission.  
  
Reason: To conform with the requirements of Enforcement Notice (E/16/0146).
  
- 2 The development hereby permitted shall be carried out in accordance with the following approved drawing(s) and/or document(s):  
  
Site Plan (Drawing: 16/213-OS), Existing Detached Play Room (Drawing: 16-213 Exis) & Existing & Proposed (Drawing: 16/213A).  
  
Reason: For the avoidance of doubt and in the interests of proper planning.
  
- 3 The side and rear elevations of the outbuilding which are visible above the existing boundary treatment shall be rendered and painted white,  
  
Reason: To ensure a satisfactory development which does not prejudice the amenity of the locality.
  
- 4 The outbuilding hereby approved shall be used for purposes incidental to the use of the existing house as a single family dwelling and shall not be used for commercial storage relating to other premises nor for self-contained residential accommodation. It shall not contain a kitchen, toilet or shower room.  
  
Reason: In the interests of the amenities of neighbouring occupiers.

## 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](http://www.communities.gov.uk)
  
- 2 The applicant is reminded that there is an outstanding enforcement notice that is required to be complied with (LPA Ref: E/12/0350). The applicant is therefore advised to contact the enforcement team to agree timescales for implementing this planning permission. If this planning permission is not implemented within the agreed timescales or the enforcement notice is not complied with, the Council will consider taking prosecution proceedings or direct action to obtain compliance with the enforcement notices.

Any person wishing to inspect the above papers should contact Selina Hotwani, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5283

## COMMITTEE REPORT

Planning Committee on  
Item No  
Case Number

16 November, 2016  
  
**16/0852**

## SITE INFORMATION

**RECEIVED:** 26 February, 2016

**WARD:** Northwick Park

**PLANNING AREA:** Brent Connects Wembley

**LOCATION:** 15 Littleton Road, Harrow, HA1 3SY

**PROPOSAL:** Demolition of the existing residential house and replacement with a new build detached house with basement accommodation and ancillary matters. (Re-consultation as application was made invalid due to site location not being clearly defined.)

**APPLICANT:** Mr Desai

**CONTACT:** Arc3 Architects

**PLAN NO'S:** See condition 2

### LINK TO DOCUMENTS ASSOCIATED TO THIS APPLICATION

[When viewing this on an Electronic Device](#)

Please click on the link below to view **ALL** document associated to case

[https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR\\_126782](https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_126782)

[When viewing this as an Hard Copy](#)

Please use the following steps

1. Please go to [pa.brent.gov.uk](http://pa.brent.gov.uk)
2. Select Planning and conduct a search typing "16/0852" (i.e. Case Reference) into the search Box
3. Click on "View Documents" tab

# SITE MAP



## Planning Committee Map

Site address: 15 Littleton Road, Harrow, HA1 3SY

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This map is indicative only.

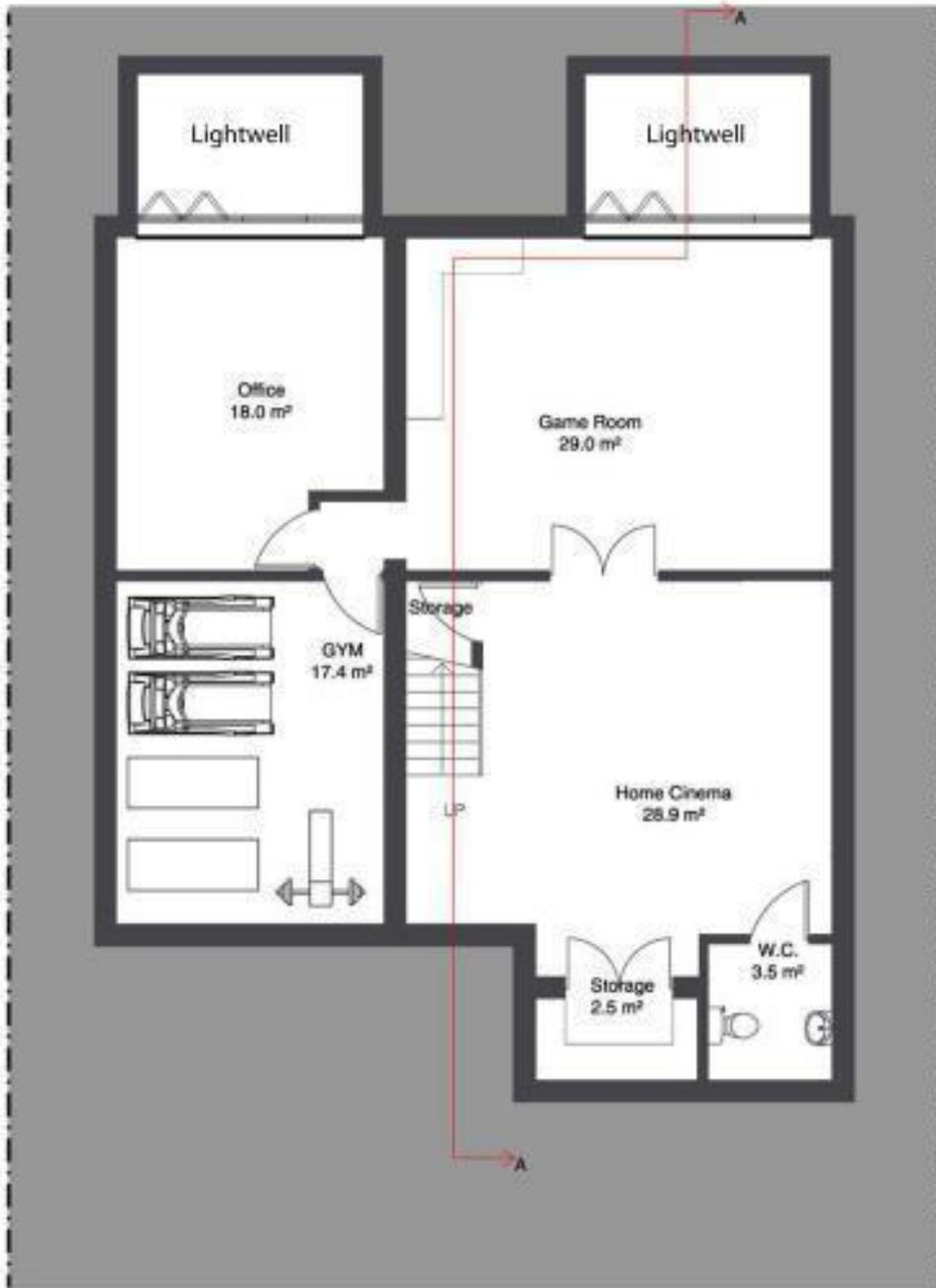
# SELECTED SITE PLANS

## SELECTED SITE PLANS

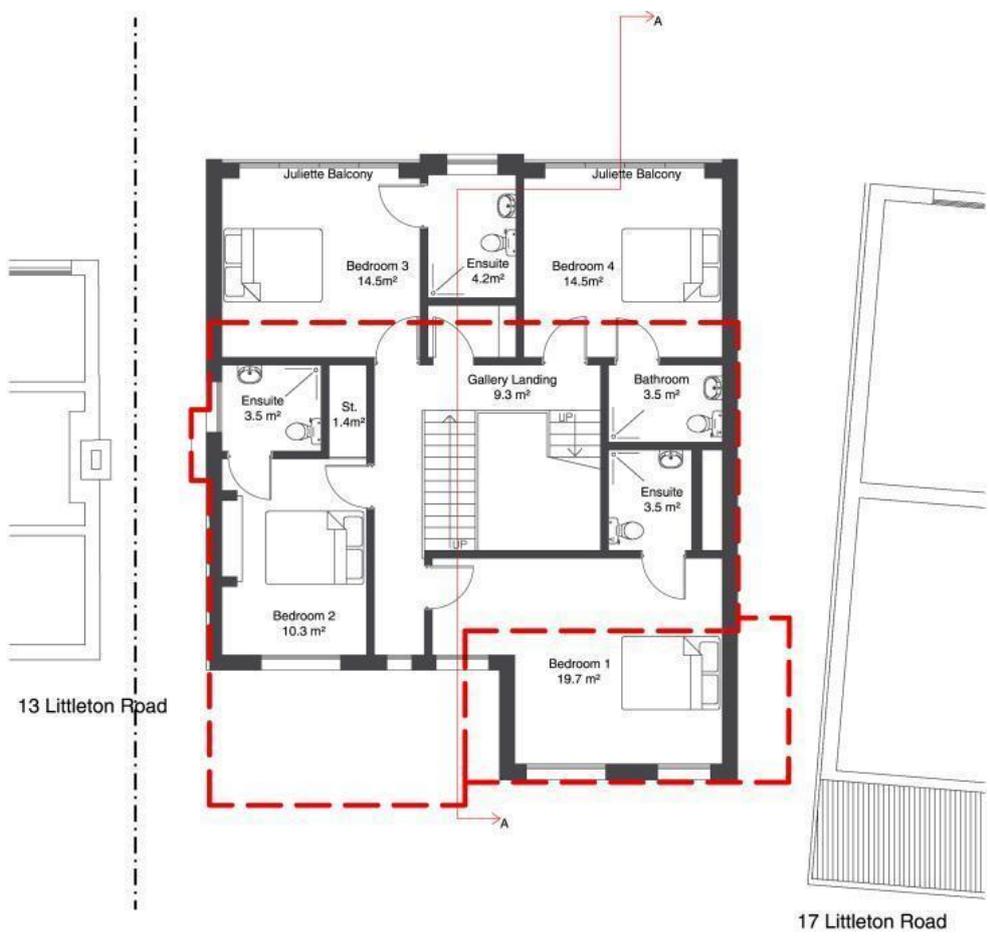
Ground floor plan:



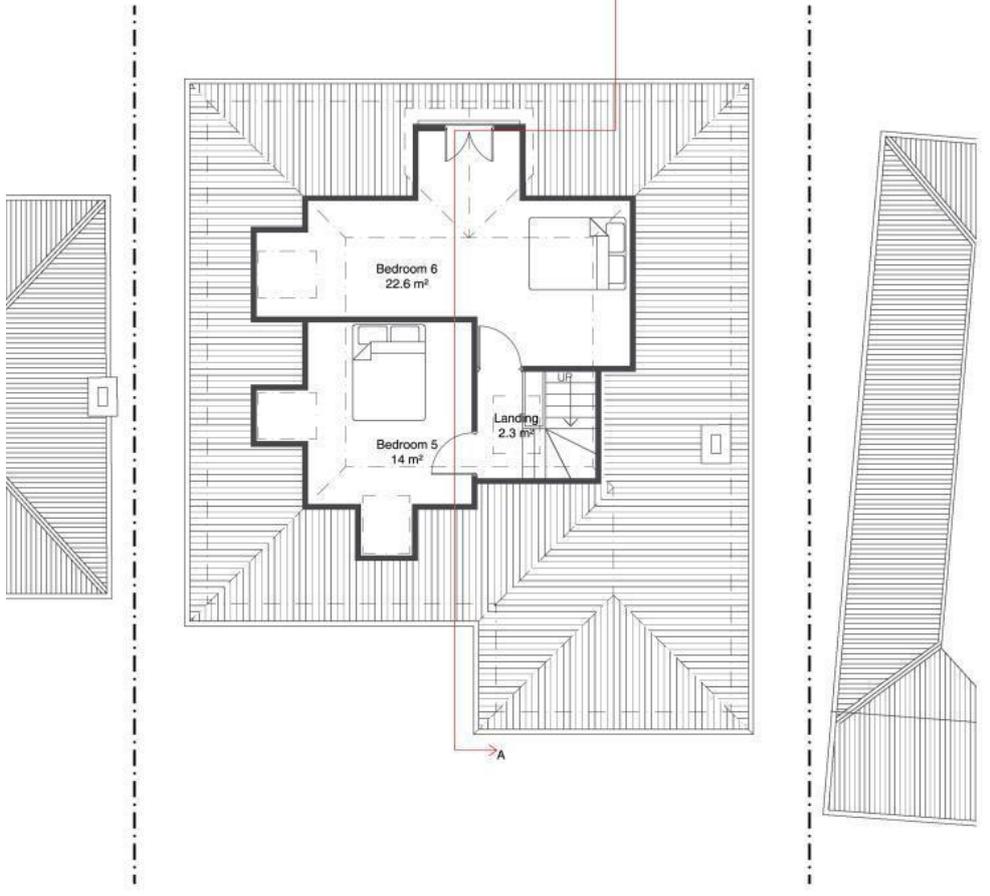
Basement plan:



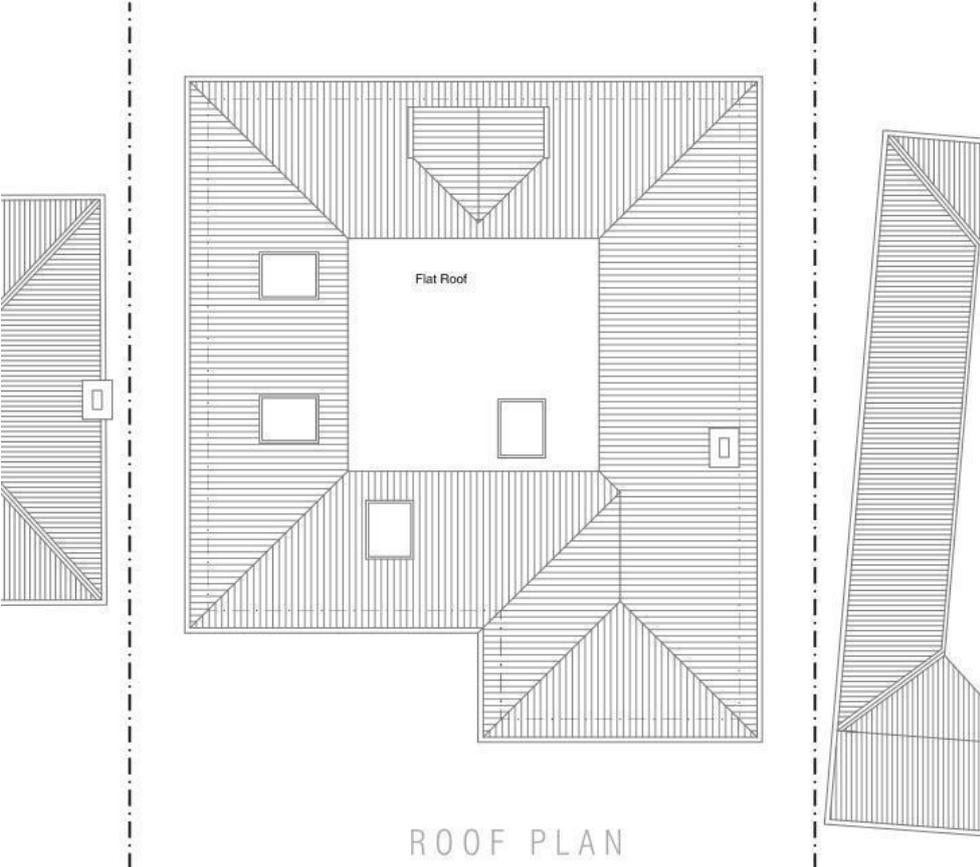
First floor plan



Loft plan:



Roof plan:



Street scene elevation:



Front elevation



01. FRONT ELEVATION

Rear elevation:

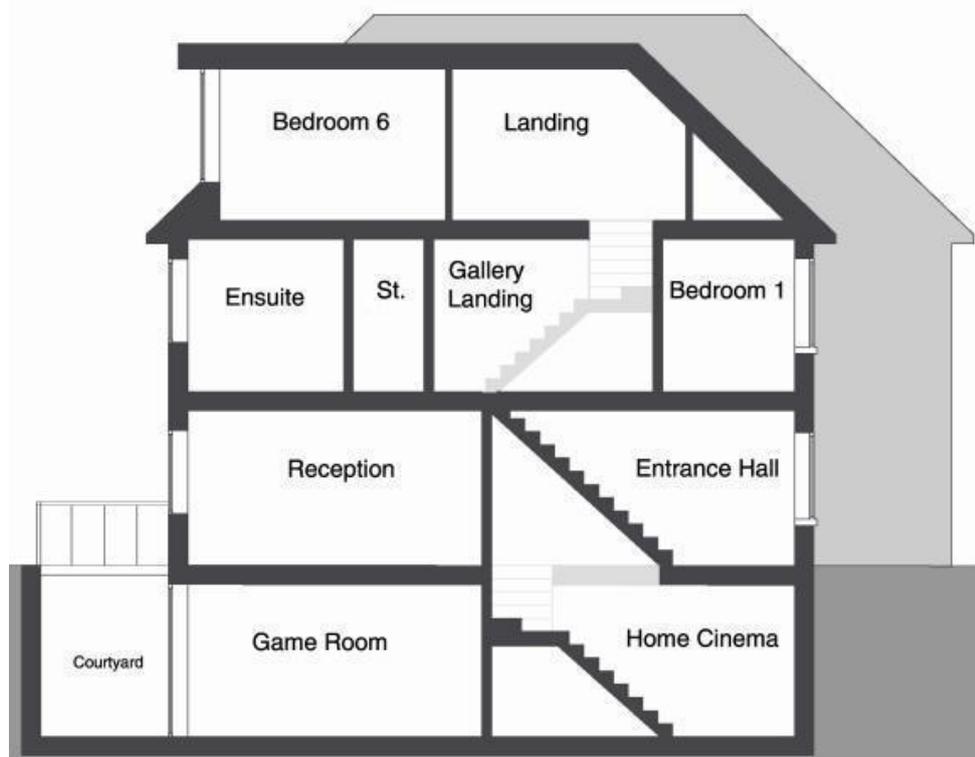


02. REAR ELEVATION

Rear door to be glass panelled or solid.

Section:

## BUILDING SECTION



## RECOMMENDATIONS

1. That the Committee resolve to GRANT planning permission.
2. That the Head of Planning is delegated authority to issue the planning permission and impose conditions and informative to secure the following matters:

### Conditions

1. That works on the development must commence within 3 years of the decision;
2. That works are carried out in accordance with the approved plans;
3. That the side facing windows are obscure glazed and high level opening only;
4. Restriction of the permitted development rights to extend the property;
5. To join and adhere to the Considerate Constructors Scheme and its code of practice throughout construction;
6. That the applicant submits details of all external materials to be approved by the LPA and construction in accordance with the approved details;
7. The tree protection measures set out in the revised 'Arboricultural Survey' dated 26 February 2016 and Planning Integration Report dated 21 July 2015 by Quaife Woodlands (AR/3257a/jq) are implemented and that the applicant notifies the Local Authority Tree Officer of the intended date of commencement of works and is permitted to access the site to inspect the measures;
8. Approval and implementation of a Demolition and Construction Method Statement;
9. Approval of landscape scheme, including planting, walls, hardstandings, frontage parking areas and vehicular access and implement prior to occupation.
10. Approval and implementation of the detailed design of the flood mitigation measures given the ground and surface water flooding in the area.

### Informatives

1. That the developer shall notify the Council's Highways service prior to the commencement of works

- to allow the footway outside of the site to be checked;
2. The applicant has obligations under the Control of Asbestos Regulations given the age of the existing building
  3. The applicant is liable to pay the Community Infrastructure Levy should the development proceed.
  4. The applicant may have obligations under the provisions of the Party Wall etc. Act 1996
  5. The applicant must ensure that work is carried out entirely within the subject property
  6. Any (other) informative(s) considered necessary by the Head of Planning.

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

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

## **A) PROPOSAL**

Demolition of the existing residential house and replacement with a new build detached house with basement accommodation and ancillary matters.

## **B) EXISTING**

The application site contains a 2-storey detached dwellinghouse, located on Littleton Road, Harrow. The surrounding area is residential, and characterised by mainly detached dwellinghouses. The area is allocated as an Area of Distinctive Residential Character (ADRC) in Brent's Unitary Development Plan.

The existing front garden of the property has overgrown vegetation, and space for off-street parking. The adjoining front garden at No. 13 contains two Beech trees which are protected by the Littleton Road Tree Preservation Order (TPO ref: 0800086). The rear garden at No. 17 has a protected tree.

The original dwelling (prior to any extensions) measured approximately 10.4m in width (frontage dimension). The 'depth' of the original dwelling, at its longest, measures 9.5m, with a stepped front elevation which is set back by 3.4m. There are no existing first floor extensions. At first floor the original dwelling is set in from both neighbouring boundaries with numbers 13 and 17 Littleton Road.

The dwelling at No. 17 has been extended with a 2-storey side/rear extension adjacent to No. 15.

The existing dwelling at No. 15 has had no recent extensions, although there are historical single storey side extensions on both sides, and a front single storey infill extension. It has an integral garage, and a front gable feature. The other dwellings on Littleton Road are detached properties of various designs, often with some form of double frontages/stepped front elevation, or front projecting feature, such as a bay or front gable.

The height of the existing dwelling is 7.7m; the height of the dwelling at No. 13 is 8.8m and the height of the existing dwelling at No. 17 is 8.1m, increasing to 8.8m to the taller gable feature.

The footprint of the existing dwelling at No. 15, with extensions, measures 120sqm. According to the agent the property has been vacant for over 2 years.

## **D) SUMMARY OF KEY ISSUES**

### ***Key Considerations***

- Principle;
- Quality of accommodation;
- Design and Appearance;

- Impact on neighbouring amenity;
- Parking & Servicing.

### 1. **Principle**

Littleton Road and its surrounding area are residential in nature and as such the continuation of the residential use within a detached dwelling in terms of the character and use is acceptable. It is noted that the houses along the road are mainly large detached dwellinghouses. The addition of a detached house to replace the two storey house with a two storey dwellinghouse (including a loft space for habitable accommodation) would not be unduly detrimental to the area's character if the design respects the features and proportions of surrounding dwellings. At present the existing property is vacant and has been for around 2 years as confirmed by the agent. The new housing is particularly welcomed in the context of CP21 as it would result in the creation of family unit, and would revive the otherwise derelict site.

### 2. **Quality of accommodation**

Overall, the proposed indoor and outdoor spaces are considered to provide a good standard of amenity and general environment for future occupants of the site and are considered acceptable. This is when tested against the relevant standards within SPG17 and the London Plan. The basement has not been assessed within this section as it is not habitable accommodation.

### 3. **Design**

The design is considered to be complementary in the context of the established, mixed character of the street. The materials and design are modern and its acceptability has already been assessed within the planning permission 15/2098, as the design is largely the same. The proportions of the house in general, including those of the window and doors are in keeping with that of the surrounding properties.

### 4. **Impact on neighbouring amenity**

When tested against all immediately adjoining properties, the dwellinghouse is not deemed to give rise to unduly detrimental amenity impacts on nearby residents, in accordance with the relevant SPG5 and SPG17 design standards.

### 5. **Parking & Transport Considerations**

The parking requirements for the proposed 6 bedroom house are 2 spaces which are adequately provided for on site by a 9m driveway and garage. On-street parking is also available.

### 6. **Flooding**

The site is in an area susceptible to surface and ground water flooding. The Lead Local Flood Authority considers the submitted Flood Risk Assessment to be acceptable and has requested that the detailed design of the proposed measures are secured through condition.

## **E) MONITORING**

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**

<b>Primary Use</b>	<b>Existing</b>	<b>Retained</b>	<b>Lost</b>	<b>New</b>	<b>Net Gain (sqm)</b>
Dwelling houses	158	0	158	348	348

## Monitoring Residential Breakdown

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
EXISTING ( Houses )				1						1
PROPOSED ( Houses )						1				1

## RELEVANT SITE HISTORY

**Application:** Planning **Number:** 15/2098  
**Validated:** 18/05/2015 **Type:** FUL  
**Status:** Decided **Date:** 03/08/2015  
**Completion** **Summary:** Granted

:

**Description:** Proposed demolition of the existing residential dwellinghouse and replacement with a new build 6 bedroom detached dwellinghouse.

**Application:** Planning **Number:** 14/0956  
**Validated:** 24/03/2014 **Type:** OUT  
**Status:** Decided **Date:** 19/03/2015  
**Completion** **Summary:** Appeal Dismissed

:

**Description:** Outline application for the demolition of existing detached dwellinghouse and erection of a replacement 2 storey building with converted loft space to create a 6 bedroom dwellinghouse.

## CONSULTATIONS

11 nearby properties along Littleton Road, Littleton Crescent, Mulgrave Road and Abbots Drive were consulted regarding the proposal for a minimum of 21 days on 26/02/2016. During this time, 6 objections and 1 comment were received.

Internal consultees included Brent Council's Tree Officer, Environmental Health Officers, Highways Officers, Local Lead Flooding Authority, as well as the Northwick Park Ward Councillors.

All the comments received have been discussed below.

The grounds of objection from the resident's consultation are summarised below:

Objection	Response
The front of the proposed house should be redesigned using materials and design in keeping with the Area of Distinctive Residential Character	Comments relating to the aesthetic nature of the dwelling, its size and scale have already been considered in the previous application (15/0298) and permission was subsequently granted, and the design, size and aesthetic quality has not changed since then.

Use of excessively large glazing units leading to loss of amenity to others, resulting in overlooking	The glazing to the rear of the property has already been approved as part of application 15/2098. However, as part of this application, the applicant has reduced the large glazing units with smaller panels and separation grilles.
Clarification of the proposed footprint of the dwellinghouse.	This is shown in the submitted drawings, available on the web site.
How far the building line protrudes past the rear property of No. 13 Littleton Road	This is shown in the submitted drawings, available on the web site.
The size of the house is much larger than the existing and the frontage should have a more appropriate design.	The plot in question is comparable in size to many of the surrounding properties and would not be deemed to result in a pattern of development that is out of character with the area.
Overdevelopment.	See above.
Shallow foundations for the creation of the basement. There has been local subsidence and trees have been lost as a result	The matters raised by the neighbouring residents relating to the construction of the basement are covered under Building Regulations and Party Wall Agreement and therefore cannot be considered or controlled within the planning application. Whilst the Council requests that basement construction methodology statements are provided, they are requested for information purposes and cannot be required by the Council for this reason.
Long term issues with stability of neighbouring properties as a result of the basement, and an environmental search identified ground stability issues in the area.	See above.
Drainage and sewage issues relating to the sewer running through the boundary of the property, and an environmental search identified flooding issues in the area.	The applicant would need separate consent from Thames Water for any works within 3 m of a sewer.  The flooding issues are discussed within the comments from the Lead Local Flooding Authority and section 8 of the Detailed Considerations element of this report.
The creation of a basement is a dangerous precedent to set given the ground conditions in the area.	Comments relating to surface and ground water flooding have been sought internal from the Council's Highways and Infrastructure Service (the Lead Local Flood Authority) and whilst there is a risk of ground water flooding, the developer must comply with Building Regulation in regards to structural stability and how surface water / ground water will be disposed of.

Overlooking caused by the rear dormer.	The rear windows face the rear garden of the property. Some overlooking naturally occurs from rear facing windows due to the suburban rather than rural nature of Brent. However, the windows of the proposed house are not considered to result in an unduly detrimental level of overlooking.
Party wall issues.	The party wall notice requirements are not within the remit of Brent Council and the onus is on the applicant to provide this. It is recommended that a party wall surveyor be contacted should there be any concerns regarding the appropriate notice not being served.

### Internal consultations

The Council's Transportation unit, Environmental Health unit and Landscape and Design Team were consulted regarding this application.

Comments were received by the Transportation Unit which states that whilst there are no objections the following conditions should be applied:

*(a) a financial contribution of £3000 towards non-car access/highway safety improvements to be secured through CIL*

*(b) A revised front garden plan showing (i) the widening of the existing crossover to 4.2m, placed to the side of the frontage, and two off street parking spaces to comply with Brent's Crossover Policy; (ii) 50% soft landscaping for natural drainage and (iii) details of front boundary treatment showing pedestrian visibility splays (2m x 2m above a height of 0.8m) at the vehicular accesses.*

Comments received by the Environmental Health department state that whilst there are no objections. Conditions relating to dust and noise, as well as an informative in relation to asbestos must be applied, should permission be granted.

The Local Lead Flood Authority (LLFA) initially the following comments:

*This area suffers from surface water and ground water flooding and number of properties are affected by flooding in Pebworth Road. The ground in this area comprises of London Clay and fully saturated with water and risk from ground water flooding is very high. The developer will need to comply with Building Regulation, regarding Structural stability and how the surface water ground water will be disposed off.*

*If the basement is not suitably waterproofed, then this property will be at risk from flooding. I understand that one property in Pebworth Road which has constructed basement are suffering from flooding and the basement is uninhabitable.*

*I feel that there will be a risk of flooding from ground water to adjacent properties as the basement walls will prevent the existing water passage. With the new basement, the water will go around the new walls and this could go into adjacent properties, depending on the level.*

A Flood Risk Assessment was submitted and was considered by the LLFA. They highlighted that more information was required on SuDS measures, surface water management and further information regarding the basement. A revised Flood Risk Assessment was submitted. The LLFA considered the revised FRA and commented that it complies with our requirements and other legislation. The LLFA recommended that conditions are attached regarding the detailed design including the finished floor levels, flood resilience and SuDS measures.

Comments received by the landscape and tree officer's state that there are no objections subject to conditions securing strict adherence to the contents of the report by Quaife Woodlands and also including an informative requiring a visit from the Local Authority Tree Officer once tree protection is in place and prior to commencement of works (demolition).

## **POLICY CONSIDERATIONS**

### **National Planning Policy Framework 2012**

Technical Housing Standards - nationally described space standards

### **London consolidated with alterations since 2011**

Policy 3.5 – Quality and design of housing developments

### **Mayor's Housing Supplementary Planning Guidance March 2016**

#### **Brent UDP 2004**

**STR11** – The quality and character of the Borough's built and natural environment will be protected and enhanced; and proposals which would have a significant harmful impact on the environment or amenities of the Borough will be refused.

**STR14** – New development will be expected to make a positive contribution to improving the quality of the urban environment in Brent by being designed with proper consideration of key urban design principles relating to townscape (local context and character), urban structure (space and movement), urban clarity and safety, the public realm (landscape), architectural quality and sustainability.

**BE2** – Townscape: Local context and character

**BE3** – Urban Structure

**BE6** – Landscaping

**BE7** – Public Realm; street scene

**BE9** – Architectural Quality

**H11** – Housing on brownfield sites

**H12** – Residential density – layout considerations

**TRN3** – Environmental impact on traffic

**TRN11** – Cycle parking

**TRN23** – Parking Standards

**TRN24** – On-street parking

**TRN34** – Servicing in new development

#### **Brent Core Strategy 2010**

**CP2** – Population & Housing growth

**CP17** – Protecting and enhancing the suburban character of Brent

**CP21** – A balanced housing stock

#### **Supplementary Planning Guidance**

**SPG5** – Altering and Extending your home

**SPG17** – Design guide for new development

## **DETAILED CONSIDERATIONS**

### Current situation

The application site already benefits from planning permission which granted (application 15/2098) for the following description of development: "Proposed demolition of the existing residential detached dwellinghouse and replacement with a new build 6 bedroom detached dwellinghouse.

The proposed scheme largely reflects the existing consent, with the main revision included as part of this application is the creation of a basement alongside a few minor changes.

The main changes within this application include:

- Creation of a basement;
- Erection of a glass balustrade to the rear (2.1m deep and 1m high) around the proposed lightwells;

- Smaller front roof light
- Reduced loft space (omission of storage room)

The other elements of the proposal remain unchanged and have been assessed briefly within this committee report. The main assessment will in relation to the creation of the basement.

## 1. Principle of development

1.1 The principle of development is supported as it proposes to replace an existing family sized dwellinghouse with a new family sized dwelling. This is reinforced in planning permission (15/2098) for a similar proposal, as described above.

1.2 Policy CP21 of the Council's Core Strategy sets out the housing priority for the Borough and places particular emphasis on meeting the identified demand for family sized (capable of accommodating 3 or more bedrooms) accommodation through both major developments and subdivision/conversion schemes.

1.3 At present the existing property has been vacant for over two years and both the frontage of the house and garden are of poor quality. The replacement of a new house, particularly in this location is welcomed in the context of CP21 as it would result in the creation of an attractive family unit.

## 2. Quality of accommodation

2.1 The proposed new dwelling is to have 6 bedrooms over three floors. The proposed house would have a Gross Internal Area (GIA) of approximately 348 sqm, which exceeds the minimum floor space standards for a 6-bedroom 8 person, 3-storey dwelling as set out in the London Plan and Mayor's Housing Supplementary Planning Guidance.

2.2 All habitable rooms have light and outlook to the front or rear, apart from one room, which is located within the proposed roof space.

2.3 There are two bedrooms proposed on the second floor, one of which will have roof lights for light and outlook. The approximate height to the sill level (of 2nd floor) measures approximately 1.1m. It is considered that this would provide sufficient level of light and outlook, and taking account that it is only one bedroom to a large family dwellinghouse, it is considered an acceptable quality of accommodation.

2.4 The basement is proposed to include rooms labelled as a gym, office, home cinema and game room. The two rooms facing the rear benefit from light-wells (office and game room). This basement is to serve a large house and as such, the number of rooms in the basement with restricted light and outlook is considered to be acceptable, with those rooms likely to be used for ancillary purposes such as those purposes specified on the drawings.

2.5 The proposal is considered to provide a good quality of accommodation for future residents.

## 3. Design and Appearance

3.1 The external appearance from the street is not significantly different from that of the existing consent, reference 15/2098, with the lightwells for the basement situated to the rear of the proposed building. Forward projecting elements of the dwellings are common and a prominent feature of this Area of Distinctive Residential Character (ADRC). The proposed new dwelling would have a forward projecting feature of a similar scale and proportion to the surrounding properties, and it is considered that the proposed front elevation including the fenestration roof design respect the character and appearance of the neighbouring building. Proposed external facing materials including further details of the fenestration shall be requested by condition, if the application supported, to ensure a good quality development. Further details of the proposed landscaping shall also be required by condition, to ensure a good quality landscaped setting for the development.

3.2 Comments received for this application drew upon the level of large glazed panels and bi-folding doors proposed to the rear of the property which would appear to cause overlooking and noise issues. Whilst these have already been approved as part of the previous application, the applicant has noted these comments and new smaller glazed panels have been proposed with a single door in the centre of the ground floor rear wall to provide access to the rear garden.

3.3 Lightwells to the rear of the garden, which are barricade with 1m high glazed panels, are proposed. These will ensure that sufficient natural light can infiltrate at that level. The upright glazed panels proposed at either

side of the rear wall of the house would not be seen from either neighbouring property as they are small in scale and are therefore considered to be acceptable.

#### 4. Impact on neighbouring amenity

4.1 As discussed above, the external walls of the proposed building are largely in accordance with the existing consent (reference 15/2098), with the changes associated with this proposal primarily relating to the addition of a basement, with some minor facade changes. The creation of the basement would not impact the light or outlook of adjoining properties.

4.2 When the original application was approved it was noted that the proposed new development failed to meet the 45 degree line from a 2m height at neighbouring gardens, as set out in Brent's SPG17 (guidance for new development). However, given the impact is caused by a new (replacement) dwellinghouse on a site of an existing dwellinghouse, it was considered appropriate to apply the guidance contained in SPG5 on extensions to an existing house, which also examines the level of impact within a residential context.

4.3 If the application proposed a 2-storey rear extension to the existing house then Brent's SPG5 guidance on extensions would be applied. In particular the 1:2 guidance as set out would be used as a test to ensure that the proposal would not have an unacceptable impact on the residential amenities of the neighbouring properties.

4.4 In relation to the neighbouring dwelling at No. 17; the proposed new building would project 0.26m beyond the rear wall of the existing rear wall. The mid-point of the nearest habitable room window at this property is 4.6m away. The proposed new building would project 1.95m beyond the rear wall of the neighbouring property at No. 13; the mid-point of the nearest habitable room window at No. 13 is 3.98m.

4.5 The siting of the proposed dwelling complies with the principles of the 1:2 guidance and as such, would not have a greater impact on the adjoining dwellings than the SPG compliant extension to the existing house. As such, it is considered that the proposed dwellinghouse will not have an unduly detrimental impact on the amenities of the adjoining occupiers with regard to light and outlook.

4.6 The basement will occupy the full footprint of the proposed ground floor. The proposed creation of the basement would not affect any of the external features already established in the previous permission, apart from the 1m glazed balustrades surrounding the light wells to the rear. These would not be sizeable in scale to cause any undue harm to the neighbouring properties amenity in terms of the light or outlook from their habitable room windows or garden.

4.7 A first floor side elevation window is proposed, that would face No. 13, however this window is to a bathroom and a condition shall be attached requiring this window to be obscure glazed.

#### 5. Transportation Considerations

5.1 The existing property currently has off-street parking served by a 3.5m wide vehicular crossover on its southern side that also extends southwards to serve No. 17 Littleton Road. The site has a very low PTAL (0), with no bus or train routes within walking distance.

5.2 The parking allowance for the dwelling unit is given in the Standard PS14 of the UDP. The conditions applied previously are still applicable as the parking arrangements have not changed since the previously approved application.

5.3 The transport officer made the following comments in relation to this application:

*"Planning permission for the same proposal (14/0956) was refused in June 2014 for two reasons, relating to the proposal being out scale with the surrounding area and the impact on the proposal trees within the site. An appeal was lodged which was dismissed by the planning inspector.*

There were no fundamental transportation concerns with the proposal. This application is similar but includes a basement floor.

*The maximum parking allowance for the existing 4 bedroom dwelling is 2 spaces, which is met on site at present by a 9m long driveway and garage. The maximum parking allowance for the new 6 bed dwelling*

house is also 2 spaces and the parking allowance has not increased as a result of the proposal.

Drawing number 106 shows the proposed front garden which will have a wider front boundary access 4.1m for 2 off street parking spaces, satisfy standards. However, the applicant has not advised if they will widen the crossover or if the spaces will be accessed via the illegal crossing of the footway. The drawing also shows 58% soft landscaping for natural drainage to comply with Brent's Crossover Policy, which is welcomed.

**Recommendations:**

No Transportation objections however, the following conditions should be applied:

- (a) A financial contribution of £3000 towards non-car access/highway safety improvements
- (b) A revised front garden plan showing (i) the widening of the existing crossover to 4.2m, placed to the side of the frontage, and two off street parking spaces to comply with Brent's Crossover Policy; (ii) 50% soft landscaping for natural drainage and (iii) details of front boundary treatment showing pedestrian visibility splays (2m x 2m above a height of 0.8m) at the vehicular accesses."

5.4 The contributions towards non-car access are secured through CIL. The A condition has been recommended regarding the front garden and access. The proposal is considered to comply with the adopted UDP policies and guidance relating to Transportation subject to this condition.

## 6 Environmental Health Considerations

6.1 The proposed demolition and construction works will be carried out within close proximity to existing residential premises. The area is not within an air quality management area however the works are close to 2 neighbouring properties. It is there recommended that a condition is attached, if permitted in relation to noise and dust controls.

6.2 The Environmental Health Officer also states that as the building was built before 1985 a recommended informative should be attached in relation to asbestos which may be present.

## 7 Landscaping Considerations

7.1 The proposed ground floor plan shows that the front garden is to have at least 50% soft landscaping, the majority of which will be in the area adjacent to the boundary with the neighbouring property at number 13 Littleton Road. There are two Beech trees located in the front of No. 13 which are the subject of a Tree Preservation Order (TPO).

7.2 The applicants have submitted a revised Arboricultural Report since the last application and this has been considered by the Tree Officer. The Tree Officer is satisfied that the proposal could be carried out with little or no detrimental effect to trees in proximity to the site. Specific conditions to cover demolition, excavation of basement and construction which require strict adherence to the contents of the report by Quaipe Woodlands and informative requiring the Local Authority Tree Officer to visit once the tree protection is in place and prior to commencement of works (demolition).

## 8 Flood Considerations

8.1 The Brent Local Lead Flood Authority (LLFA) has highlighted that the area suffers from surface water and ground water flooding, with the risk from ground water flooding being very high. The need to comply with the Building Regulations has been highlighted. The LLFA also specifies that there will be a risk of flooding from ground water to adjacent properties as the basement walls will prevent the existing water passage. A Flood Risk Assessment (FRA) was submitted with this application.

8.2 The recommendations as set out in the FRA are as follows:

- It is highly recommended that finished ground floor levels are set no lower than 62.5m AOD and resistance measures up to 600mm are incorporated into the final design.
- No sleeping accommodation should be permitted below 63.10m AOD.
- The proposed basement should be tanked and waterproofed to the height of the finished ground floor levels.
- Surface water should be managed through the use of feasible SuDS, identified in section 4.3.1, to limit runoff from the site to 5 l/s.

8.3 Based on the above, the FRA contains an assessment of SuDS as part of the detailed drainage design. A

finished ground floor level within the FRA and further recommended that the basement is lined and tankled to the specified level. The surface water risk identified within the report will be mitigated through raising the floor level by 600mm and an additional 600mm of resistance measures.

8.4 The LLFA commented that the submitted FRA is acceptable subject to a condition is attached relating to the detailed design of the finished floor levels and flood mitigation measures.

## 9 Conclusion

9.1 For the reasons discussed above, the proposed dwellinghouse is considered to be in keeping with all relevant planning policies and guidance. Accordingly, the application for approval.

## CIL DETAILS

This application is liable to pay **£54,053.00\*** under the Community Infrastructure Levy (CIL).

We calculated this figure from the following information:

Total amount of eligible\*\* floorspace which on completion is to be demolished (E): 158 sq. m.

Total amount of floorspace on completion (G): 348 sq. m.

Use	Floorspace on completion (Gr)	Eligible* retained floorspace (Kr)	Net area chargeable at rate R (A)	Rate R: Brent multiplier used	Rate R: Mayoral multiplier used	Brent sub-total	Mayoral sub-total
Dwelling houses	348	0	190	£200.00	£35.15	£45,973.21	£8,079.79

BCIS figure for year in which the charging schedule took effect (Ic)	224	224
BCIS figure for year in which the planning permission was granted (Ip)	271	
<b>Total chargeable amount</b>	<b>£45,973.21</b>	<b>£8,079.79</b>

\*All figures are calculated using the formula under Regulation 40(6) and all figures are subject to index linking as per Regulation 40(5). The index linking will be reviewed when a Demand Notice is issued.

\*\***Eligible** means the building contains a part that has been in lawful use for a continuous period of at least six months within the period of three years ending on the day planning permission first permits the chargeable development.

**Please Note : CIL liability is calculated at the time at which planning permission first permits development. As such, the CIL liability specified within this report is based on current levels of indexation and is provided for indicative purposes only. It also does not take account of development that may benefit from relief, such as Affordable Housing.**



**Brent**

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 16/0852

To: Mr Vashee  
Arc3 Architects  
663-665 Garratt Lane  
Wandsworth  
London  
SW17 0PB

I refer to your application dated 26/02/2016 proposing the following:  
Demolition of the existing residential house and replacement with a new build detached house with basement accommodation and ancillary matters. (Re-consultation as application was made invalid due to site location not being clearly defined.)  
and accompanied by plans or documents listed here:  
See condition 2  
at 15 Littleton Road, Harrow, HA1 3SY

The Council of the London Borough of Brent, the Local Planning Authority, hereby GRANT permission for the reasons and subject to the conditions set out on the attached Schedule B.

Date:

Signature:

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

**Alice Lester**  
Head of Planning, Transport and Licensing

**Notes**

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

DnStdG

## SUMMARY OF REASONS FOR APPROVAL

- 1 The proposed development is in general accordance with the:-  
National Planning Policy Framework 2012  
London Plan consolidated with alterations since 2011  
Brent LDF Core Strategy 2010  
Brent Unitary Development Plan 2004  
Council's Supplementary Planning Guidance  
Emerging Brent Development Management Policies DPD
  
- 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 and Proposed Location Plans (G609 LP01 A)  
Existing and Proposed Block Plans (G609 BP01 A)  
Proposed Roof Plan (M1694 111)  
Proposed Roof Plan (M1694 108)  
Proposed First Floor and Loft Plans (G609 107)  
Existing Sections (G609 105)  
Existing Elevations (G609 104)  
Existing Elevations (G609 103)  
Existing Roof Plan (G609 102)  
Existing Ground Floor and First Floor Plans (G609 101)  
Proposed Plans Basement and Ground Floor (G609 106 A)  
Proposed Elevations (P109 A)  
Proposed Elevations (110A)  
Quaife Woodlands AR/3257a/jq (Arboricultural Survey) – 21<sup>st</sup> July 2015  
Planning Design and Access Statement  
Flood Risk Assessment version 2.0  
  
Reason: For the avoidance of doubt and in the interests of proper planning.
  
- 3 The proposed first floor side elevation window and rooflights facing no. 13 Littleton Road shall be constructed with obscure glazing and non-opening or with openings at high level only (not less than 1.8m above floor level) and shall be permanently returned and maintained in that condition thereafter unless the prior written consent of the Local Planning Authority is obtained.  
  
Reason: To minimise interference with the privacy of the adjoining occupier(s).
  
- 4 No further extensions or buildings shall be constructed within the curtilage of the dwellinghouse(s) subject of this application, notwithstanding the provisions of Class (es) A, B, D & E of Part 1 Schedule 2 of the Town & Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) unless a formal planning application is first submitted to and approved by the Local Planning Authority.  
  
Reason: In the interest of the amenities of adjoining occupiers and the character and appearance of the area.

- 5 No development shall be carried out until the person or company carrying out the works is a member of the Considerate Constructors Scheme and its code of practice, and the details of the membership and contact details are clearly displayed on the site so that they can be easily read by members of the public.

Reason: In the interest of the amenities of adjoining occupiers.

- 6 Details of materials for all external work (including samples which shall be made available to view on site), shall be submitted to and approved in writing by the Local Planning Authority before any construction work is commenced (excluding demolition and site clearance). 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.

- 7 The tree protection measures set out in the "Arboricultural Survey and Planning Integration Report" dated 21 July 2015 by Quaife Woodlands (AR/3257a/jq) shall be implemented in full for the duration of construction.

A minimum of one month prior to the commencement of works, the applicant shall notify the Local Authority Tree Officer of the intended date for the commencement of works. Thereafter and until one month following the completion of works the Tree Officer shall be permitted access to the site for the purpose of inspecting the trees and/or the tree protection measures.

Reason: In order to ensure safe and healthy retention of trees protected by Tree Preservation Order, which contribute to the amenity of the local area.

- 8 Prior to the commencement of the development a Demolition and Construction Method Statement shall be submitted to and approved 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 approved statement shall be implemented in full for the duration of construction.

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

- 9 All areas shown on the plan shall be suitably landscaped with trees/shrubs/grass in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development hereby approved. The approved landscaping work shall be completed prior to first occupation of the development.

Such a scheme shall include:-

- (a) full details of all soft landscaping (including species, densities, numbers and position) including at least 50% soft landscaping of the frontage;
- (b) details of all boundary treatments (including materials and heights);
- (c) the provision of 2 car parking spaces, the defined points of access and the surfacing materials to be used;
- (d) waste and recycling storage facilities;

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.

- 10 Prior to commencement of development, the following detailed design information, in line with the recommendations made within the Flood Risk Assessment (FRA) Version 2 as dated 10/10/2016, shall be submitted to and approved in writing and the development shall be completed in accordance with the approved details.

Such details shall include:

- Finished floor levels;
- Flood resilience details;
- SuDS detail; and
- Resilience against Flood Risk.

Reason: To ensure the present and future flood risk safety for occupiers, future occupiers of the property and neighbouring residents.

## INFORMATIVES

- 1 The applicant is advised to notify the Council's Highways Service of the intention to commence works prior to commencement. They shall contact Mark O'Brien (Public Realm Monitoring Manager) at [Mark.O'Brien@brent.gov.uk](mailto:Mark.O'Brien@brent.gov.uk), and include photographs showing the condition of highway along the site boundaries.
- 2 Given the age of the building to be demolished it is possible that asbestos may be present. The applicant should be reminded of their duties under the Control of Asbestos Regulations and must ensure that a qualified asbestos contractor is employed to remove all asbestos and asbestos-containing materials and arrange for the appropriate disposal of such materials.
- 3 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at [www.brent.gov.uk/CIL](http://www.brent.gov.uk/CIL).
- 4 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](http://www.communities.gov.uk)
- 5 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 Selina Hotwani, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5283

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## COMMITTEE REPORT

Planning Committee on 19 October, 2016  
Item No 03  
Case Number 15/2313

### SITE INFORMATION

**RECEIVED:** 29 May, 2015

**WARD:** Fryent

**PLANNING AREA:** Brent Connects Kingsbury & Kenton

**LOCATION:** Land rear of 274-280, Kingsbury Road, London

**PROPOSAL:** Erection of two-storey building comprising 4 no. self contained flats with provision of 6 no. car parking spaces, secure cycle storage, bin store area, associated landscaping and new Vehicular access to Uphill Drive

**APPLICANT:** C/O VICTORIA SQUARE PROPERTY CO LIMITED AND AREA ESTATES LIMITED

**CONTACT:** Liam Russell Architects Ltd

**PLAN NO'S:** Refer to Condition 2

**LINK TO  
DOCUMENTS  
ASSOCIATED TO  
THIS  
APPLICATION**

[When viewing this on an Electronic Device](#)

Please click on the link below to view **ALL** document associated to case  
[https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR\\_122292](https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_122292)

[When viewing this as an Hard Copy .](#)

Please use the following steps

1. Please go to [pa.brent.gov.uk](http://pa.brent.gov.uk)
2. Select Planning and conduct a search tying "15/2313" (i.e. Case Reference) into the search Box
3. Click on "View Documents" tab

# SITE MAP



## Planning Committee Map

Site address: Land rear of 274-280, Kingsbury Road, London

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This map is indicative only.

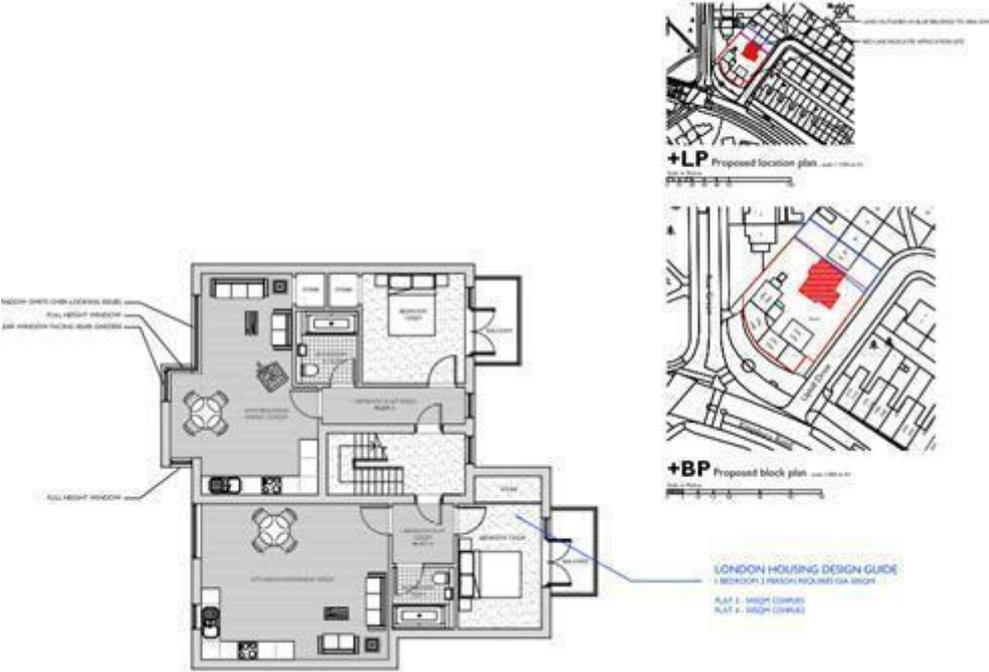
# SELECTED SITE PLANS

## SELECTED SITE PLANS

### Proposed Site Layout Plan



**Proposed First Floor Plan and application site plan**



**Proposed East and West Elevations**



**+EL** Proposed east elevation



**+EL** Proposed west elevation

## Proposed Artist Impressions of the proposal



## INTRODUCTION

This application was previously presented to the planning committee on 19th October 2016. The discussion amongst members on whether to agree with the officer recommendation to grant the application resulted in a vote of 3 in favour, 2 against and 1 abstention. The chair used her casting vote to not support the recommendation to grant planning permission. The chair indicated that she was not in a position to formulate planning reasons for refusal, and therefore, in accordance with paragraph 38 of the Council's Planning Code of Practice, the application stood deferred.

The application was deferred for the following reason:

*Members were concerned about the provision of parking, with the rear of the site considered likely to have been used for the provision of parking which would be displaced by the proposal resulting in increased parking on-street.*

Officers are now providing further information that providing clarification on the proposal's impact on local parking conditions, which was the main concern raised at the previous committee.

Drawing 1066-PA-010F shows the provision of three off-street parking spaces for the four new 1-bed flats (75% of the maximum parking allowance) and also retains a parking space and two transit sized loading bays for the existing shops and flats, which is comparable to the existing parking and servicing provision available on the site. With this arrangement, transport officers do not believe there would be any displacement of parking from the site on-street, as the layout also accommodates replacement parking/loading for those 2-3 spaces that are lost at the rear of 276-278 Kingsbury Road.

The most recent parking survey of Uphill Drive was carried out in July 2013, concluding that the street was heavily parked at night. This has manifested itself in extensive obstructive footway parking along the street. It is therefore considered essential that this proposal does not increase demand for on-street parking.

The formation of the access from Uphill Drive will theoretically remove one parking space from this street. However, the narrowness of the road and resultant footway parking means that the parking that currently takes place along this stretch of road is detrimental to highway safety and there is a strong case for installing double yellow lines to address these problems. Therefore, the offer of land from the applicant to widen the footway is welcomed as it will improve the situation considerably and will ensure that unobstructed part-footway parking can be provided along the site frontage. This will also have the added benefit of improved pedestrian access into Uphill Drive and will provide better sight line visibility for the new vehicular access. This improved arrangement more than compensates for the loss of a parking space, which at present is narrow and unsafe.

The layout does rely on some vehicles reversing out into Uphill Drive, but the road is a quiet cul-de-sac, so this is not considered to be a problem. Officers are therefore satisfied that the layout of the spaces and turning area provided suitable access by cars and vans.

Whilst it is noted that there is an existing shortfall in parking provision on site which would not be improved upon by this proposal, officers consider that the existing parking capacity will be suitably replaced. It is considered to be unreasonable to require an application to improve upon an existing standard (in this case parking), however it would be necessary for an application to preserve (and not worsen) any existing standards, which this application achieves.

In conclusion, the scheme would retain the existing parking/servicing facilities for the existing shops/flats, whilst providing adequate additional off-street parking for the new flats in line with our standards, whilst also improving footway parking and pedestrian access alongside the site. Because of this, your officers recommend that this proposal is granted planning permission.

**Recommendation: Officers continue to recommend that permission is granted subject to the conditions set out in the original report and supplementary report.**

However, if members are minded to refuse planning permission then the following reason for refusal would reflect the concerns previously raised by members:  
The proposed development results in the displacement of parking that currently occurs within the site without the sufficient provision of off-street parking to meet the needs of the proposed development in addition to those spaces that are displaced. As such, the proposal is likely to result in an increase in the level of on-street parking where such parking cannot be safely accommodated within the street. This is contrary to policy TRN3, TRN23 and TRN24 of the Brent Unitary Development Plan 2004 and policies DMP12 of the emerging Brent Development Management Policies.

**The original report and supplementary report from previous Committee Agenda is set out below:**

## RECOMMENDATIONS

1. That the Committee resolve to GRANT planning permission.
2. That the Head of Planning is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

### Conditions

1. Time Limit (3 Years)
2. Approved drawings / documents
3. Highway works along public highway
4. Construction Method Statement
5. External materials - supply details
6. Forecourt hard and soft landscaping - supply details
7. Rear garden hard and soft landscaping - supply details
8. Bicycle storage for existing and proposed residential units - supply details
9. Refuse facilities for existing and proposed residential units and commercial units - supply details
10. Sound insulation – levels
11. Provision of parking, cycle parking, refuse storage and access

### Informatives

1. Paty Wall

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

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

#### **A) PROPOSAL**

Erection of two-storey building comprising 4 no. self contained flats with provision of 6 no. car parking spaces, secure cycle storage, bin store area, associated landscaping and new vehicular access to Uphill Drive, together with widening of the highway into the site to provide 4 partial footway parking bays and plus footway along Uphill Drive

#### **B) EXISTING**

The application site is located to the rear of Nos. 274 to 280 Kingsbury Road. It is accessed from a vehicular access to the side of Nos. 280 Kingsbury Road and contains hardstanding and garages. It is at a higher level to the pavement level on Kingsbury Road. To the north of the application site are two storey residential properties on Uphill Drive.

The site is not located within a conservation area nor does it contain any listed building.

#### **C) AMENDMENTS SINCE SUBMISSION**

The following amendments were sought since the submission of the application:

- Widening of the highway into the site to provide 4 partial footway parking bays and plus footway along Uphill Drive
- Relocated service and parking bays within the site
- Relocation of the building 1m away from the boundary with No. 83 and 84 Uphill Drive
- Clear glazing provided in rear windows
- Alterations to landscaping within front forecourt

#### **D) SUMMARY OF KEY ISSUES**

**Design & Layout & Relationship with Neighbouring Buildings:** The scheme is considered to have an appropriate relationship with the street frontage on Uphill Drive.. The building relate acceptably to surrounding buildings in terms of the amenity of neighbouring residential occupiers and the quality of accommodation provided.

**Car Parking:** Each flat will have the benefit of one off street parking space and two service bays will be provided for the existing commercial units. In addition, part of the site frontage will be dedicated as public highway to accommodate four partial footway parking bays plus a 2m wide footway. The level of car parking is acceptable for this scheme.

**Quality of accommodation:** The proposal meets the standards for internal and external space set out within the London Plan and Mayor's Housing SPG. Whilst the amount of external amenity space for the two upper floor flats meets the Mayor's guidance levels, it falls below SPG17 levels. However, this is considered to be acceptable given the size of the units (1-bedroom) and the proximity to Roe Green park.

#### **E) MONITORING**

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**

Primary Use	Existing	Retained	Lost	New	Net Gain
<b>Page 106</b>					



## **POLICY CONSIDERATIONS**

### National Level

#### **National Planning Policy Framework**

The National Planning Policy Framework (NPPF) was adopted in March 2012. The NPPF sets out the Government's requirements for the planning system only to the extent that it is relevant, proportionate and necessary to do so. It provides a framework within which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities.

It establishes a presumption in favour of sustainable development: local planning authorities should plan positively for new development, and approve all individual proposals wherever possible. 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.

Section 7 (design) is of particular relevance to this application. The Government recognises that good design is a key aspect of sustainable development. It states that permission should be refused for development of poor design, that fails to take the opportunities available for improving the character and quality of an area and the way that it functions.

#### **Technical Housing Standards - nationally described space standards**

### Regional Level

#### **The London Plan consolidated with alterations since 2011**

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

#### 3.5 Quality and design of housing developments

#### **The Mayor's Housing Supplementary Planning Guidance (adopted March 2016)**

This guidance relates to the housing policies within the London Plan and covers policies on housing provision and policies on affordable housing. It gives detailed guidance for boroughs on how to develop sites for housing and how to determine housing mix and density for any individual site.

### Local Level

#### **Brent's Core Strategy 2010**

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

**CP17:** Protecting and enhancing the suburban character of Brent - Balances the regeneration and growth agenda promoted in the Core Strategy, to ensure existing assets (e.g. heritage buildings and conservation areas) are protected and enhanced. Protects the character of suburban housing and garden spaces from out-of-scale buildings.

**CP21:** A Balanced Housing Stock - A balanced housing stock should be provided to meet known needs and to ensure that new housing appropriate contributes towards the wide range of borough household needs including an appropriate range and mix of self contained accommodation types and sizes.

#### **Brent's UDP 2004**

In addition to the Core Strategy, there are a number of policies which have been saved within the Unitary

Development Plan (UDP). The UDP was adopted on 15 January 2004. The saved policies will continue to be relevant until new policy in the Local Development Framework is adopted and, therefore, supersedes it. The relevant policies for this application include:

### **BE2: Townscape - Local Context & Character**

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

### **BE7: Public Realm - Streetscape**

A high quality of design and materials will be required for the street environment. The following will be resisted (both for existing and new developments) where they would detract from the character of the area :-

- (a) The excessive infilling of space between buildings and between buildings and the road;
- (b) hard surfacing occupying more than half of a front garden area;
- (c) forecourt parking where such parking would detract from the streetscape or setting of the property, or create a road/pedestrian safety problem.

### **BE9: Architectural Quality**

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

### **H12: Residential Quality - Layout Considerations**

Seeks to ensure that all residential development has a high quality layout, has an appropriate level of car parking and features housing facing onto streets. It states that proposals should avoid having an excessive coverage of hardstanding and have an amount and quality of landscaped areas appropriate to the character of the area.

### **TRN3: Environmental Impact of Traffic**

Applications that cause or worsen an unacceptable environmental impact from traffic generated should be refused including proposal that will cause or worsen road safety problems and or result in on street parking with traffic management problems

### **TRN10: Walkable Environments**

The 'walkability' of the public environment should be maintained and enhanced.

### **TRN11: The London Cycle Network**

Developments should comply with the plan's minimum cycle parking standards (PS16), with cycle parking situated in a convenient, secure and, where appropriate, sheltered location.

### **TRN15: Forming an access onto a road**

The creation of an access from a dwelling to a highway will be acceptable where:-

- (a) the location of the access would be at a safe point with adequate visibility;
- (b) the access and amount of off street parking proposed would be visually acceptable

### **TRN23: Parking Standards - Residential Developments**

Parking standards for residential developments. The level of residential parking permitted will be restricted to no greater than the standards in PS14.

#### **TRN24: On-Street Parking**

Proposals for on street parking should not generate traffic management problems

#### **TRN34: Servicing in new developments**

Loss of servicing facilities will be resisted.

#### Supplementary Planning Guidance

#### **SPG5 "Altering and Extending Your Home"**

Supplementary Planning Guidance No. 5 "Altering and Extending Your Home" was adopted by the Council in 2002. It sets out the design principles and guidance for alterations and extensions to residential properties, and considerations of extensions upon the amenities of neighbouring residential occupiers.

#### **SPG17 "Design Guide for New Development"**

Supplementary Planning Guidance No. 17 "Design Guide for New Development" (SPG17), adopted by the Council in October 2001, sets out the general design standards for development and has regard to the character, design and appearance of developments, the design layout with respect to the preservation of existing building lines, size and scale of buildings and structures, and privacy and light of adjoining occupants.

## **DETAILED CONSIDERATIONS**

### Site and Surroundings

1. The application site is located to the rear of No. 274 to 280 Kingsbury Road. It is currently accessed via a service road next to No. 280 Kingsbury Road. It contains hardstanding and garage. Nos. 274 to 280 Kingsbury Road contains three storey parade with commercial units on the ground floor and residential flat above. To the north of the application site are two storey terraced properties on Uphill Drive they contain maisonettes. The ground levels rise on Uphill Drive.

### Relevant planning history

2. As set out above a recent planning application from 2014 was refused at the site for . The reasons for refusal as are follows:

*1. The proposed development, by virtue of its height, relationship with the street and adjoining buildings, and excessive amount of hardstanding fronting Uphill Drive, constitutes an unacceptable development that will appear unduly prominent and detracts from the character of the streetscene. As such, the proposal is considered contrary to policies BE2, BE7, BE9 and H12 of the adopted Brent Unitary Development Plan 2004 and Supplementary Planning Guidance No. 17 "Design Guide for New Development".*

*2. This proposal will result in the loss of the service yard for existing retail units and residents of 274-280 Kingsbury Road without sufficient off street parking and servicing facilities provided elsewhere in the site. This will result in additional demand for on-street parking on Kingsbury Road (London Distributor Road) and Uphill Drive (heavily parked street), adding to instances of dangerous and obstructive parking on footways and along the street, to the detriment of the free and safe flow of traffic and pedestrians. The proposal would be contrary to policies TRN3 and TRN34 of the Brent's adopted Unitary Development Plan 2004.*

*3. The proposed development, by virtue of its excessive depth in relation to the rear habitable room window in No. 83 and 84 Uphill Drive, would have an overbearing impact on No.83 and 84 Uphill Drive, to the detriment of the amenity of the occupants of those maisonettes by loss of outlook from these windows and garden. Furthermore, the proposal fails to provide sufficient information on access arrangements to No. 83 Uphill Drive, to ensure that safe and appropriate access can still be provided to this maisonette. As such, the proposal is contrary to saved policy BE9 of the adopted Brent Unitary Development Plan 2004 and the objectives of Supplementary Planning Guidance No. 17 "Design Guide for New Development"*

## Proposal

3. This application seeks to address the previous reasons for refusal. The application now proposes a two-storey building to accommodate 4 x one bedroom flats. The considerations of the application are discussed below:

### *Siting, Scale and Design*

4. The new block will front Uphill Drive with the main part of the building being in line with the building line of the neighbouring terraced properties on Uphill Drive. There is a front extension that projects forward of this building line by 2.47m. The stepped front building line is considered acceptable as it provides a transition between the properties on Uphill Drive and the parade on Kingsbury Road. The building is set in 2.2m from the flank wall of No. 83 and 84 Uphill Drive.

5. The building is designed at two storeys high with part gable part hipped roof. The character of the area includes two storey properties with pitched roof on Uphill Drive and three storey parade with a pitched roof on Kingsbury Road. Given that the building will front Uphill Drive it is considered that the scale of the building should reflect the existing scale of development on Uphill Drive which includes two storey rather than three storey buildings. It should also take into account the level changes within Uphill Drive. The building at two storeys high is considered to reflect the scale of buildings on Uphill Drive.

6. The building is proposed to be in brick with a slate roof. Whilst slate is not typically found in this part of the Borough, given that the proposed building is not located within a conservation area and is a stand alone building, there are no objections to the use of slate. There are front balconies at first floor level. The detailing of the fenestration is considered acceptable. At the rear there is projecting timber box element at first floor level.

7. The proposal is considered to accord with policy 3.5 of the London Plan 2015 and policy BE9 of Brent's UDP 2004.

### *Quality of proposed accommodation*

8. This application proposes four one-bedroom flats. As the scheme involves less than 10 units and does not result in a loss of a family sized unit (three bedrooms or more), there is no policy requirement to provide a family sized unit within the scheme. As such the mix is considered acceptable, and is in accordance with policy CP21 of Brent's Core Strategy 2010.

8. All units meet the minimum internal unit sizes as set out in the London Plan of 50sqm for a one bedroom two person flat. Both ground floor units will have access to private external amenity space which exceed 20sqm each. The upper floor flats all have access to a balcony of 5sqm. Whilst these balconies meet London Plan requirements, they do fall short of Brent external amenity space standards of 20sqm per unit. However, it is considered in this instance, given the size of the units (1-bedroom only) and close proximity of the site to Roe Green Park, that the shortfall in external amenity space does not justify a reason for refusal. As such it is considered that the proposal complies with the objectives of the guidance set out on SPG17 "Design Guide for New Development".

9. All units have dual aspect to provide sufficient levels of outlook. A landscape buffer with a minimum depth of 1.5m is proposed in front of ground floor bedroom windows. This provides sufficient space between these windows and the car parking spaces/pathways within the site. The

### *Impact on adjoining neighbours*

10. The site is located next to No. 83 and 84 Uphill Drive. This property contains two maisonettes with access to No. 84 from the front and access to No. 83 via the side elevation that faces the application site. The existing access to No. 83 Uphill Drive has been retained, and a new pathway will be provided between the new building and site boundary. This gap is sufficient to not create a sense of enclosure for the occupiers of No. 83 Uphill Drive and will allow visibility to be retained from Uphill Drive to this side entrance.

11. There are windows on the flank elevation of No. 83 and 84 Uphill Drive but it would appear from officer site visit that they either serve non habitable rooms or are secondary windows to habitable rooms. There are however habitable room windows on the rear elevation. This includes a door and window to No. 83 Uphill Drive which appears to serve the kitchen. This middle of this window is around 3.75m from the flank wall of

the new block. Based on 2:1 guidance set out in SPG5 this would permit a depth of around 1.875m from this window. The proposed depth from this window is 1.325m, which meets the requirements of the 2:1 guidance. As such it is not considered that the proposal will be overbearing when viewed from the kitchen window of No. 83 Uphill Drive.

12. There are residential flats in No. 274 to 280 Kingsbury Road at upper floor levels. A distance of 6.87m to 8.27m is maintained to the flank wall of the new block from these windows. No windows are proposed on the flank wall to result in overlooking to the flats within No. 274 to 280 Kingsbury Road. The new block sits within 30 degree line from the rear habitable room windows in No. 274 to 280 Kingsbury Road as set out in SPG17, and as such the new building is not considered to adversely impact on outlook or appearing overbearing from the flats within No. 274 to 280 Kingsbury Road.

13. A distance of over 10m is maintained to the boundary with the side garden of No. 2 Roe Green, thus complying with the guidance set out in SPG17. It is therefore considered that No. 2 Roe Green will not result in an undue loss of privacy as a result of this proposal.

14. It is considered that the proposal complies with policy BE9 of Brent's UDP 2004.

#### *Transportation considerations*

15. Kingsbury Road is a London distributor road and Roe Green is a local distributor road/bus route. Uphill Drive is too narrow to safely accommodate parking along both sides whilst still allowing service vehicles to pass and it is therefore defined as a heavily parked street, with recent surveys from 2013 confirming that this is still the case. The land at the rear of No. 274 to 280 Kingsbury Road is used as a rear service yard for the commercial units. There is restrictive parking along on Kingsbury Road, fronting 274-280 due to the signal controlled junction and pedestrian crossing. The shops front a large footway, over 10m wide. However, no off street parking can occur within the frontage due to the signal controlled junction and the barriers/ bollards preventing parking.

16. The existing development at the site (including the commercial units and flats on the upper floors) requires a combined maximum car parking standard of 12 car spaces and requires at least two transit sized servicing bays shared between the retail units. The proposed new two storey building, in the rear service yard, will result in 4 x 1 bedroom flats. Under PS14, 1-bed flats can be permitted up to 1 car spaces each, thus giving a combined maximum total of 4 parking spaces for the four flats.

17. Officers in Transportation have advised that there is a need to provide servicing facilities for the retained commercial use and off street parking due to the unavailability of on-street parking options. The site fronts a signalised junction and therefore double yellow line restrictions are applied as well as Kingsbury Road being a London Distributor road. On-street parking on Uphill Drive cannot be safely accommodated, as it is a heavily parked street and does not have capacity for on street parking. In addition to this the road is narrow, with majority of vehicles parking on the public footway.

18. In response to requirements of Transportation, the current scheme proposes 4 off-street parking spaces for the proposed new flats plus two transit sized loading bays for the retail shops. One parking space and one service bay will be accessed from the existing crossover on Roe Green and a new vehicular crossover (3.1m wide) is proposed onto Uphill Drive which will provide 3 parking spaces and one servicing bay.

19. Consideration also needs to be given to overspill parking onto Uphill Drive from the existing flats at 274 to 280 Kingsbury Road. Officers in Transportation have advised that the overspill of parking from this site onto Uphill Drive is not acceptable with the street in its current width being heavily parked and vehicles currently parking in an obstructive or dangerous manner. Overspill of parking onto Kingsbury Road and Roe Green is also not acceptable, as these are both London and local distributor roads with parking restrictions in place at the junction.

20. To address the concerns with overspill parking from the existing flats onto Uphill Drive, amendments were sought. These include dedicating land along the eastern boundary of the site as public highway in order to provide a wider footway and thus allow sufficient width for partial footway parking to be formalised with adequate space retained for pedestrian access along Uphill Drive and to the new development. A total of four formalised partial footway parking is proposed. Officers in Transportation have advised that the parking provision within the application site combined with the new on street spaces is sufficient to mitigate concerns regarding overspill parking.

21. It is therefore considered that the proposal complies with policies TRN4, TRN15, TRN23 and TRN34 of

Brent's UDP 2004.

### *Construction Management Plan*

20. Whilst this application is for a small scale development, given that Uphill Drive is a heavily parked street and that no parking can take place on Roe Green or Kingsbury Road, it is recommended that a condition is secured for a construction method statement. Officers in Transportation have advised that this should include any temporary traffic management/temporary road or footway closures required for unloading/loading of materials and equipment and access must be retained for residents and emergency vehicles at all times.

### *Cycle Parking*

22. The scheme proposes one cycle space for each of the new residential units and one cycle space for each of the existing residential units at 274-280 Kingsbury Road. There is a total of 12 cycle spaces. This meets the requirements of PS16 in Brent's UDP 2004. Further details on how the cycle spaces will be secured and covered are recommended to be conditioned to any forthcoming consent.

### *Refuse facilities*

22. Refuse requirements for 4 x one bedroom flats are 480l for residual waste, 480l for dry recycling and 92l for organic waste. This will involve the need to have a total of 5 x 240l bins. An area is proposed at the front of the site to accommodate the bins, which is within easy collection distance for the refuse collection vehicle. The plans show provision for 8 bins which exceed requirements, and a condition is recommended to reduce this to the amount that is required within a covered bin store. This will allow the opportunity for enhanced landscaping within this area.

23. No information has been provided on refuse collection for the existing shops and residential units on Kingsbury Road. Commercial waste is collected by a private contractor. The existing flats require the provision of 960l for residual waste, 960l for dry recycling and 184l for organic waste. This can be accommodated in the form of 2 x 1100l euro bins and 1 x 240l bin. It is recommended that a condition is secured to set out details of where bin storage facilities can be provided for the commercial and residential units, together with a management plan for the collection of the bins on collection days.

### *Front forecourt landscaping*

25. The proposal will result in the loss of the landscaped area that fronts Uphill Drive. This area includes a conifer tree and budlia. To compensate for the loss of this landscaping, it is proposed for a new hedge to be planted behind the front boundary wall and areas of soft landscaping to be provided within the front forecourt when viewed from Uphill Drive. This accounts for around 32% of the front forecourt being soft landscaped, and therefore meets the objectives of policy BE7 within Brent's UDP 2004. It is recommended that full details of the soft landscaping are conditioned together with use of permeable paving for the new hardstanding.

### **Response to objections raised**

<b>Point of objection</b>	<b>Response</b>
There is no room within the site to accommodate construction lorries which will result in Uphill Drive being blocked.	Construction traffic could be required in the event that any property on Uphill Drive carried out any renovation/extension works, and from a planning perspective there would be limited controls.  In the event that this application was supported a construction management plan could be conditioned so minimise disruption from construction traffic.
Increased demand for parking which can not be accommodated on Uphill Drive, especially if new flats have more than one car.	The site has provision for off street parking for the new flats together with two service bays for the existing commercial uses on Kingsbury Road to minimise overspill parking onto Uphill Drive. In addition, four new partial footway parking bays will be provided together with a 2m wide pavement outside the frontage of the site on Uphill Drive.

Uphill Drive is a narrow road with limited access which can only accommodate footway parking to allow larger vehicles such as refuse lorries to access the properties on Uphill Drive.	See comments above.
Access road will attract fly tipping	The scheme will provide sufficient refuse facilities of the new flats. Any fly tipping will need to be reported to the Council's Environmental Health department.
If the new flats are sold at market price they will not address the housing crisis.	As these scheme proposes four residential units, there is no requirement to provide affordable housing. The threshold is 10 units or more.
New access from Uphill Drive will result in I	The flood risk considerations of the site are discussed in paragraph 37 above.
Residents in the existing flats on Kingsbury Road will not have access to the external amenity space proposed for the new flats. Children currently play in service yard.	The residents in the existing flats on Kingsbury Road due not currently have any communal or private external amenity space. Roe Green Park is only a short distance away from the flats.
New flats are too close to fire escape to flats in Kingsbury Road	The existing external stair case access will be retained for the flats on Kingsbury Road. The new building is set in away from the external stair cases.

## Conclusions

26. In conclusion, the new building to accommodate four new flats is considered to be of an acceptable design, scale and relationship to the streetscape. The new flats are not considered to adversely impact on the amenities of neighbouring occupiers.

27. The scheme provide sufficient off street parking for the new flats and servicing bays for the existing shops. In addition, highway improvement works are proposed along the front of the site on Uphill Drive to create four new partial footway parking bays and a 2m wide pavement. Opportunities for improved landscaping within the site will be sought to enhance its appearance within the streetscape.

28. The new flats provide an acceptable mix and standard of accommodation.

29. The proposal accords with the policies set out in the London Plan, Brent's Core Strategy, Brent's UDP and the guidance set out in SPG17 "Design Guide for New Development" and SPG5 "Altering and Extending Your Home" for the reasons as set out above. Approval is accordingly recommended subject to the conditions set out below.

## CIL DETAILS

This application is liable to pay **£58,678.32\*** under the Community Infrastructure Levy (CIL).

We calculated this figure from the following information:

Total amount of eligible\*\* floorspace which on completion is to be demolished (E): sq. m.

Total amount of floorspace on completion (G): 204 sq. m.

Use	Floorspace on completion (Gr)	Eligible* retained floorspace (Kr)	Net area chargeable at rate R (A)	Rate R: Brent multiplier used	Rate R: Mayoral multiplier used	Brent sub-total	Mayoral sub-total
Dwelling houses	204		204	£200.00	£35.15	£49,907.14	£8,771.18

BCIS figure for year in which the charging schedule took effect (Ic)	224	224
BCIS figure for year in which the planning permission was granted (Ip)	274	

**Total chargeable amount** £49,907.14 £8,771.18

\*All figures are calculated using the formula under Regulation 40(6) and all figures are subject to index linking as per Regulation 40(5). The index linking will be reviewed when a Demand Notice is issued.

\*\***Eligible** means the building contains a part that has been in lawful use for a continuous period of at least six months within the period of three years ending on the day planning permission first permits the chargeable development.

**Please Note : CIL liability is calculated at the time at which planning permission first permits development. As such, the CIL liability specified within this report is based on current levels of indexation and is provided for indicative purposes only. It also does not take account of development that may benefit from relief, such as Affordable Housing.**



**Brent**

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 15/2313

To: Mr Ben Harvey  
Liam Russell Architects Ltd  
3 Broad Reach Mews  
Ropetackle  
Shoreham-by-sea  
West Sussex  
BN43 5EY

I refer to your application dated 29/05/2015 proposing the following:  
Erection of two-storey building comprising 4 no. self contained flats with provision of 6 no. car parking spaces, secure cycle storage, bin store area, associated landscaping and new Vehicular access to Uphill Drive  
and accompanied by plans or documents listed here:  
Refer to Condition 2  
at Land rear of 274-280, Kingsbury Road, London

The Council of the London Borough of Brent, the Local Planning Authority, hereby GRANT permission for the reasons and subject to the conditions set out on the attached Schedule B.

Date:

Signature:

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

**Alice Lester**  
Head of Planning, Transport and Licensing

**Notes**

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

DnStdG

## SUMMARY OF REASONS FOR APPROVAL

- 1 The proposed development is in general accordance with the:-  
National Planning Policy Framework  
London Plan consolidated with alterations since 2011  
Brent LDF Core Strategy 2010  
Brent Unitary Development Plan 2004  
Council's Supplementary Planning Guidance 17 - Design Guide for New Development  
Mayor's Housing SPG
  
- 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):  
  
1066-PA-001 Rev A - Existing Location & Block Plan & Topographical Survey  
1066-PA-002 - Existing Elevations (Excluding reference to Location and Block Plan)  
1066-PA-010 Rev F - Proposed Ground Floor Plan  
1066-PA-011 Rev B - Proposed First Floor Plan, Location and Block Plan  
1066-PA-013 Rev A - Proposed East and West Elevations  
1066-PA-014 - Proposed North and South Elevations  
1066-PA-015 - Proposed Artist's Impression  
  
Reason: For the avoidance of doubt and in the interests of proper planning.
  
- 3 Prior to commencement of any works on site, the applicant shall make appropriate arrangements in writing to enter into an agreement with the Local Highway Authority to provide the following highway works, as indicatively shown on drawing 1066-PA-010F at their own expense:
  - (i) widening of the adopted highway into the site to provide 4 partial footway parking bays and retention of a 2m wide footway along Uphill Drive,
  - (ii) formation of a 3.1m wide crossover onto Uphill Drive
  - (iii) all associated changes to waiting restrictions and associated TRO costs, including double yellow lines at the junction with Kingsbury Road
  - (iv) relocation of a street lighting column;
  - (v) any resultant changes to statutory undertakers' equipment or other accommodation or ancillary works as may be reasonably required by the Local Highway Authority.  
The development shall not be occupied until all associated highway works have been completed to the satisfaction of the Local Highway Authority.  
  
Reason: In the interests of highway and pedestrian safety and to provide sufficient parking provision for the site.
  
- 4 Prior to commencement of any works on site, a Construction Method Statement shall be 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 best practical means available in accordance with British Standard Code of Practice BS5228-1:2009 shall be employed at all times to minimise the emission of noise from the site;
  - (ii) The operation of the site equipment generating noise and other nuisance causing

activities, audible at the site boundaries or in nearby residential properties shall only be carried out between the hours of 08:00 – 18:00 Mondays-Fridays, 08:00 -13:00 Saturdays and at no time on Sundays or Bank Holidays unless otherwise agreed in writing by the Local Planning Authority;

- (iii) the parking of vehicles of site operatives and visitors;
- (iv) loading and unloading of plant and materials including any required temporary traffic management or temporary highway closures;
- (v) storage of plant and materials used in constructing the development;
- (vi) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- (vii) wheel washing facilities and schedule of highway cleaning;
- (viii) measures to control the emission of dust and dirt during construction;
- (ix) a scheme for recycling/disposing of waste resulting from demolition and construction works;
- (x) Membership of Considerate Contractors Scheme

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

- 5 Details of materials for all external works (including samples to be prearranged to be viewed on site) shall be submitted to and approved in writing by the Local Planning Authority before the materials are installed. The work shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.  
Such details shall include:

- (i) sample board of facing bricks and sample of roof tiles and timber cladding
- (ii) details of materials for all doors and windows
- (iii) details of materials for the canopy

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

- 6 Further details of the front forecourt area to the new dwellings together with the car parking area at the rear shall be submitted to and approved in writing by the Local Planning Authority within four months of commencement of the development. The hard and soft landscape works shall be completed in full accordance with the approved details prior to first occupation of the dwellings hereby approved.

Such details shall include:-

- (i) Details of materials for areas of hardstanding including marking out of the car parking/servicing spaces and pedestrian pathways (including details of materials and finishes which shall be of a permeable construction).
- (ii) Details of the soft landscaped in the front forecourt area (including location, species, size, density and number) including the provision of a hornbeam hedge along the frontage and at least three replacement ornamental trees.
- (iii) Details of bin storage to comply with Brent's Household Waste Collection Strategy 2010-2014 (including floor plans and elevations)
- (iv) Low boundary wall across the frontage of the site at no more than 0.6m high (elevation plans to be provided)
- (v) Details of any level changes across the site

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.

- 7 Further details of the rear garden layout for the new dwellings shall be submitted to and approved in writing by the Local Planning Authority within four months of commencement of the development. The hard and soft landscape works shall be completed in full accordance with the approved details prior to first occupation of the proposed dwellings hereby approved. Such details shall include:-
- (i) Patios and pathways (including details of materials, finishes and height of patio)
  - (ii) Details of existing and proposed boundary treatments (including materials and height).
  - (iii) Proposed planting (including location, species, size, density and number). The proposed planting shall include at least two ornamental tree (minimum girth of 16-18cm) in the rear gardens of the new dwellings .
  - (iv) Details of any external lighting within the rear gardens or attached to the dwellinghouses
  - (v) Details of any level changes within the site

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.

- 8 Prior to first occupation of the new dwellings, further details of a sheltered and secure bicycle storage for the new dwellings and existing flats which shall be secure and weatherproof shall be submitted to and approved in writing by the Local Planning Authority, and thereafter implemented in accordance with the approved details. The bike shelter shall be retained throughout the lifetime of the development.

Reason: In the interest of providing adequate cycle parking facilities.

- 9 Prior to first occupation of the new dwellings, further details of the bin store facilities for both the new dwellings and existing flats and commercial units shall be submitted to and approved in writing by the Local Planning Authority, and thereafter implemented in accordance with the approved details. Such details shall include:

- (i) provision of 5 x 240l bins for the new dwellings (to be provided in a covered bin store including details of the design and appearance of the bin store)
- (ii) provision of 2 x 1110l Euro Bins and 1 x 240l bin for the existing flats
- (iii) provision of suitable commercial bin facilities for the existing retail/commercial units
- (iv) a management plan on collection day for the existing commercial and residential units

The bin store facilities shall be retained throughout the lifetime of the development.

Reason: In the interest of providing adequate refuse facilities within the site.

- 10 All residential properties shall be designed in accordance with BS8233:2014 'Guidance on sound insulation and noise reduction for buildings' to attain the following internal noise levels:

Time	Area	Max levels
Day time (7:00-23:00)	Living and bedrooms	35 dB LAeq (16hrs)
Night time (23:00-7:00)	Bedrooms	30 dB LAeq (8 hrs) 45 dB LAmax

Prior to the commencement of construction (excluding any demolition and the laying of foundations), details demonstrating how these noise levels will be met shall be submitted to and approved in writing by the Local Planning Authority and the development shall be completed in accordance with the approved details.

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

- 11 The new dwellings shall not be occupied until the car-parking, cycle parking and turning areas shown on the approved plans have been constructed, surfaced and marked out to the satisfaction of the Local Planning Authority. The car-parking, cycle parking and turning areas so provided shall be maintained as ancillary to the development and shall be used for no other purpose at any time.

Reason: In the interests of highway safety.

#### 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](http://www.communities.gov.uk)
- 2 The applicant is advised to notify the Council's Highways Service of the intention to commence works prior to commencement. They shall contact Mark O'Brien (Public Realm Monitoring Manager) at [Mark.O'Brien@brent.gov.uk](mailto:Mark.O'Brien@brent.gov.uk), and include photographs showing the condition of highway along the site boundaries.

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

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## COMMITTEE REPORT

Planning Committee on  
Item No  
Case Number

16 November, 2016  
  
**16/0760**

## SITE INFORMATION

**RECEIVED:** 31 March, 2016

**WARD:** Stonebridge

**PLANNING AREA:** Brent Connects Harlesden

**LOCATION:** Harlesden Christian Centre & Land next to and rear of Harlesden Christian Centre, Winchelsea Road, London

**PROPOSAL:** Redevelopment of the site and surrounding land to include the demolition of the existing centre (Use class D1) and construction of five residential blocks ranging from 1 to 6 storeys high, comprising 178 residential units (67 x 1-bed, 60 x 2-bed flats, 24 x 2-bed maisonettes, 14 x 3-bed flats, 3 x 4-bed maisonettes, 8 x 3-bed houses and 2 x 4-bed houses) with associated private and communal amenity space, parking, access, landscaping and ancillary works (as amended).

**APPLICANT:** Hyde Housing Association

**CONTACT:** Terence O'Rourke Limited

**PLAN NO'S:** (See Condition 2)

### LINK TO DOCUMENTS ASSOCIATED TO THIS APPLICATION

[When viewing this on an Electronic Device](#)

Please click on the link below to view **ALL** document associated to case

[https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR\\_126682](https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_126682)

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Please use the following steps

1. Please go to [pa.brent.gov.uk](http://pa.brent.gov.uk)
2. Select Planning and conduct a search tying "16/0760" (i.e. Case Reference) into the search Box
3. Click on "View Documents" tab

# SITE MAP



## Planning Committee Map

Site address: Harlesden Christian Centre & Land next to and rear of Harlesden Christian Centre, Winchelsea Road, London

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This map is indicative only.

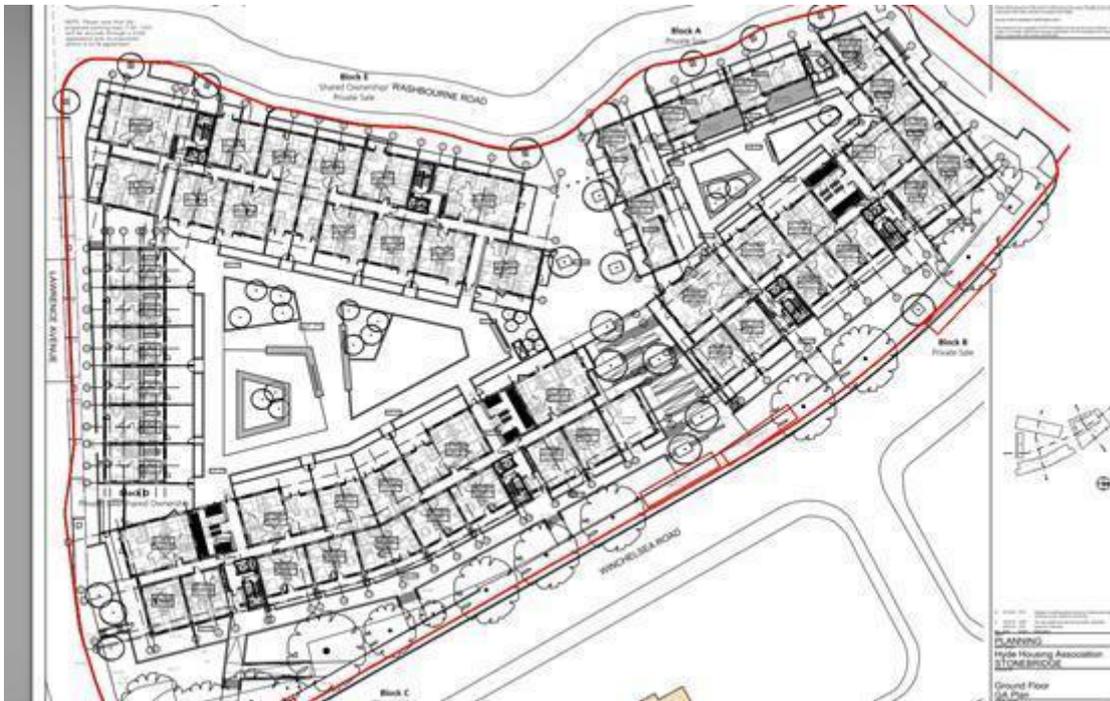
# SELECTED SITE PLANS



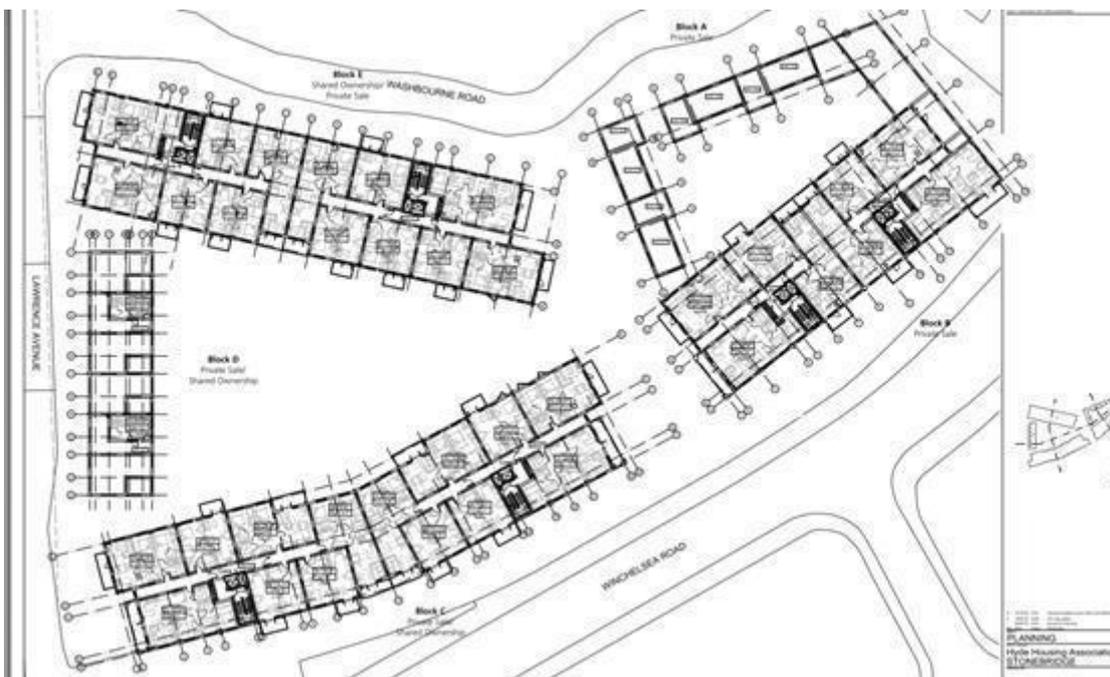
**Site plan**



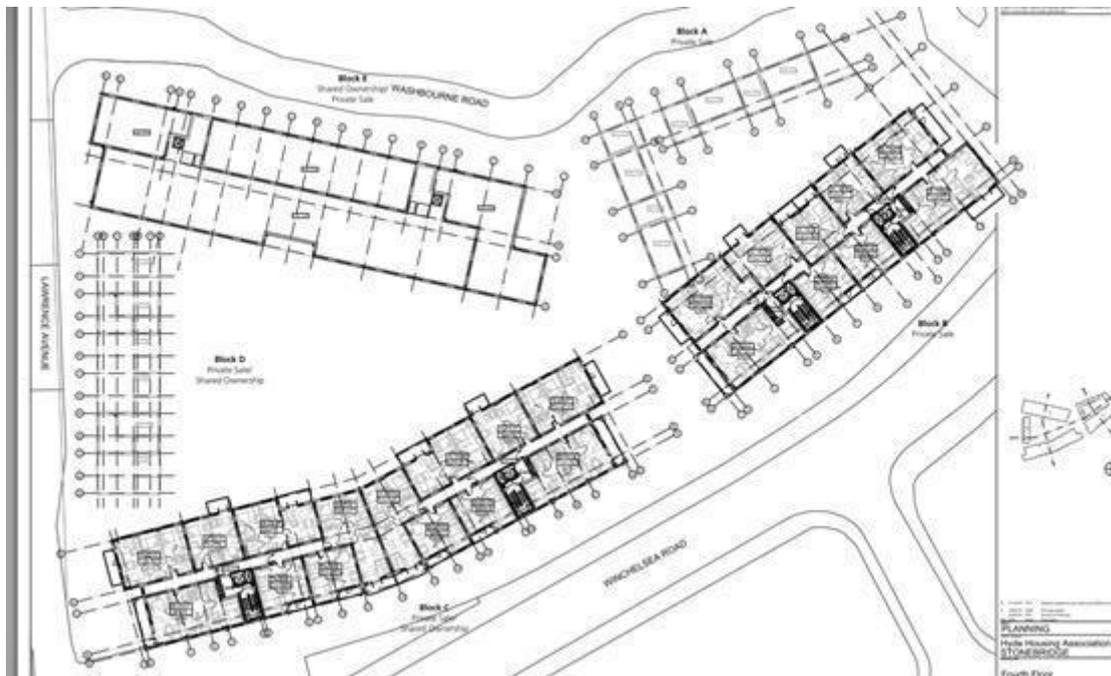
**Lower ground floor plan**



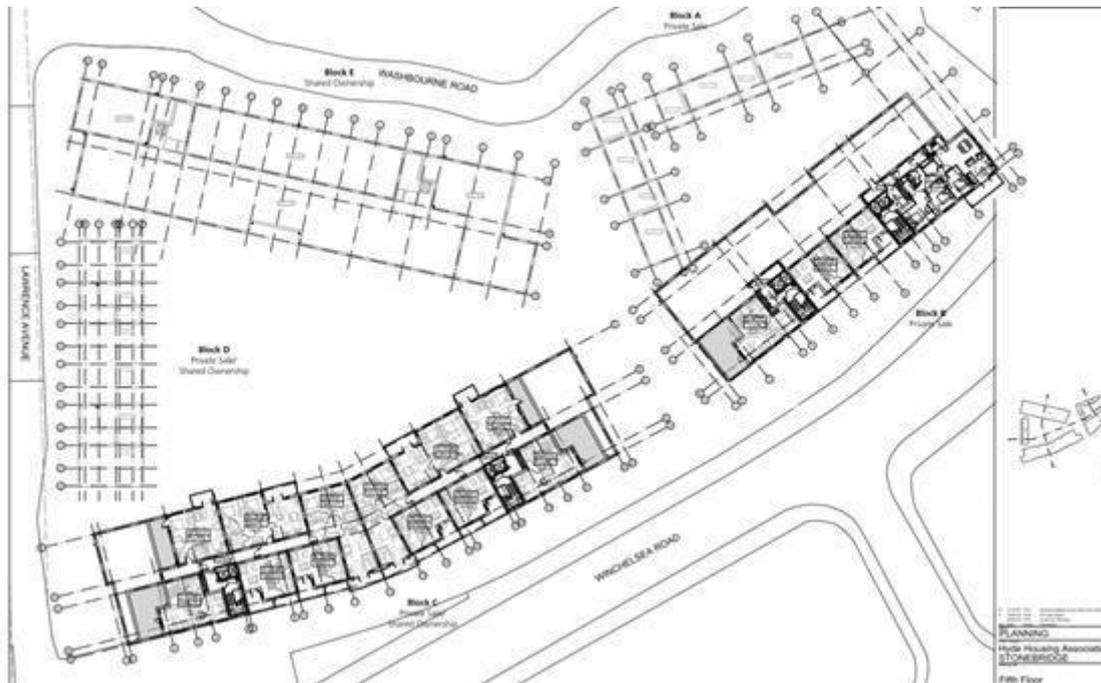
**Ground floor plan**



**Second floor plan**



**Fourth floor plan**



**Fifth floor plan**



**Winchelsea Road (Block C) elevation**



**Winchelsea Road (Block B) elevation**





**Lawrence Avenue (Blocks C,D&E) elevation**



**Lawrence Avenue terraced housing (Block D) elevation**



**Washbourne Road (Block E) elevation**



**Winchelsea Road massing**



**View from corner of Lawrence Avenue and Winchelsea Road (Block C)**



**View along Winchelsea Road - Corner elements of Blocks C and B**



**Winchelsea Road - view of Block B**



**Landscape Strategy**



**Illustration of proposed pedestrian link through centre of site**

## RECOMMENDATIONS

### RECOMMENDATION

1. That the Committee resolve to GRANT planning permission subject to:
  - Any direction by the London Mayor pursuant to the Mayor of London Order
  - Any direction by the Secretary of State pursuant to the Consultation Direction
  - The prior completion of a legal agreement to secure the following planning obligations:
    - a) Payment of the Council's reasonable legal and professional costs
    - b) Submission and approval of a Sustainability Implementation Strategy that shall demonstrate;  
(a) How the scheme will achieve the CO<sub>2</sub> reduction of at least 35% below 2013 Part L Building Regulations Target Emission Rate; (b) That 23.8% of the CO<sub>2</sub> reduction can be met through the use of CHP increasing to 24.7% with the use of on-site renewables. If the evidence of the above shows that any of these sustainability measures have not been implemented, then the following will be required (a) the submission and approval of measures to remedy the omission: or, if this is not feasible (b) the submission and approval in writing of acceptable compensatory measures on site, or otherwise pay to

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Ref: 16/0760 Page 11 of 40*

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.

- c) Notification of commencement (28 days prior to a material start)
  - d) Travel Plan - A residential Travel Plan, scoring a PASS on TfL's ATTrBuTE programme shall be fully implemented, monitored and reviewed in accordance with the approved details.
  - e) Enter into a s38/s278 agreement in relation to the construction of new footways along the northern side of Lawrence Avenue and the eastern side of Washbourne Road, resurfacing of the footway along the Winchelsea Road site frontage and the construction of on-street parking bays along the Lawrence Avenue site frontage and certify completion prior to Occupation.
  - f) Affordable Housing - Unless the Affordable Dwellings are provided on site, prior to commencement of works on Land to which this application relates to enter into a Deed of Variation to the completed Stonebridge Site 27 S106 Agreement (planning reference 15/0822) increasing the affordable housing provision from 22 Shared Ownership units (4 studios, 15 x 1 bed and 3 x 2 bed units) to 50 Shared Ownership units (4 studios, 26 x 1 bed, 19 x 2 bed, 1 x 3 bed units) and 25 Affordable Rented units (16 x 1 bed and 9 x 2 bed units) at rents no more than 50% market rents inclusive of service charge. In relation to Stonebridge Site 29/30 ("the application site") to require that no private housing on the scheme can be occupied until the 75 Affordable Dwellings to be delivered off site on Stonebridge Site 27 are practically complete and ready for occupation and until it has transferred to a Registered Provider the freehold or 125 year leasehold interest of the Affordable Dwellings.
  - g) Training and employment of Brent residents - Prior to a material start to inform in writing Wembley Works of the projected amount of construction jobs, training opportunities and provide a copy of the Schedule of Works. And, prior to a Material Start to prepare and submit for the Council's approval an Employment Enterprise and Training Plan.
  - h) Any other planning obligation(s) considered necessary by the Head of Planning
2. That the Head of Planning is delegated authority to negotiate the legal agreement indicated above.
  3. That the Head of Planning is delegated authority to issue the planning permission and impose conditions (and informatives) to secure the following matters:

Conditions:

1. 3 year time limit for commencement.
2. Approved plan numbers/documents
3. Further details of materials to be approved.
4. Details of all fencing, walls, gateways and means of enclosure to be approved.
5. Detailed landscape plan to be approved. This shall include the identification and means of protection of existing protected trees along Winchelsea Road and details of all new tree planting.
6. Construction Method Statement to be agreed in writing prior to the commencement of the development.
7. All residential properties to be constructed to achieve internal noise levels in accordance with BS 8233:2014
8. Noise levels from all plant and ancillary equipment.
9. Details of all signage and numbering on buildings to be approved.
10. Demonstrate that mains water consumption does not exceed a target of 105 litres per person per day.
11. Confirmation that a minimum provision of 10% of units meet Building Regulations Requirement M4 (3) in relation to wheelchair user dwellings and all other units shall meet Building Regulations Requirement M4 (2) in relation to accessible and adaptable dwellings.
12. Provide for the number of parking spaces and cycle parking spaces as approved (prior to commencement of use).
13. Provision of a communal TV/satellite dish system.
14. Details of external lighting.
15. Verification report to demonstrate that all mitigation measures proposed in the approved Noise Assessment have been fully implemented.
16. Verification report to demonstrate that all mitigation measures proposed in the approved Air Quality Impact Assessment have been fully implemented.
17. Verification report to demonstrate that remedial works (in relation to site contamination) have been

carried out in full.

18. Timing of vegetation clearance to be undertaken outside of bird nesting season, and if this is not possible to have works overseen by an experienced ecologist prior to works commencing.
19. Provision of 300mm width margins to ramped access.
20. Delivery and Servicing Plan
21. Construction Management and Logistics Plan.
22. Drainage strategy
23. Piling works method statement
24. Restrict permitted development rights Classes A-E

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

That, if by three months of the date of Committee (16 February 2017) the legal agreement has not been completed, the Head of Planning is delegated authority to refuse planning permission.

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

Informatives:

1. The applicant is advised that prior to commencement of any works on site, a condition survey of the existing road network, together with a regime for monitoring the condition of the road network during construction and subsequent repair works, shall be agreed by the Local Highway Authority.
2. Building over Sewer Agreement with Thames Water
3. Party Wall

## **A) PROPOSAL**

The application proposes the complete redevelopment of the site requiring the demolition of the existing Harlesden Christian Centre (Use class D1) and construction of five new residential blocks within land that previously formed a part of the wider Stonebridge regeneration masterplan area developed with the associated Outline Planning Consent. The historical residential tower blocks that once stood on site were demolished some time ago.

The proposed blocks range from 1 to 6 storeys high, comprising 178 residential units (67 x 1-bed, 60 x 2-bed flats, 24 x 2-bed maisonettes, 14 x 3-bed flats, 3 x 4-bed maisonettes, 8 x 3-bed houses and 2 x 4-bed houses).

Block A is arranged over 3 floors with a part single storey element. Block B is arranged over 6 floors, so to is Block C and both of these front onto Winchelsea Road. Block D is a three storey terrace, and Block E is part 4 and 5 storeys. The scale of proposed buildings reduces across the site from east to west.

In addition to the residential units, the proposed development includes private and communal amenity space, on site parking at lower ground floor level accessed via Washbourne Road and on-street parking on Lawrence Avenue, access (including a new pedestrian link through the centre of the site connecting Winchelsea Road and Washbourne Road), associated landscaping and ancillary works (as amended).

## **B) EXISTING**

The site falls within the area previously designated as the Stonebridge Regeneration Area and the buildings that were previously on site were demolished some time ago as a part of this regeneration, with the exception of the single storey community centre building which still remains. It is 1.05 hectares in size.

The site is bordered by Winchelsea Road to the east, Washbourne Road to the west, Harrison Road to the

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*Ref: 16/0760 Page 13 of 40*

north and Lawrence Avenue to the south. It is surrounded by existing residential on all sides, and on the opposite side of Winchelsea Road. Harlesden Underground station is approximately 270m south of the site.

The site levels fall from west to east across the site. There are also a number of notable mature trees along the eastern edge of the site which are protected through a preservation order.

### C) AMENDMENTS SINCE SUBMISSION

The following summarises the main amendments made to the scheme since it was submitted:

1. Revision to the affordable housing offer. The revised offer is to transfer the on-site 30% affordable housing off-site to Site 27. The result being this proposal is now for an all private scheme (this is discussed in detail in paragraph's 17-35).
2. The introduction of on-street parallel parking bays along the Lawrence Avenue frontage, with associated alterations to the northern footway and the frontage treatment for the proposed terrace of houses.
3. The introduction of a number of projecting directional windows to mitigate overlooking and loss of privacy between buildings, and to provide improved levels of outlook from habitable windows.

### D) SUMMARY OF KEY ISSUES

A number of issues are considered key to this proposal:

- Affordable housing - This is proposed as an off-site offer supported by a viability assessment and the specific tenures proposed are supportive of the aim to diversify the housing supply in Stonebridge.
- Loss of social infrastructure (class D1 floorspace) on site.
- Scale and massing of buildings, particularly fronting Winchelsea Road and impact on the surrounding area.
- Relationship within the site between the proposed buildings and the impact this has on outlook, privacy and accommodation quality for surrounding and prospective residents.
- Delivery of additional on-street parking bays along Lawrence Avenue.

### E) MONITORING

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

Primary Use	Existing	Retained	Lost	New	Net Gain (sqm)
Non-residential institutions	228.1		228.1	-228.1	

#### Monitoring Residential Breakdown

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
EXISTING ( Flats û Market )										
EXISTING ( Flats û Market )										
EXISTING ( Flats û Market )										
EXISTING ( Houses )										
PROPOSED ( Flats û Market )	67									67
PROPOSED ( Flats û Market )		84								84
PROPOSED ( Flats û Market )			14							14
PROPOSED ( Houses )			8	5						13

### RELEVANT SITE HISTORY

#### **97/0131 – Granted 4 September 1997**

Comprehensive redevelopment of the entire site with the provision of a new road network, approximately 1,604 residential units in 2-, 3- and 4-storey blocks, new open space, shops and community facilities.

#### **Background to Stonebridge regeneration:**

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DocRepF  
Ref: 16/0760 Page 14 of 40

Planning permission was granted in September 1997 for the redevelopment of the Stonebridge Estate on both the North and South sides of Hillside. The permission allows for the erection of approximately 1604 houses and flats in buildings that are 2, 3 and 4 storeys high. It also looked to provide replacement shops fronting Hillside and community facilities and open space. The outline permission envisaged replacement of the Stonebridge tower blocks with low-rise developments within a more traditional street layout with better connectivity between dwellings and the adjoining streets, good levels of natural surveillance of public spaces and adequate levels of parking. It sought to diversify the tenure of homes by introducing a proportion of private dwellings (up to 25 %) to balance the predominance of social rent accommodation.

All of the original Stonebridge tower blocks have now been demolished and all but a handful of sites have been delivered. The regeneration has won a number of awards which highlight the success of the regeneration process to date.

The London Plan now expects higher densities of housing than those set out within the 1997 Outline Planning Consent which only allowed up to 247 Habitable Rooms per Hectare. Following an increasing pressure to build to higher densities to achieve the housing targets set out in the London Plan, a Conclusory Statement was taken to Planning Committee in 2007. This set out the new approach where sites were to come forward as full applications and would be likely to be of a greater scale than set out in the original masterplan as well as potentially including an increased proportion of private housing. This is set out in more detail below. Since 2007 Brent's annual housing targets have increased significantly to 1.525 (see London Plan 2016 policy 3.3 Increasing Housing Supply)

#### 07/2656 - Withdrawn

Outline Planning Permission for demolition of existing residential development and redevelopment of the site, comprising 280 residential units, amenity space and replacement accommodation for the Harlesden Christian Centre (matters to be determined: access, layout and scale).

## CONSULTATIONS

Consultation letters were sent on 17 March 2016 to a total of 539 addresses in the surrounding area.

Press notice advertised on 31 March 2016.  
Multiple site notices displayed on 8 April 2016

To date one objection has been received, and the nature of this is summarised below:

Representations made	Response
The LPA should clarify the status of the originally approved Stonebridge Masterplan, and is this still relevant to the application site?	See paragraph's 11-14
Two buildings fronting onto Winchelsea Road are considered to be monolithic and excessive in massing terms.	See paragraph's 42-48 (N.B. The GLA support the scale and massing)
6-storey buildings will be overbearing and detrimental to the streetscene, contrary to Core Strategy policies CP5 and CP6.	See paragraph's 42-48
Proposed massing at 6-storeys will be detrimental to the quality of internal courtyards within the scheme.	See paragraph's 70-76
Suggested that the top floor of the 6-storey blocks be reduced in order to reduce the overall bulk.	It is considered that the current design, which includes a reduced top floor (storey 6) sufficiently reduces the bulk. The pedestrian link through the centre of the site also breaks up the buildings and successfully reduces the bulk further. The overall approach to articulate the buildings is considered to be appropriate for its context.
Clarity on the quality of brick should be provided.	Notwithstanding the bricks indicated in the submission the approval of materials (including brick) will be secured through planning condition.
Considered the internal courtyard elevations lack sufficient interest.	On balance the treatment of the internal elevations is considered to strike an appropriate balance between the number of windows required

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Ref: 16/0760 Page 15 of 40

	for outlook and natural surveillance and the level of articulation of these facades. Variation and interest will also be gained with the use of different materials.
There should be no uplighting, and any lighting should be low level.	Details of external lighting will be secured through planning condition.
External footpaths present some awkward angles and should be reviewed.	It is considered the current pedestrian access arrangements present an acceptable layout, no further amendments are therefore sought.
Any s106 or CIL contributions should be spent on re-building and re-surfacing Winchelsea Road, and this could secure segregated cycle routes and a general re-configuration to include central reservations, new street trees and mini roundabouts at junctions.	CIL contributions will be spent on strategic infrastructure projects, or infrastructure that is required to make a development acceptable in planning terms. Works to re-build and re-configure Winchelsea Road are not considered necessary to make the development acceptable in planning terms and it would not be lawful to require this.

## STATUTORY CONSULTEES

### Internal:

*Stonebridge Ward Councillors:*

No response received.

*Local Lead Flood Authority:*

No response received.

*Transportation:*

No objection raised. See remarks section below for detailed discussion.

*Environmental Health:*

Initially raised concerns about the noise conditions for the outdoor amenity area due to the fact the noise assessment showed that recommended levels would be exceeded without mitigation measures proposed. Further clarity was also sought in relation to specification for the glazing and ventilation systems and potential noise from any CHP plant.

The site is within an Air Quality Management Area (AQMA) and close to residential, therefore there should be appropriate control over noise and dust emissions during the construction phase. It is recommended that a condition secures the approval of a Construction Method Statement. A condition is also recommended to secure the approval of a report to demonstrate that the mitigation measures described in the Air Quality Impact Assessment have been fully implemented.

The contaminated land ground investigation report and proposed methodology is agreed with and it is agreed that a verification report shall be submitted to and approved as a condition. This verification report shall demonstrate that the remediation has been carried out in accordance with the approved remediation scheme.

*Landscape Design / Principal Tree Officer:*

No objection, and the proposed landscaping strategy is generally supported. It is recommended that replacement trees for the four being lost should be Robinia species, and these should utilise the use of a rigid root deflector and be a minimum girth of 18-20cm. Such details can be secured through condition.

Applicants will need an agreement with Transportation for works to create a new footway along Washbourne Road, provision of trees can be included in any such agreement.

The planting and internal play equipment are considered acceptable and further details should be secured through condition.

*Sustainability Officer:*

The scheme exceeds the London Plan requirements on carbon reduction (35%) with 39% reduction over Part L 2013. Further clarity was sought on how the baseline was calculated, how the CHP was accounted for and it was noted that there were no 'green' renewable options proposed. The Councils Sustainability officer has been provided with this additional clarity and confirmed that there are no further matters to be addressed.

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Ref: 16/0760 Page 16 of 40*

External:

*Thames Water:*

Have advised that they have been unable to determine the waste water infrastructure needs of the proposal. As such any permission granted should be subject to a pre-commencement condition requiring the approval of drainage strategy.

*The Environment Agency:*

Response provided confirming the EA has no comments to make.

*Secure by Design Officer:*

Response provided confirming that they are satisfied that all recommendations have been incorporated apart from the refuse strategy, which they have been given assurances will be rationalised at a later date.

*The Greater London Authority (GLA) (including TfL comments):*

The application is referable to the Mayor of London under the provisions of the the Town & Country Planning (Mayor of London) Order 2008. The application is referable under category 1A of the Schedule to the Order 2008, as the development comprises of more than 150 residential units.

The Stage 1 report from the GLA is dated 06/06/16 . In their report it is stated that the principle of demolition of the existing community centre to make way for housing development on site is acceptable as its replacement is incorporated within the wider scheme of the estate regeneration. To be clear this refers to Site 27 which is approximately 100m to the north, which has planning permission for a mixed use scheme incorporating new D1/D2 class floorspace, therefore re-providing a community use nearby.

In addition to this the GLA have confirmed there are no strategic concerns with the following aspects of the proposal:

**Housing** - There are no strategic concerns.

**Affordable Housing** - Given the site is part of a wider estate renewal, which has delivered 1491 homes, of which 96.3% are affordable, the provision of 30% affordable is acceptable in this instance.

**Urban Design** - No strategic concerns. The quality of the finish will be dependant on a high standard of detailing and this should be secured through condition.

**Inclusive Access** - No strategic issues. The development complies with London Plan policy 7.2 on inclusive design.

**Flooding Management** - The proposed flooding management is considered to meet London Plan policies 5.12 and 5.13.

The GLA advise that while the application is generally acceptable in strategic planning terms the application does not fully comply with the London Plan for the reasons set out below:

**Sustainable development/energy** - The carbon savings exceed the target set within London Plan policy 5.2. However further verification of how the targets will be met was requested, this has been clarified by the applicant and the GLA has confirmed there are no matters outstanding or further information required..

**Transport** - Concerns highlighted in relation to walking and cycling routes, electric vehicle charging points, servicing and access, modal split and mitigation (in reference to the Travel Plan). These must be adequately addressed before the application can be deemed acceptable in transport terms and in accordance with the London Plan.

The applicant has sought to address the points raised in the Mayor's Stage 1 report. A revised Travel Plan has been submitted, which is now acceptable to TfL. The implementation of this will be secured by s106 agreement. Conditions will deal with the provision of electric vehicle charging points and a servicing and delivery plan. In respect of walking and cycling routes TfL has since confirmed that no further information is required.

Pre-application stage community engagement:

Hyde Housing held a series of public consultation events for the redevelopment of this site. The first of these

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*DocRepF  
Ref: 16/0760 Page 17 of 40*

was as far back as 2012, with further consultation in May 2014 and more recently a public exhibition in January 2016.

## **POLICY CONSIDERATIONS**

The Development Plan for the purposes of s38 of the Planning and Compulsory Purchase Act 2004 is the London Plan 2016 (MALP), the London Borough of Brent LDF Core Strategy 2010, the London Borough of Brent Unitary Development Plan (2004) and emerging Development Management Policies 2016.

### **National Planning Policy Framework 2012**

The National Planning Policy Framework (NPPF) includes a presumption in favour of sustainable development in both plan making and decision making. It is considered that the saved policies referred to in the adopted UDP and Core Strategy are in conformity with the NPPF and are still relevant. The NPPF states that good quality design and a good standard of amenity for existing and future occupants of land and buildings are required. Accordingly, the policies contained within the adopted SPG's, London Borough of Brent Unitary Development Plan 2004 and Core Strategy 2010 carry considerable weight in the determination of planning applications and appeals.

Planning Practice Guidance  
London Plan 2016 (MALP)  
Mayor's Housing SPG  
National Housing Standards  
London Borough of Brent LDF Core Strategy 2010  
London Borough of Brent Unitary Development Plan (2004)  
Supplementary Planning Guidance 17 'Design Guide for New Development' (2002)  
SPD 's106 Obligations'

### **Brent's emerging Development Management Plan :**

DMP1 - Development Management General Policy  
DMP11 – Forming an Access on to a road  
DMP12 - Parking  
DMP15 – Affordable Housing  
DMP18 – Dwelling Size and Residential Outbuildings  
DMP19 – Residential Amenity Space

The Development Management Policies will be considered for formal adoption at a Full Council meeting on 21<sup>st</sup> November 2016. In the meantime, in accordance with paragraph 216 of the National Planning Policy Framework, the Council will take the Development Management Policies, including modifications, into account as a material consideration with significant weight in determining planning applications

## **DETAILED CONSIDERATIONS**

### **GENERAL PRINCIPLE OF DEVELOPMENT:**

1. Policy 17 of the National Planning Policy Framework (NPPF) sets out 'core planning principles', including that planning should "encourage the effective use of land by reusing land that has been developed previously, provided that it is not of high environmental value". These principles also include to "pro actively drive and support sustainable economic development to deliver homes ..." The NPPF goes on to state that development proposals that accord with the development plan should be approved without delay.
2. The development site is located on previously developed land, within a sustainable location and has previously been used for residential purposes. Therefore the redevelopment of the site for residential purposes is supported in principle and your officers give significant weight to the planning merit of providing new homes and to making efficient use of the land by providing these homes at a reasonably high density..
3. The principle of the proposed development complies with council objectives and national policy as outlined in the Brent Core Strategy and the NPPF respectively. The development site is not covered by a restrictive land use designation within the adopted development plan and therefore there is a presumption in favour of residential development.

4. The site forms part of the wider Stonebridge masterplan area that is subject to an outline planning permission for the comprehensive redevelopment of Stonebridge Estate. The original outline permission included provision for some 1604 new homes, and in 2007 a Conclusory Statement was taken to Planning Committee. This set out the new approach where sites were to come forward as full applications and would be likely to be of a greater scale and density than set out in the original outline permission. This proposal seeks to bring forward the last undeveloped plot within the Stonebridge masterplan area. In total 48 dwellings will be provided on Site 29 and the remaining 130 dwellings on Site 30 (178 overall).
5. To enable this site to come forward for redevelopment the existing Church Mission building needs to be demolished. Existing social infrastructure such as this is protected through London Plan policy 3.1 and Brent's Core Strategy policy CP23, and proposals that involve the loss of these facilities without adequate justification or provision of replacement should be resisted.

*Existing community use:*

6. To mitigate for the loss of a community facility locally the applicants, Hyde Housing, have made provision for a new community centre (Use Class D1/D2) by incorporating this within an approved scheme nearby on Site 27 (ref; 15/0822), which is situated approximately 100m north of the application site. It is understood that re-location negotiations between Hyde and the Church Mission are on-going currently. In policy terms however the delivery of this community facility on Site 27, which is due to come forward in advance of Site 29 and 30 will ensure adequate re-provision locally should the Church Mission group chose to re-locate to this new facility. This local re-provision negates the need for any on-site re-provision of D1 floorspace. There is no requirement for the specific community group to be protected, instead it is the floorspace that needs to be reprovided.
7. The redevelopment of the site for residential use is therefore considered to be acceptable in land use terms, and has the support of your officers and the GLA.

**AFFORDABLE HOUSING:**

*Background/context:*

8. Stonebridge was an estate of medium and high rise blocks built in the 1960s and 70s and characterised by a concentration of deprivation. Stonebridge Housing Action Trust (HAT) was established in 1994 as the vehicle to regenerate the then 1,775 Council properties on the estate. Outline planning permission for comprehensive regeneration of the estate including approximately 1604 new homes, with a minimum 75% affordable housing, was granted in 1997. In time it became clear there was insufficient grant for Stonebridge HAT to deliver their build programme. Brent Council therefore appointed Hyde Housing Association in 2003 as preferred successor to Stonebridge HAT. Hyde set up Hillside Housing Trust in 2004 as a subsidiary to manage the estate. After a successful ballot in 2007, 70% of the new and refurbished homes on Stonebridge transferred to Hillside and 30% transferred to Brent Council to be managed on their behalf by Hillside.
9. Hyde took on the outstanding development obligations and liabilities from the HAT. Hyde's Finance Director has previously confirmed that liabilities were estimated to total a maximum of £38m at the time (July 2015) and that liabilities today total £32.7m. These historic costs of the estate regeneration include items like demolition, decant costs, site preparation, repairs and capitalised interest on these amounts. Hyde apportioned these costs to the planned and delivered floor space of new development on Stonebridge Estate. They note that this apportionment passed an external audit in 2013/14. As reported to the Council's Executive in 2006, the main asset from which additional income may be generated on the Stonebridge Estate is the residual land available after completing the three phases of social housing for existing Stonebridge tenants – that is the four residual sites : 10, 22/24, 27 and 29/30. As preferred bidder Hyde, through Hillside, were asked to complete the HAT development obligations in return for the residual land at an agreed valuation of £36m. Hyde would then develop the residual land for private and shared ownership housing, simultaneously meeting the HAT statutory obligation to diversify tenure on the estate, and balancing the books.
10. 1,509 new homes have been delivered on the Stonebridge Estate between 1998 and 2015. 87% are social and affordable rent, 7% intermediate and 6% private housing. Residual Sites 10 and 22/24 were granted planning permission (12/3026 and 13/1250) in 2013 and Hyde completed the schemes this year. In both cases the Planning Committee approved wholly private schemes on the basis that the 1997

consent allowed for up to 25% private housing, that number had not been exceeded, and in recognition of the objective to diversify the tenure and mix of new housing across Stonebridge. No s106 affordable housing planning obligations were therefore required. However, in reality, Hyde have actually delivered private (c35%), intermediate (c25%) and affordable rent housing (c40%) on the two sites, with GLA grant funding the affordable housing elements of the schemes. Site 27 has also recently been granted planning permission (15/0822) for 109 units, of which 20% are to be delivered as affordable housing for shared ownership.

11. The principle of the provision of private homes on the Stonebridge Estate in planning terms was approved within the 1997 outline consent, the 2007 Conclusory Statement and 2012 consents and most recently the 2013 consents for wholly private housing on the residual sites 10 and 22/24. The 1997 consent allowed up to 25% of the homes to be delivered within Stonebridge to be provided as private to diversify the tenure of homes within Stonebridge. The “Conclusory Statement” to the Stonebridge Masterplan, which was endorsed by the Planning Committee in 2007 set out that this proportion may be increased to 33% to further diversify tenure and deliver sustainable mixed communities and that densities may be higher to reflect current policy requirements, but that this would need to come forward in separate new planning applications rather than Reserved Matters applications pursuant to the original Outline Consent.
12. Under legal agreements between Hillside and Stonebridge HAT, and in particular the “Hillside 2 Agreement” signed 2006, Hyde state that any surplus generated from development on the Stonebridge Estate must be split as follows:
  - 20% to Hyde and ring-fenced for affordable housing
  - 40% to Hillside Housing Trust for management and maintenance of the Stonebridge Estate
  - 40% to the successor to the Stonebridge HAT i.e. DCLG
13. Hyde have said that it is “unlikely” they will make a profit and it is more likely they will seek recourse under the agreement for the GLA and DCLG, as successors to the HAT, for a claim to monies to plug a development shortfall. It is however an important point to note that Hyde cannot profit out of development of the Stonebridge Estate.

*Current proposal – Site 29/30:*

14. London Plan Policy 3.12 requires boroughs seek the maximum reasonable amount of affordable housing when negotiating on private and mixed use developments, having regard to a number of factors, including development viability. An initial viability assessment was undertaken by BNPP Paribas on behalf of Hyde Housing to assess what level of affordable housing the scheme could viably deliver. This assessment was carried out on the basis of a 178 unit residential scheme, comprising a mix of 1, 2 and 3 bedroom units.
15. The assessment recognises the site is largely vacant, however the site forms part of the wider Stonebridge regeneration area and it is recognised that this site represents a residual site after all of the housing has been re-provided elsewhere within the regeneration area. It is suggested that this site is only able to come forward for development as a result of the earlier estate regeneration, for which there are site-wide costs associated with demolition costs, decant costs, site preparation, repairs and capital costs. The total cost of the regeneration has been apportioned to each phase of the scheme, and the total historic cost apportioned to the application site is £8.2m. This is taken as being the viability benchmark.
16. When undertaking the appraisal with a 30% proportion of affordable housing (53 x shared ownership units), which was the basis of the applicants initial proposal this generates a Residual Land Value of £2.7m. Which means that a 178 unit scheme, based on a 30% proportion of affordable housing would be in significant deficit compared to the £8.2m benchmark figure.
17. BNPP Paribas therefore concluded that the initial proposal would be unviable against the viability benchmark, generating a deficit and reported that the economics of the scheme would be compromised by the requirement for additional affordable housing and/or a commuted sum for off-site provision. Notwithstanding this, the applicant (Hyde Housing) initially proposed to deliver 30% affordable housing. Being a registered provider Hyde Housing recognised the Councils requirement for affordable housing and submitted the application on this basis, stating that this offer was entirely reliant on cross subsidy within the business.
18. The Council commissioned BPS Surveyors to carry out an independent review of the BNPP Paribas assessment, based on the proposed 30% affordable housing position (this tested intermediate

housing/53 shared ownership). The purpose of this was to determine if the affordable housing offer at that time represented the maximum reasonable proportion that the scheme could viably deliver.

19. BPS disagreed with the method used by BNPP to establish the viability benchmark, instead using a number of comparable transactions as an alternate approach. This resulted in a land value approximately £900,000 below the aforementioned benchmark. Notwithstanding this BPS also concluded that the scheme would be significantly in deficit, and concurred that the 30% offer would exceed the reasonable quantum of on-site affordable housing.
20. Following this examination Hyde Housing approached Officers and stated that they had reassessed their position with regards to the provision of on-site affordable housing on Site 29/30, and subsequently proposed no on-site affordable housing on Site 29/30 but rather off-site provision in the form of additional affordable housing provision to be delivered on the consented Site 27 nearby.
21. Hyde's revised position is that the proposed scheme could never viably deliver any affordable housing, and that they have reviewed their proposals in light of current market conditions and the availability of time-limited GLA grant funding to help secure affordable housing. Based on this reassessment Hyde now propose that the 30% initially offered to be delivered on-site is provided off-site on Site 27. Site 27 is in close proximity being within 100m of the application site and has planning consent granted (ref; 15/0822) for 109 units, of which a minimum 20% (22 units) must be affordable housing. The effect of this transfer of units would be that a total of 75 units on Site 27 would be delivered as affordable, representing 69% of the 109 units. Whilst this represents an off-site provision, it is still proposing delivery within the wider Stonebridge regeneration area, covered by the original outline consent.
22. Officers required Hyde Housing to update their original viability submission to take account of current market conditions and more explicitly demonstrate their proposition that Site 29/30 could not viably deliver any affordable housing and assess the viability impact of delivering additional affordable housing on Site 27. The Council then commissioned BPS to carry out another independent review of the updated appraisal work. The below table summarises the revised position.

	Existing Delivery	Proposed	New Proposed Delivery
Site 27	87 Private Sales 22 Shared Ownership <ul style="list-style-type: none"> <li>• 4 x Studio</li> <li>• 15 x 1 Bed</li> <li>• 3 x 2 Bed / 3P</li> </ul>		34 Private Sales 50 Shared Ownership <ul style="list-style-type: none"> <li>• 4 x Studio</li> <li>• 26 x 1 Bed</li> <li>• 3 x 2 Bed / 3P</li> <li>• 16 x 2 Bed / 4P</li> <li>• 1 x 3 Bed / 5P</li> </ul> 25 Affordable Rented <ul style="list-style-type: none"> <li>• 16 x 1 Bed</li> <li>• 9 x 2 Bed / 4P</li> </ul>
Site 29/30	125 Private Sales 53 Shared Ownership <ul style="list-style-type: none"> <li>• 24 x 1 Bed</li> <li>• 22 x 2 Bed / 4P</li> <li>• 7 x 3 Bed / 4P</li> </ul>		178 Private Sales

Table 1 – Comparison of the two sites with and without off-site affordable housing provision

23. BPS have appraised the standalone viability of Site 29/30 (the application site) as an all private scheme, and also the impact on Site 27 of the loss of revenue arising from conversion of market units to a mixture of affordable tenures.
24. The BPS reassessment concludes that on a standalone basis the application site cannot reasonably and viably support the delivery of any affordable housing on-site. This is due to a mixture of factors reviewed by BPS, including relatively modest sales values in the area, build costs including podium build costs, £5.7m CIL liability and the profit margin associated with an all private scheme, as well as the land value. In addition there are net opportunity costs associated with the delivery of affordable housing off-site on Site 27, increased by the inclusion of an element of affordable rented housing.
25. Irrespective of the financial viability position of the scheme officers recognise there are however a

number of benefits to the off-site proposal in this case worthy of highlighting which officers consider constitute special circumstances to merit off-site provision:-

- *Certainty of delivery through accessible funding:*

26. There is a greater level of certainty in delivery terms as Hyde Housing are able to secure this 30% off-site provision on the basis of funding secured and allocated under the GLA 2015-18 affordable housing programme. Hyde is able to access this funding due to the fact Site 27 has already secured planning permission and can be delivered by the end of financial year 2017-18. This is consistent with London Plan policy 3.12 A (g) and B.

- *Greater speed of delivery of affordable homes:*

27. More affordable housing can be delivered, and this can be delivered earlier in the 2015-18 phase. This GLA funding stream could not be accessed for Site 29/30 as planning permission has not yet been secured, and on-site delivery would be later and not before the end of financial year 2017-18. This means that the off-site proposal will ensure greater speed of delivery of affordable homes. This will help to satisfy London Plan policy 3.12.

- *Increased provision of affordable housing:*

28. The off-site provision allows the Council to secure a higher level of affordable housing than would otherwise be the case. If the two sites were developed individually then Hyde have reasonably made the financial viability case that Site 29/30 could not viably deliver any affordable housing, and Site 27 would only need to deliver the 20% secured in the 15/0822 planning consent. This is consistent with London Plan policy 3.12 which seeks to maximise affordable housing output.

- *Meeting housing need:*

29. The off-site proposal would see 25 affordable rent units delivered on Site 27. No affordable rented accommodation was secured in the 15/0822 consent, with all affordable units being shared ownership. This can be welcomed as helping meet a borough need for this type of affordable accommodation and the provision of a mix of affordable accommodation will better meet housing need, in accordance with London Plan policy 3.12 A (d) and (e).

30. Whilst this proposal would result in a mono-tenure development officers do not see that the provision of an all private scheme on Site 29/30 as being a barrier to securing a mixed and balanced community for the Stonebridge regeneration area. The Stonebridge Conclusory Statement (2007) always envisaged that the remaining sites would contain a higher proportion of private units, as a balance to the high proportion of affordable units already delivered across the regeneration area. It was always envisaged that some of these later sites would contain no, or limited, affordable housing. This principle has been established with the approval of Site 10 (ref; 12/3026) where no affordable housing provision was secured, and similarly with Site 22.

31. It is the case therefore that the proposed off-site position can be supported on the planning policy grounds of financial viability and that the site viability position set out represents an exceptional case where it has been robustly demonstrated that on site provision is not viable, which satisfies London Plan policy 3.12. The transfer of affordable housing from Site 29/30 to Site 27 by means of an off-site arrangement is also considered to represent a solution that will help maximise affordable housing delivery by securing public grant resources available to fund affordable housing, in line with London Plan Policy 3.12A(g). This would secure a higher level of affordable housing for the borough than if both sites were developed individually, together with the benefits of early affordable housing delivery, both of which are key benefits that should be afforded appropriate weight.

32. The delivery of off-site affordable housing on Site 27 will be secured via a Deed of Variation to the Site 27 s106 legal agreement, and restrictions that the housing delivered under the Site 29 s106 legal agreement can only be occupied once the off site affordable housing on Site 27 has been completed.

#### **RESIDENTIAL MIX:**

33. With regard to the mix of units, the proposal includes a mix of 1, 2, 3 and 4 bedroom units. Broken down this equates to 67 x 1-bed (38%), 84 x 2-bed (47%), 22 x 3-bed (12%) and 5 x 4-bed (3%). All are proposed as private units. This mix will result in 15% of units being family accommodation (3+

bedrooms), which although below the 25% policy target for family accommodation set out in Core Strategy policy CP2, the proposed mix is considered to be acceptable in this instance due to the very high proportion of family homes that Hyde/Hillside Housing have previously delivered in the Stonebridge regeneration area.

34. There has been an agreed aim to diversify both the tenure and mix of housing to ensure that the redevelopment of Stonebridge results in a mixed and balanced community. There are therefore very specific circumstances that result in this proposal for a private lead scheme being considered acceptable which would not apply to isolated development elsewhere in the borough. The rationale behind this has been discussed above in paragraph's 17-35.

#### **DENSITY:**

35. London Plan policy 3.4 aims to optimise the housing potential of sites, especially in locations that are sustainable, with 'good' public transport accessibility. In applying the density matrix to this location with a PTAL of 4 to 5 (towards the southern end), and of urban character, a density of between 45 and 260 units per hectare (u/ha) and 200 to 700 habitable rooms per hectare (hr/ha) would be deemed to be appropriate. The proposal for 178 residential units on site results in a density of 183 u/ha and 547 hr/ha, thereby falling comfortably within the appropriate density range for this location. Officers give this efficient use of land resulting in the provision of a substantial number of new homes in a sustainable location significant weight.

#### **LAYOUT:**

36. The layout responds to the surrounding context with a strong street frontage proposed on Winchelsea Road which is the primary frontage. A strong and active frontage is also proposed on all secondary site frontages. The two 6-storey buildings fronting onto Winchelsea Road are separated by a new pedestrian link running east to west through the middle of the development site, connecting Washbourne Road and Winchelsea Road. A series of ramps and steps are proposed to address the levels change across the site and to make this route fully accessible to pedestrians. This pedestrian linkage proposed increases permeability and successfully breaks up the scale of development, in urban design terms this is welcomed. Buildings of lower scale are proposed onto Lawrence Avenue, in the form of a terrace of part 3 and 4-storey houses set back from the street. Along Washbourne Road towards the southern end of the site a part 4 and 5-storey building is proposed, and towards the northern end (separated by the pedestrian link) 2 storey buildings are proposed that front both Washbourne Road and Harrison Road.
37. The perimeter arrangement of buildings results in shared internal courtyards to serve residential units on both Site 29 and 30.
38. Residents parking is proposed at basement level accessed from Washbourne Road and therefore this does not impact on the streetscene. The amendments to the scheme along Lawrence Avenue have also allowed for the provision of some 9 parallel on-street parking bays along the site frontage.

#### **MASSING, DESIGN and MATERIALS:**

39. Your officers believe the proposal would result in a good place which would be both attractive and safe in which to live. In order to consider the proposals it is important to give consideration to the existing context. Along Winchelsea Road, on the opposite side of the street are four storey flatted buildings, raised above the street on an embankment. Four storey buildings also exist on the corner of Winchelsea Road and Lawrence Avenue, and the corner of Winchelsea/Knatchbull Road and Harrison Road. Along the opposite side of Lawrence Avenue, at the southern end of the site are three storey terraced houses and to the west of the site on the opposite side of Washbourne Road are two storey houses at the northern end and a part 4/5 storey flatted building along much of the road frontage. To the north of the site (approximately 100m) planning permission has recently been granted for the redevelopment of Site 27 (ref; 15/0822) for a building six storey's fronting onto Knatchbull Road. Slightly further away, but still within the Stonebridge regeneration area a part 9 storey building has recently completed on Hillside, on Site 10. It is clear that the scale and heights of buildings in the surrounding area display a lot of variety, with increased height achieved on the more recent approved scheme's to reflect the need to make the most efficient use of the land available.
40. The open nature of the site at present leaves an un-enclosed streetscene along all sides, the proposed perimeter block with a strong frontage will help define the adjoining streets and will enhance the area's character and distinctiveness.

41. The 6-storey buildings proposed on Winchelsea Road which, while taller than some of the neighbouring buildings, are not uncharacteristic of the newer developments in Stonebridge, including the developments referred to above at Site's 10 and 27, and Thornberry Court which is on the Knatchbull Road and Craven Park junction. The proposed massing reduces behind Winchelsea Road. A terrace of 2/3 storey houses is proposed to front Lawrence Avenue. Washbourne Road will see a part 3/4 storey building at its southern end, and to the northern end two storey development (including houses) which continues along the Harrison Road frontage also.
42. The frontage along Winchelsea Road and Washbourne Road is broken up by the proposed pedestrian link. This is welcomed as it breaks up the scale of buildings and reduces the amount of building frontage, as well as improving permeability and accessibility through the site. The materials palette and the articulation of the elevations are also used to break down the elevations and create visual interest, as set out below in paragraphs 49-52.
43. At the southern end the lower building heights proposed allow the amount of natural daylight/sunlight to the podium courtyards to be maximised, and this has been assessed as part of the daylight/sunlight assessment.
44. The houses which front onto Lawrence Avenue and Washbourne/Harrison Road towards the northern end of the site signify a reduction in the massing from Winchelsea Road which responds appropriately to the scale of existing housing opposite and within the streetscene. Articulation and visual interest is proposed through the inclusion of recessed entrances and elements, roof terraces, variation in materials and expressed brick detailing.
45. At ground level the streets are activated by the design incorporating a series of maisonette flats and houses each with their own entrances and windows which reflects best practice and contributes to passive surveillance. The prominent corner of building C at the junction of Winchelsea Road and Lawrence Avenue has a relationship at street level due to the fact the design and layout has utilised the change in site levels to accommodate a maisonette at lower ground floor level. A well landscaped setting is provided for this unit, a separate entrance and an active frontage which is welcomed. Entrances are recessed so that they are easily identifiable, and some communal entrances are double height so that these are well sign posted and legible. The approach will create activity and good levels of natural surveillance around all sides of the site and the enclosure of the lower level parking by residential units at ground level in order to provide active street frontages is supported in urban design and pacemaking terms.

#### *Materials:*

46. The quality of material is critical to the success of the buildings. The overall approach to the materials is considered to be acceptable being a simple palette largely comprised of brick, proposing two different types with a predominantly light coloured brick and the use of a feature darker brick on corner elements to give variation and visual interest. Giving emphasis to the building corners in this way also highlights the presence of the pedestrian link through the site. Aside from brick, glazed balconies and elements of metal cladding are proposed for additional interest. The form of architecture proposed for Blocks B and C fronting Winchelsea Road proposes elements of framing (in brick), utilises set backs in the facades and has roof level duplexes treated with a cladding material to create further visual interest. The materials palette is the same for both buildings which is considered acceptable.
47. The terraced housing along Lawrence Avenue has a more simplified materials palette, proposing just a single, light coloured brick with expressed brick detailing to give visual interest. Along Washbourne Road the same materials palette is continued, reflecting the approach to Blocks B and C
48. The GLA commented in their Stage 1 report that the predominant use of brick for the elevations was welcomed and that the quality of the finish will be dependant on a high standard of detailing. Details of architectural elements and materials will be required by condition.
49. On balance the proposed massing and building heights are considered to be appropriate and in keeping with the overall context in the surrounding area. The proposed materials palette is also considered appropriate to its context and the design is supported by officer's and the GLA.

#### **PUBLIC REALM:**

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*Ref: 16/0760 Page 24 of 40*

50. The new pedestrian route proposed through the site that connects Winchelsea Road and Washbourne Road is an important urban design intervention. As mentioned above, this breaks up the built form, and improves site permeability and accessibility. To address the change in site levels the pedestrian route has been widened and designed with steps and ramped access to ensure it is fully inclusive. Also good levels of passive and natural surveillance of this route will be provided by the number of windows that face onto it from Blocks A, B, C and E.
51. New parallel on-street parking bays are to be accommodated along the northern side of Lawrence Avenue, this reflects the approach taken on a large number of other sites in the Stonebridge regeneration area. This on-street provision is supported and welcomed by Transportation officer's.

#### **LANDSCAPING and TREES:**

52. In accordance with s197 of the Town and Country Planning Act 1990, the Council has a duty to ensure, whenever appropriate, that adequate provision is made for the preservation or planting of trees by the imposition of conditions. The proposed development has been assessed in light of this duty and your officers are satisfied that the Council's duty in respect of trees can be met, subject to conditions. The landscape strategy for the site is based on the retention of the existing row of mature trees along the Winchelsea Road site frontage, and this is welcomed as these contribute positively to the streetscene. The siting of the proposed buildings will ensure the retention of 15 existing TPO trees along this eastern edge and a strong landscaped edge which softens the streetscene and creates a setting for the building. This set back also allows for a generous landscaped treatment at the prominent corner of Winchelsea Road and Lawrence Avenue. It is proposed to remove four low to moderate category trees on site, which is considered by the Council's Principal Tree Officer to be acceptable in principle subject to a satisfactory replacement planting strategy. In total 36 new trees are proposed to be planted which will mitigate those lost, and this shall include trees that will contribute to the existing public realm. A detailed landscape condition will approve the replacement tree species. This is worded to reflect a requirement to plant a replacement Norway Maple to compensate for one that requires removal in view of the fact its replacement was requested during the public consultation.
53. Communal courtyards will provide the main opportunity for landscaped areas, and these are proposed in the form of podium courtyards. Planting is proposed within these courtyard spaces (including new trees) to create interest, privacy and screening. Full details of the materials, seating, boundary treatments, play equipment etc that are to be laid out within these areas will be required by condition.
54. The proposed pedestrian link is also an important element of the landscape strategy, new low level planting, high quality materials and new trees will be planted to make this a quality, inviting and attractive pedestrian route.
55. In summary, there are no concerns from a Landscape perspective and a detailed landscaping plan will in any event be required by condition.

#### **ECOLOGY:**

56. A phase 1 habitat survey has been carried out, which included a protected species walkover survey, and in inspection of all mature trees within the site to assess their bat roost potential. The site was noted as being a largely vacant a derelict piece of land. The likely presence of any protected species was found to be negligible. None were evident during the walkover survey, the existing Church Mission building was found to be lacking in any opportunities for roosting bats, as were the trees surveyed.
57. The recommendations made in the report are to seek specialist advice to develop and implement an appropriate Japanese Knotweed eradication programme prior to clearance and construction. Also, that any scrub/tree clearance be completed outside of the bird breeding period (Sep-Feb), or immediately following confirmation by an ecologist that breeding birds are absent. It is also recommended that the design provides ecological enhancements on site in the form of bird/bat boxes, incorporation of new wildlife friendly planting into the landscaping, and the use of native plants. Such matters can be secured through condition if considered necessary and reasonable.

#### **QUALITY of RESIDENTIAL ACCOMMODATION:**

##### *Internal floorspace and accessibility*

58. London Plan policy 3.5 and the Mayor's Housing SPG set out minimum space standard requirements for

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Ref: 16/0760 Page 25 of 40*

new housing. It has been demonstrated that the minimum internal floor space and floor-to-ceiling height standards would be met, or exceeded. It has also been demonstrated that all units are designed to Lifetime Homes and 10% of the dwellings will be Wheelchair Accessible, and that these accessible units (total 18) will be split across unit types and tenures, which is supported and welcomed. The wheelchair adaptable homes (90%) have been designed to comply with the Building Regulations Part M4(3), which is in line with National Housing Standards.

#### *Light, outlook and privacy*

59. The arrangement of buildings ensures that generally there will be six to eight units per core, which is line with the Mayor's Housing SPG. But also due to the high number of cores, dual aspect units have been maximised across the site, and there are no single aspect north facing units.
60. Separation distances between individual buildings within the site does vary, resulting in some relationships where a distance of less than 20m is proposed. Due to the inclusion of habitable windows within these facing elevations the relationships have been rigorously scrutinised, and mitigation proposed, as discussed in the following paragraph.
61. Due to the siting of Blocks C and E the separation between facing internal facades (i.e across the podium courtyard), at the southern end is a very generous 44m and this reduces down to a pinch point of 11.5m at the northern end of these two buildings. Whilst below the 20m separation distance, set out in Supplementary Planning Guidance 17 'Design Guide for New Development' opportunities for direct overlooking and loss of privacy have been designed out through the use of projecting directional windows where necessary over ground, first and second floors. The same approach to mitigation is proposed for the internal facing facades of Blocks A & B where the separation is below 20m in places. Directional windows have also been proposed for selected windows that face one another across the proposed pedestrian link. The use of directional windows has also been employed where habitable windows would otherwise have faced onto a flank wall of an adjacent building, within close proximity. For example, at the southern end of Blocks B and C directional windows have been introduced to provide an improved level of outlook that is not directly towards a blank facade of Blocks A and D respectively. Also the use of directional windows has been employed where there are tight relationships between the terraced housing (Block D) and Blocks C and E either side of this, some of which relates to projecting balconies and how these relate to windows.
62. Units within Block A, fronting Washbourne Road are less than 20m from the internal facing facade to Block B. Again the use of directional windows is proposed, but further mitigation is provided in view of the fact the small number of affected units in Block A are dual aspect. As such these units are not solely reliant on an aspect facing west for their outlook.
63. On balance it is considered the use of projecting directional windows is an appropriate design response for a dense urban scheme such as this, which is seeking to optimise housing potential and this form of mitigation will reduce potential for direct overlooking and loss of privacy.

#### *External amenity space and play space*

64. The proposal incorporates landscaped communal podium courtyards located centrally within both Sites 29 and 30. Residents at ground floor will have private gardens at this podium level. Ground floor maisonettes and one bedroom units on Washbourne Road and Harrison Road will be provided with small front gardens. Units on all other floors will be afforded a private balcony, the sizes of which meet, or exceed the 5sqm minimum standard set out in the Mayor's Housing SPG. Private terraces are proposed on the top levels of both houses and flats, and the two buildings that front onto Winchelsea Road will feature large corner roof terraces. Overall, this amounts to approximately 2505sqm of private amenity space and 1250sqm of communal space, which exceeds the requirements set out in SPG17 that seek a minimum of 20sqm per flat (n.b. For the purposes of the amenity space assessment front gardens are not included.. The private rear gardens to some of the family houses in Block D are less than 50sqm, however on balance there is sufficient communal provision, and access to a park locally to make up for any shortfall.
65. The proposal also incorporates children's play space, which is required by London Plan policy 3.6. The amount of play space required is determined by expected child yield population. The application is supported by a child yield calculation, which has been carried out in line with the Mayor's SPG methodology. This gives rise to a requirement of 170sqm, with 110sqm required for the under 5's age range. It is proposed to provide this on site, split between the two courtyards that are to contain playable

aspects such as sculptural features, seating elements, changes to levels all of which will provide opportunities for informal play. Nearby playgrounds and parks can be used for children in the older age ranges, and it is noted that facilities exist west of the site at Lawrence Avenue Park. Notably this area of park is to be further enhanced through contributions that have been secured as a result of the approval of Site 27 (ref; 15/0822).

#### **NEIGHBOURING AMENITY:**

66. At various locations the separation distances between the existing properties and the proposed buildings exceed the 20m separation distance referred to in SPG17. This is the case across Winchelsea Road, and in places along Lawrence Avenue and Washbourne Road. There are some locations where the level of separation is marginally less than 20m. The proposed terrace (Block D) is 17.4m from existing housing on the opposite side of Lawrence Avenue, however this is across a street and is considered to be broadly in keeping with the existing urban grain and street pattern locally which displays similar relationships, with evidence of some relationships locally that are even less than this.
67. A daylight/sunlight report has been submitted assessing the impact of the proposals on daylight/sunlight conditions for surrounding residential properties and amenity areas/gardens, and also assessing the potential daylight and overshadowing levels of the proposed residential accommodation (habitable rooms) and amenity spaces. The report has assessed the scheme for compliance with the BRE Guide "Site layout planning for daylight and sunlight: A guide to good practice", which is the recognised standard and considered a robust method of assessment.
68. Daylight criteria within the BRE Guide have been used as a basis to assess the potential impacts on surrounding properties: the two relevant tests are (i) Vertical Sky Component (VSC) and (ii) No-Skyline (NSL). VSC assesses the impact on daylight based on the total amount of unobstructed view that is available from a habitable room window. NSL is a measure of the distribution of daylight that a room will receive, however for this test to be accurate internal room layouts must be known, which is not strictly the case for this proposal.
69. Sunlight criteria to assess the impact on surrounding properties is referred to as a test of Annual Probable Sunlight Hours (APSH). This tests the potential effect of a development to the existing sunlight amenity of occupants of neighbouring dwellings. It involves the prediction of potential sunlight availability for the main window of each habitable room, which face within 90 degrees of due south. The overshadowing impact to surrounding amenity areas/garden spaces have also been considered.

#### *Results:*

70. With regards to daylight, 218 windows in total were analysed regarding existing and proposed daylight (VSC) levels, of these two were excluded as they serve non-habitable rooms. Of the remaining 216 windows, 214 windows (99%) would meet the BRE requirements of VSC at 27%. Two windows (W20 and W24) on the ground floor of buildings at 78 Lawrence Avenue and 2 Carlyle Road respectively, will experience lower VSC values. Due to its size and location W20 is assumed to be a secondary window and W24 will achieve a VSC of 26.54%, which although below 27% falls within the alternate targets that can be set in dense urban environment. Overall, these results show the impact of the proposed development in daylight terms will be negligible, with no perceptible change likely.
71. With regards to sunlight a total of 147 windows were analysed (based on their orientation being within 90 degrees of due south). It is found that all assessed windows will meet the BRE guidelines for both total and winter sunlight. As such the likely effect of the proposed development to these windows is negligible. The existing amenity/garden areas will also receive adequate levels of sunlight (more than 2 hours) on the 21 March, in accordance with BRE guidelines.
72. Daylight levels (ADF) within the habitable rooms of all proposed units as well as sunlight availability in proposed communal amenity areas have been assessed. Results show that all but one assessed flat will achieve the required ADF levels for daylight. However on balance, given the density sought on site, the policy position to optimise housing potential and the urban location this is considered to be an acceptable situation. More than half of the communal areas assessed for overshadowing will be adequately lit throughout the year.
73. On the basis of the results it is considered that the impacts of the development on daylight/sunlight conditions for surrounding properties would not unduly harm existing levels of amenity. Furthermore, the daylight/sunlight conditions that are to be experienced for residents of the proposed accommodation

perform will against the BRE criteria.

## **TRANSPORTATION:**

74. Separate basement car parks with 2.6m headroom are proposed beneath the northern and southern halves of the development, providing a total of 133 car parking spaces (incl. 16 disabled & 57 electric vehicle charging spaces), six motorcycle spaces and 186 bicycle spaces within four storage rooms (plus 104 further spaces in three ground floor storage rooms). Access to both car parking areas is taken from Washbourne Road on the western side of the site.
75. The two halves of the development site are to be separated by a new pedestrian-only link with steps and ramps down from Winchelsea Road. The western stretch of this route is proposed as a shared surface, to also accommodate two further disabled parking spaces and service and emergency vehicle access with access controlled using bollards.
76. The development also includes future footways along the Lawrence Avenue and Washbourne Road frontages, whilst the existing southern footway and parking bays of Harrison Road and western footway of Winchelsea Road adjoining the site are also included within the red line.
77. The site remains outside any CPZ, so parking along Lawrence Avenue, Washbourne Road and Harrison Road is unrestricted.
78. Public transport access to the majority of the site is good (PTAL 4), with Harlesden station (London Overground & Bakerloo lines) and nine bus services within 640 metres (eight minutes' walk). The southeastern corner of the site has a higher PTAL value of 5 (very good).
79. Although the site has good access to public transport services, the lack of a CPZ in the area means that the full car parking allowances set out in standard PS14 of the UDP apply to the site, giving a total allowance of 213 spaces for these proposed 178 flats. However, if reduced parking allowances of 0.7 spaces per 1-/2-bed flat and 1.2 spaces per 3-/4-bed unit are applied to the 36 flats accessed from Entrance Core 1, which have a higher PTAL value of 5, then the parking allowance would fall to 197 spaces. The provision of 135 off-street spaces would therefore comply with standards. However, consideration needs to be given to the impact of any overspill parking from the site, and with car ownership estimated typically to be about 75% of the maximum allowance this would equate to some 148 spaces and thus there is a theoretical shortfall of 13 spaces.
80. Saved UDP policy TRN23 does allow on-street parking to be counted towards standards along the frontage of a development, where there is adequate width and the street is not already heavily parked. In this respect Lawrence Avenue was noted as having some spare capacity as no parking bays have yet been provided along the northern side of the street fronting this development. Furthermore the desire to have new parallel bays along street frontages within the Stonebridge regeneration area is set out in the original masterplan approved for Stonebridge.
81. Amendments have been made by the applicant which propose the introduction of parallel parking bays along the northern side of Lawrence Avenue, along the development frontage. This has resulted in some minor alterations to the frontage treatment, and access to the proposed terrace of houses (Block D). However the fact that these alterations will allow the delivery of parallel on-street bays is considered, on balance, to outweigh any concerns related to the frontage arrangement along Lawrence Avenue. The provision of these parking spaces is welcomed and strongly supported by Transportation officers and will be secured as s38/s278 works as a planning obligation in a s106 legal agreement.
82. The amount of disabled persons parking bays meets adopted standards, however the two spaces proposed to be sited on the shared surface area are not fully accessible as these can only be accessed via drop down bollards. So it is recommended that spaces 1, 45 and/or 46 be marked for disabled use instead. This can be secured by condition.
83. Over 40% of spaces are proposed to be provided with electric vehicle charging points and at the GLA's request 20% are required to be active from the outset. This will be secured through condition.
84. Standard PS16 of the UDP requires at least one secure bicycle parking space per flat. The proposed provision of 290 such spaces within dedicated secure storage rooms at basement level with direct access to stair/lift cores is more than sufficient to meet standards. The provision of further publicly accessible

spaces for visitors within the central pedestrian street should also be considered and whilst this has been acknowledged in the Transport Assessment, no spaces have been shown on the site layout plans. Again this shall be secured by condition.

85. Servicing requirement for refuse vehicles are considered to be acceptable due to the capacity and location of refuse stores, and their ease of access from adjoining streets. Likewise fire appliance access can be gained around the entire building perimeter, with access to the central space achieved via the drop down bollards.
86. New footways are proposed in concrete flags along the northern side of Lawrence Avenue (min 2m) and the eastern side of Washbourne Road (min 1.8m in part). Both lengths of footway will need to be adopted through a s38 agreement and the footway along Lawrence Avenue set back behind the proposed parallel parking bays. Resurfacing of the Winchelsea Road footway in new paving should also be secured. All necessary works to the adopted highway will be carried out through a s38/278 agreement, which the applicant has confirmed their agreement to.

#### *Transport Assessment*

87. To gauge likely impacts on local transport networks, surveys from two similar housing developments in London have been used to produce estimated trip rates. Transportation officers accept this approach and are of the view that the predicted numbers of additional trips likely to be generated by the development do not warrant the need to undertake any junction capacity analysis locally. Similarly the additional impacts on the public transport network would not be of any concern.

#### *Travel Plan*

88. The scale of the proposal is such that it exceeds the threshold above which a Residential Travel Plan is required. The Plan submitted has since been amended to address comments raised by the GLA, on behalf of TfL in the Mayor's Stage 1 report. The amended Plan, which has been assessed using TfL's ATTrBuTE programme scores a PASS rating. The implementation of this will be secured through the s106 agreement.

#### *GLA/TfL position*

89. Officers at TfL confirm they have no objections, subject to conditions as set out in its original consultation response which relate to securing the provision of electronic vehicle charging, further details of cycle parking, Delivery and Servicing Management Plan, Construction Management Plan and a Construction Logistics Plan - all of which are recommended to be secured through condition.

#### **FLOOD RISK and DRAINAGE:**

90. The application has been supported by a Flood Risk Assessment (FRA), and this sets out that there are no existing watercourses near to the site and that the site is located in an area of the lowest risk (Zone 1) from fluvial or tidal flooding. The site has been assessed as being at very low risk from ground water, surface water and/or sewer flooding.
91. The Environment Agency did respond to the consultation, confirming that they did not wish to comment on the proposals.
92. The GLA have advised that they are satisfied that the low level of flood risk means the proposal is considered to satisfy relevant London Plan policy 5.12. With regards to drainage it is considered important that the proposals reduce surface water discharge from the site in line with London Plan policy 5.13. Whilst the proposals will result in an increase in the amount of impermeable surface area the FRA states that the proposals will reduce the surface water run-off to three times greenfield run-off rates. It is proposed that this is achieved through a combination of brown roofs, permeable paving, water butts and 350m<sup>3</sup> of attenuation tanks which provide a means of Sustainable Urban Drainage meaning there will be SuDS on site. This is supported and welcomed, and where appropriate will be secured through planning conditions.

#### **AIR QUALITY:**

93. The application is within a designated Air Quality Management Area (AQMA) along with the rest of the

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*Ref: 16/0760 Page 29 of 40*

south part of the borough due to elevated levels of nitrogen dioxide and particulates as a result of road traffic emissions. Due to this designation the proposal is accompanied by an Air Quality Assessment which examines the potential impact of the development on air quality during construction and the impacts of existing air quality on future residential occupiers. The assessment identifies the need for dust management mitigation during construction, something also highlighted by the Council's Environmental Health officer and in terms of future occupiers mitigation measures are recommended in the form of air tight windows, and mechanical ventilation for all units. Appropriate conditions can deal with this if considered necessary.

#### **NOISE CONDITIONS:**

94. The applicant has submitted a noise assessment which examines the potential impact of noise on the proposed residential accommodation, this was then revised following queries raised by the Council's Environmental Health officer in relation to noise conditions predicted for the outside amenity area, specification of the glazing and ventilation and the potential impact from a CHP plant. The revised report is considered to be acceptable and a condition is recommended requiring the submission of a report to verify that the proposed mitigation measures described in the revised report have been implemented in full. This will ensure the site is suitable for residential use.

#### **CONTAMINATION:**

95. A Stage 1 risk assessment has been carried out to determine if any contaminative uses are/have potentially been present on or near the application site. This identifies a low to moderate risk of contamination on site and it is recommended that an assessment of any potential contamination on the site be carried out, and sampling of the sub-surface material. Following this a more recent ground contamination risk assessment, remediation strategy and verification plan was carried out. This report has been assessed by the Council's Environmental Health officer, who agrees with the methodology and conclusions, and that a verification report is required given that the end use of the development is sensitive (residential). A condition is recommended to verify that the remedial works have been carried out in accordance with the approved remediation strategy, set out in the Ashdown site investigation report (dated July 2014).

#### **SUMMARY:**

96. Officers consider that the scheme meets planning policy objectives and is in general conformity with local, regional and national policy. The proposal makes efficient use of previously developed land in a sustainable location and would make a positive contribution to the continued regeneration of area. This efficient use of the land will result in a substantial number of new homes, helping to meet housing targets, and secures the maximum reasonable proportion of affordable housing to be delivered off site. It is considered that the form of development will have an acceptable impact on and relationship with the existing surrounding development. Officers recommend the application for approval subject to referral to the Mayor for his Stage 2 report and the conditions and s106 obligations set out in this report.

## **SUSTAINABILITY ASSESSMENT**

A detailed sustainability and energy strategy supports the application, this seeks to demonstrate how the proposed scheme complies with London Plan policies which seek to reduce carbon emissions, in the form of an approach that accords with the Mayor's energy hierarchy to 'Be Lean' (use less energy), 'Be Clean' (supply energy efficiently) and 'Be Green' (use renewable energy), and Brent's adopted policies on climate change.

The applicant's proposed energy strategy was amended post receipt of the Mayor's Stage 1 report and now proposes the use of a single combined heat and power unit (CHP), which could potentially connect to a future district heating system, and a series of highly efficient low NOx emission boilers for the terraced housing (building D). These will form the communal site-wide heat network for the development, and this will be supplied from a single energy centre located on the lower ground floor of building B.

The scheme has been designed to achieve a level of carbon reduction that is over and above the 2013, Part L Building Regulations emissions reduction target of 35%. This reduction is to be achieved through a combination of the communal site-wide heat network, as well as the introduction of solar PV panels on the roofs of the terraced housing. This level of reduction is compliant with London Plan policy 5.2.

The energy strategy has been reviewed by the Council's Sustainability Officer who agrees with the approach and the GLA have also indicated their support for the revised approach. Compliance with the carbon

reductions target and the delivery of the wider sustainability measures should be secured in a s106 agreement, or by condition as part of any forthcoming permission.

Water efficiency is to be achieved by reducing internal use to below 105 litres/person/day, which is in line with national housing standards, and the London Plan. Compliance with this will be secured by condition.

## S106 DETAILS

A legal agreement under S106 of the Town and Country Planning Act 1990 (as amended) is required to secure a number of planning obligations that are most appropriate to secure as obligations rather than as planning conditions. See 'Recommendation' section for further details.

## CIL DETAILS

This application is liable to pay **£6,169,439.49\*** under the Community Infrastructure Levy (CIL).

We calculated this figure from the following information:

Total amount of eligible\*\* floorspace which on completion is to be demolished (E): sq. m.

Total amount of floorspace on completion (G): 21686 sq. m.

Use	Floorspace on completion (Gr)	Eligible* retained floorspace (Kr)	Net area chargeable at rate R (A)	Rate R: Brent multiplier used	Rate R: Mayoral multiplier used	Brent sub-total	Mayoral sub-total
Dwelling houses	21686		21686	£200.00	£35.15	£5,247,237.50	£922,201.99

BCIS figure for year in which the charging schedule took effect (Ic)	224	224
BCIS figure for year in which the planning permission was granted (Ip)	271	
<b>Total chargeable amount</b>	<b>£5,247,237.50</b>	<b>£922,201.99</b>

\*All figures are calculated using the formula under Regulation 40(6) and all figures are subject to index linking as per Regulation 40(5). The index linking will be reviewed when a Demand Notice is issued.

\*\***Eligible** means the building contains a part that has been in lawful use for a continuous period of at least six months within the period of three years ending on the day planning permission first permits the chargeable development.

**Please Note : CIL liability is calculated at the time at which planning permission first permits development. As such, the CIL liability specified within this report is based on current levels of indexation and is provided for indicative purposes only. It also does not take account of development that may benefit from relief, such as Affordable Housing.**



**Brent**

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

=====

Application No: 16/0760

To: Mr Rogers  
Terence O'Rourke Limited  
Everdene House  
Deansleigh Road  
Bournemouth  
Dorset  
BH7 7DU

I refer to your application dated 19/02/2016 proposing the following:  
Redevelopment of the site and surrounding land to include the demolition of the existing centre (Use class D1) and construction of five residential blocks ranging from 1 to 6 storeys high, comprising 178 residential units (67 x 1-bed, 60 x 2-bed flats, 24 x 2-bed maisonettes, 14 x 3-bed flats, 3 x 4-bed maisonettes, 8 x 3-bed houses and 2 x 4-bed houses) with associated private and communal amenity space, parking, access, landscaping and ancillary works (as amended).

and accompanied by plans or documents listed here:  
(See Condition 2)  
at Harlesden Christian Centre & Land next to and rear of Harlesden Christian Centre, Winchelsea Road, London

The Council of the London Borough of Brent, the Local Planning Authority, hereby GRANT permission for the reasons and subject to the conditions set out on the attached Schedule B.

Date:

Signature:

**Alice Lester**  
Head of Planning, Transport and Licensing

**Notes**

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

DnStdG

## SUMMARY OF REASONS FOR APPROVAL

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

National Planning Policy Framework 2012  
National Planning Practice Guidance  
London Plan 2015 (FALP)  
Mayor's Housing SPG  
National Housing Standards  
London Borough of Brent LDF Core Strategy 2010  
London Borough of Brent Unitary Development Plan (2004)  
Supplementary Planning Guidance 17 'Design Guide for New Development' (2002)  
SPD 's106 Obligations'  
Bretons emerging Development Management Plan (2016)

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: in terms of sustainability, safety and servicing needs  
Community Facilities: in terms of meeting the demand for community services

- 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):

DR\_0001 revB  
DR\_0002 revC  
DR\_1100 revB  
DR\_2010 revC  
DR\_2011 revB  
DR\_2012 revB  
DR\_2013 revB  
DR\_2014 revB  
DR\_2015 revB  
DR\_2016 revB  
DR\_2017 revB

DR\_2101 revA  
DR\_2102 revA  
DR\_2103 revA  
DR\_2105 revA  
DR\_2106 revA

DR\_2201 revA

DR\_3001 revA  
DR\_3002 revA  
DR\_3003  
DR\_3004  
DR\_3005 revA

DR\_3006 revA  
DR\_3007 revA  
DR\_3008 revA  
DR\_3009  
DR\_3010  
DR\_3011  
DR\_3012

DR\_0900 revC  
DR\_0901 revB  
DR\_0910 revA

RPS Noise Assessment Rev 2 (18/08/2016)  
RPS Air Quality Assessment Rev 0 (10/02/2016)

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

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

- 4 Prior to first occupation of the residential development hereby approved, confirmation from the Building Control body shall be submitted to the Local Planning Authority to demonstrate that the development has been designed so that mains water consumption does not exceed a target of 105 litres or less per person per day, using a fittings-based approach to determine the water consumption of the development in accordance with requirement G2 of Schedule 1 to the Building Regulations 2010.

Reason: In order to ensure a sustainable development

- 5 Not less than 10% of residential units shall be constructed to wheelchair accessible requirements (Building Regulations M4(3)) or meet easily accessible/adaptable standards (Building Regulations M4(2)) unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure suitable facilities for disabled users, in accordance with the London Plan policy 4.5.

- 6 Prior to the commencement of the use of any part of the approved development the following shall be constructed and permanently marked out in accordance with:-

- (i) the approved number of car parking spaces as shown on the approved plans which shall include the provision of at least 20 active and 20 passive electric vehicle charging points
- (ii) cycle parking numbers as approved

Thereafter they shall be retained and used solely for the specified purposes in connection with the development hereby approved and shall not be obstructed or used for any other purpose/s unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure adequate parking and cycle parking provision in accordance with adopted standards.

- 7 A communal television system/satellite dish shall be provided prior to occupation and

maintained thereafter. The equipment shall be located so as to have the least impact on the external appearance of the development.

Reason: In the interests of the visual appearance of the development in particular and the locality in general and to prevent numerous satellite dishes from being installed.

- 8 Vegetation clearance of shrubs/trees shall be undertaken outside of the nesting bird season (generally extends between March and September inclusive). If this is not possible then any vegetation that is to be removed or disturbed shall be checked by an experienced ecologist for nesting birds immediately prior to works commencing. If birds are found to be nesting any works which may affect them is required to be delayed until the young have fledged and the nest has been abandoned naturally.

Reason: To ensure compliance with the Wildlife and Countryside Act 1981 (as amended).

- 9 Minimum 300mm width margins shall be provided either side of the ramped access to the parking level, unless otherwise agreed in writing by the Local Planning Authority, and shall be retained as such thereafter.

Reason: To ensure a satisfactory standard of development.

- 10 Prior to the commencement of the development, including any preparatory works or demolition works, a Construction Management and Logistics Plan shall be submitted to and agreed by the Local Planning Authority to demonstrate suitable arrangements are to be employed on site to accommodate construction vehicle activity. The development shall be carried out fully in accordance with the approved details thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: To comply with London plan policy 6.14.

- 11 No piling shall take place until a piling method statement (detailing the depth and 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 sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water. Any piling must be undertaken thereafter fully in accordance with the terms of the approved piling method statement unless otherwise agreed in writing by the Local Planning Authority.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure.

- 12 Details demonstrating that the developer or constructor has joined the Considerate Constructors Scheme shall be submitted to the Local Planning Authority prior to commencement of works on site and the developer or constructor shall thereafter adhere to the requirements of the Scheme for the period of construction for that part of the development.

Reason: In the interest of the amenities of the adjoining and nearby owners and occupiers.

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

Reason(s): In view of the restricted nature and layout of the site for the proposed development, no further enlargement or increase in living accommodation beyond the limits set by this

consent should be allowed without the matter being first considered by the Local Planning Authority.

- 14 Details of materials for all external work shall be submitted to and approved in writing by the Local Planning Authority prior to construction of the superstructure (not including demolition, groundworks and formation of the basement). The work shall be carried out in accordance with the approved details and retained as such thereafter.

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

- 15 Details of all fencing, walls, gateways and means of enclosure shall be submitted to and approved in writing by the Local Planning Authority before the development hereby approved is completed and the work shall be carried out prior to occupation, in accordance with the details so approved, and the fencing, walls, gateways and means of enclosure shall thereafter be retained at the height and position as approved.

Reason: in the interests of the visual amenity and character of the locality.

- 16 (1) Prior to commencement of development (including any demolition and/or groundworks) further details of tree protection measures shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include (but not be limited to):

(a) the identification and means of protection (in accordance with BS5837:2012) of existing trees on site or in close proximity to the site boundaries including existing protected trees along Winchelsea Road identified for retention in the ACS Arboricultural Implications Assessment, (dated 5 february 2016), and shrubs not directly affected by the building works and which are to be retained, including detailed proposed protection measures during any demolition or construction works to include locations of all protective fencing, ground protection, site facilities and storage areas. Where, for construction purposes, it is necessary to position tree protection fencing within the RPA of retained trees, suitable ground protection will be installed to prevent undue soil/root compaction from pedestrian and/or vehicular traffic.

The development shall be carried out fully in accordance with these approved details thereafter.

(2) Notwithstanding any details of landscape works referred to on the approved plans, a detailed scheme for the landscape works and treatment of the surroundings of the proposed development (including species, plant sizes, locations and planting densities) shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the superstructure (not including any demolition, groundworks or formation of the basement). Any approved planting, turfing or seeding included in such details shall be completed in strict accordance with the approved details prior to the occupation of any part of the development, or in accordance with a programme agreed in writing with the Local Planning Authority. Such a scheme shall include (but not be limited to):-

(a) Details for all new tree planting across the site (which shall include the re-provision of a Norway Maple in a location to be agreed in writing), with all new trees planted at a minimum girth of 12-14cm,

(b) Details of adequate physical separation, such as protective walls and fencing between landscaped and paved areas;

(c) Details of existing contours and any proposed alteration to ground levels such as earth mounding;

(d) Details of any balustrade/balcony treatment

(e) Details of areas of hard landscape works and proposed materials;

(f) Details of the proposed arrangements for the maintenance of the landscape works.

(g) Details for the provision for outside seating / benches and children's play equipment

(h) Details for the provision of on site bird and bat boxes

Furthermore, all trees within the site and adjacent public realm identified for retention on drawing TPP02-SB2930 as part of this development that fall into irreversible decline and/or dies as a result of non-adherence to the approved documents within a period not to exceed five years from completion of works shall be replaced with a tree of size and species to be agreed 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, to protect trees in the immediate environment and to retain a mature tree cover around the site.

- 17 Prior to the commencement of the development hereby approved, including any preparatory works or demolition works a Construction Method Statement shall be submitted to and agreed by the Local Planning Authority outlining measures that will be taken to control dust, noise and other environmental impacts of the development. The development shall be carried out fully in accordance with the approved details thereafter unless otherwise agreed in writing by the Local Planning Authority..

Reason: Owing to the fact the site is within an Air Quality Management Area and to safeguard the amenity of the neighbours by minimising impacts of the development that would otherwise give rise to nuisance.

- 18 All residential premises shall be designed in accordance with BS8233:2014 'Guidance on sound insulation and noise reduction for buildings' to attain the following internal noise levels:

<b>Time</b>	<b>Area</b>	<b>Maximum noise level</b>
Daytime Noise 07:00 – 23:00	Living rooms and bedrooms	35 dB LAeq (16hr)
Night time noise 23:00 – 07:00	Bedrooms	30 dB LAeq (8hr)

No part of any Block shall be occupied unless first the results of sound tests within one room of each built facade type for a living and bedroom area over a four-day period, to show that the required internal noise levels have been met, have been submitted to and approved in writing by the Local Planning Authority

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

- 19 Details of all signage and numbering on the buildings shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the buildings and implemented fully in accordance with the approved details.

Reason: In order to ensure a legible development.

- 20 Details of all external lighting shall be submitted to and approved in writing by the Local Planning Authority prior to construction of the superstructure (not including demolition, groundworks and formation of the basement). The approved details shall be fully implemented prior to first occupation of any of the blocks and retained as such thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of safety, amenity and convenience.

- 21 Prior to first occupation of any of the blocks, the applicant shall submit for the approval in writing by the Local Planning Authority a report which provides evidence that the mitigation measures described in the approved Noise Assessment (RPS Project JAE8727 Rev 2 dated 18/8/16) have been fully implemented.

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

- 22 Prior to first occupation of any of the blocks, the applicant shall submit for the approval in writing by the Local Planning Authority a report which provides evidence that the mitigation measures described in the approved Air Quality Impact Assessment (RPS air quality assessment JAP8728 dated 10/2/16) have been implemented.

Reason: To ensure the safe development and secure occupancy of the site for future residential use.

- 23 The soil contamination remediation measures required by the Local Planning Authority and as stated within the Ashdown Site Investigation Limited ground investigation report (LW25159 dated July 2014) shall be carried out in full. Prior to first occupation of any of the blocks a verification report shall be provided to the Local Planning Authority, stating that remediation has been carried out fully in accordance with the approved remediation scheme and the site is suitable for end use.

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

- 24 Prior to construction of the superstructure (not including demolition, groundworks and formation of the basement) a Delivery and Servicing Plan shall be submitted to and agreed by the Local Planning Authority. The Plan shall demonstrate how refuse vehicles and other delivery vehicles are to be accommodated and the development shall be carried out fully in accordance with the approved details thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: To comply with London plan policy 6.14 and to ensure safe and well managed arrangements

- 25 Prior to the commencement of development (including demolition and commencement of excavations ) full details of a drainage strategy detailing any on and/or off site drainage works, which shall include but is not limited to, a scheme of drainage measures for all areas of hard surface within the site, showing those areas to be treated by means of hard landscape works to utilise a sustainable urban drainage system (SUDS) to reduce run-off rates shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to first occupation of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the development meets the requirements of London Plan Policy 5.13 Sustainable Drainage.

## INFORMATIVES

- 1 Thames Water advises that there are public sewers crossing or close to the development and large water mains adjacent to the proposed development. The applicant is therefore required to enter into a "Building Over sewer" Agreement with Thames Water Utilities Ltd before commencing construction of any part of the building over, or within 3 metres of a public sewer. The applicant is advised to visit [thameswater.co.uk/buildover](http://thameswater.co.uk/buildover)

Furthermore Thames Water will not allow building within 5 metres of large water mains and will require 24 hour access for maintenance purposes. Please contact Thames Water

Developer Services, on 0800 009 3921 for further information.

- 2 (a) Thames Water recommends that petrol/oil interceptors be fitted in all car parking facilities. Failure to enforce the effective use of petrol/oil interceptors could result in oil-polluted discharges entering local watercourses.  
  
(b) In relation to Condition 25 the applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.  
  
(c) A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Thames Water would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing [wwriskmanagement@thameswater.co.uk](mailto:wwriskmanagement@thameswater.co.uk).
- 3 The applicant is advised that prior to commencement of any works on site, a condition survey of the existing road network, together with a regime for monitoring the condition of the road network during construction and subsequent repair works, shall be agreed by the Local Highway Authority.
- 4 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](http://www.communities.gov.uk)

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

## COMMITTEE REPORT

Planning Committee on  
Item No  
Case Number

16 November, 2016  
  
**16/3428**

## SITE INFORMATION

**RECEIVED:** 3 August, 2016

**WARD:** Harlesden

**PLANNING AREA:** Brent Connects Harlesden

**LOCATION:** 1-24 INC, THE ELMS, Nicoll Road, London, NW10 9AA

**PROPOSAL:** Construction of an additional floor to existing block of flats to provide 8 additional self-contained flats (5 x 1bed and 3 x 2bed) with associated car and cycle parking spaces, bin stores, landscaping and associated works

**APPLICANT:** Staimon Securities Ltd

**CONTACT:** ROH Architects

**PLAN NO'S:** See condition 2

### LINK TO DOCUMENTS ASSOCIATED TO THIS APPLICATION

[When viewing this on an Electronic Device](#)

Please click on the link below to view **ALL** document associated to case

[https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR\\_129567](https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_129567)

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Please use the following steps

1. Please go to [pa.brent.gov.uk](http://pa.brent.gov.uk)
2. Select Planning and conduct a search tying "16/3428" (i.e. Case Reference) into the search Box
3. Click on "View Documents" tab

## SITE MAP



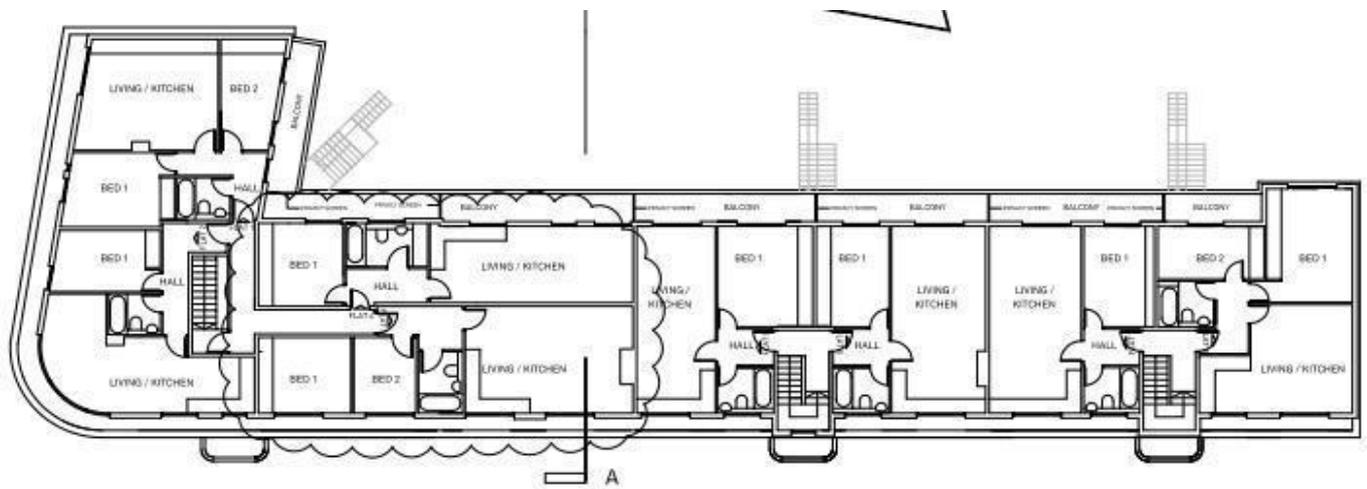
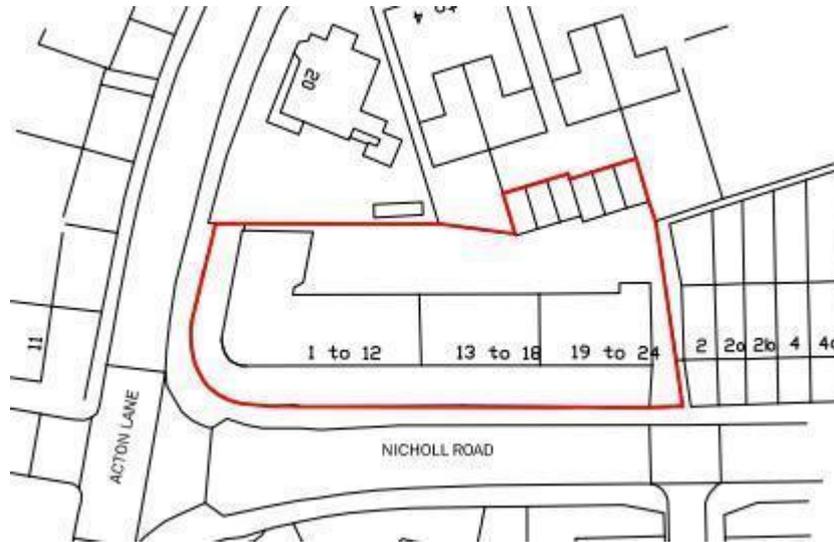
### Planning Committee Map

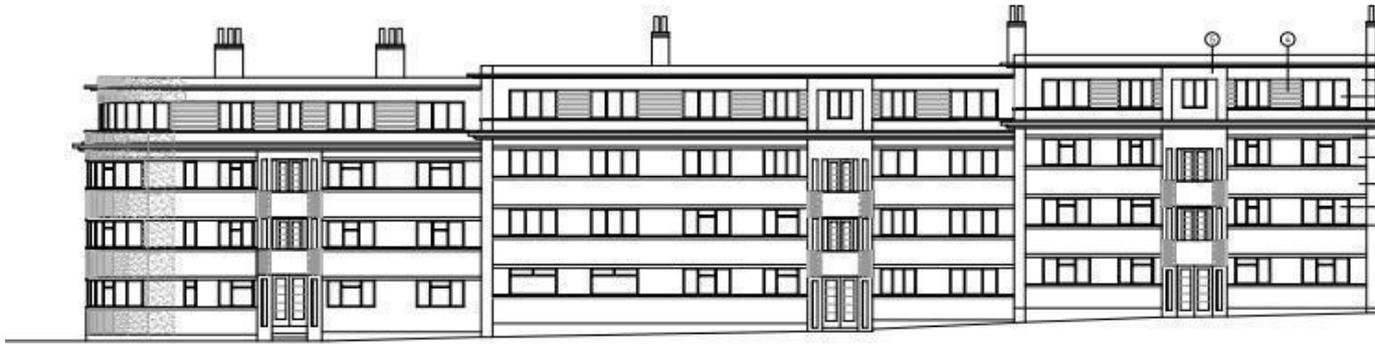
Site address: 1-24 INC, THE ELMS, Nicoll Road, London, NW10 9AA

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This map is indicative only.

# SELECTED SITE PLANS SELECTED SITE PLANS





EAST ELEVATION





## RECOMMENDATIONS

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

### Conditions

1. Time condition of 3 years
2. Details of the Approved Plans
3. Further details of materials

*Document Imaged*

*DocRepF*  
*Ref: 16/3428 Page 5 of 16*

4. Cycle parking
5. Removal and installation of communal satellite dish
6. Removal of the Residents Parking Permits from Proposed Flats
7. Further details balcony treatments and privacy screens
8. Further Details of Refuse and Cycle Provision
9. Landscaping
10. Any other planning conditions considered necessary by the Head of Planning

#### Informatives

1. Party Wall
2. Asbestos
3. Any other informatives considered necessary by the Head of Planning

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

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

#### **A) PROPOSAL**

Construction of an additional floor to existing block of flats to provide 8 additional self-contained flats (5 x 1bed and 3 x 2bed) with associated car and cycle parking spaces, bin stores, landscaping and associated works

#### **B) EXISTING**

The subject site comprises a 3-storey block of 24 flats. To the rear, there are six garages & parking court. The subject site is not in a Conservation Area, nor is a listed building.

#### **C) AMENDMENTS SINCE SUBMISSION**

The application has been slightly amended to increase some of the unit sizes in line the with London Plan.

#### **D) SUMMARY OF KEY ISSUES**

The key issues for consideration are as follows:

- The site's opportunity to deliver new homes in a sustainable, urban location to which your officers give significant weight;
- The impact of the proposal on the character and appearance of the area; Your officers are content that the design response to the proposals that is appropriate, especially given the heritage assets in the vicinity;
- The transport impacts of the proposed development. Your highway officers consider that the proposal addresses all highway concerns;
- The quality of the proposed residential accommodation. Your officers consider that proposal provides a good standard of accommodation, within a building showing good design credentials, which is in line with the adopted Development Plan; and
- Impact on living conditions of neighbours, which your officers believe are not harmed as a result of the proposal

## RELEVANT SITE HISTORY

16/4371 - Erection of additional floor extension to create 9 self-contained flats - REFUSED

The refusal reasons were based on:

- The removal of all off street parking and inadequate provision of cycle parking would result in excessive on street parking where there is not capacity;
- The unsympathetic bulk and design would be harmful to the area; and
- The excessive height and bulk may have an unacceptable harmful impact on the amenity on adjoining neighbours

## CONSULTATIONS

Consultee letters were dispatched on 06/09/2016. 3 x Ward Councillors have also been consulted.

There have been five responses to date. Four of those are objections and one is an objecting petition, consisting of representees from 15 properties within the host building.

The objection reasons are outlined below:

<b>Objection</b>	<b>Response</b>
- Impact on the streetscape of surrounding area	See section 4.2
- Impacts on the listed church opposite	See section 4.6
- Artificial attempts to reduce the amount of flats proposed to get around affordable housing contributions	See section 3.6, 3.7, 3.8
- Lack of open space with the proposal	See section 3.4
- Inadequate parking arrangements	See section 7.4
- Lack of consultation with neighbours	All statutory consultation with neighbours, ward councillors and consultees has been completed. Whilst the applicant was advised to inform neighbouring residents of the plans, as this is a minor application there is no formal obligation to do so.
- Inadequate refuse provision	See section 7.10

Officers note that there have been representations based on noise, dust and other impacts during the construction period however officers cannot consider these as planning objections. An asbestos informative has been added.

## POLICY CONSIDERATIONS

### National Planning Policy Framework (2012):

- Section 7 – Requiring Good Design
- Section 12- Conserving and Enhancing the Historic Environment

### The London Plan (2011):

- Policy 3.5 – Quality and Design of Housing Developments

### Development Management Policies (2016)

- DMP 1 Development Management General Policy
- DMP 7 Brent's Heritage Assets
- DMP 12 Parking
- DMP 15 Affordable Housing
- DMP 18 Dwelling Size and Residential Outbuildings
- DMP 19 Residential Amenity Space

**Core Strategy (2010):**

- CP17 – Protecting and Enhancing the Suburban Character of Brent
- CP21 – A Balanced Housing Stock

**Brent's UDP (2004):**

- BE2 – Townscape: Local Context and Character
- BE7 – Public Realm: Streetscape
- BE9 – Architectural Quality
- H17 – Flat Conversions
- H18 – The Quality of Flat Conversions
- H19 – Flat Conversions – Access and Parking
- TRN3 – Environmental Impact of Traffic
- TRN23 – Parking Standards – Residential Developments
- TRN24 – On-Street Parking

**Supplementary Planning Guidance:**

- SPG17 – Design Guide for New Development (2001)
- NPPG Paragraph 13- Setting of Listed Buildings

## DETAILED CONSIDERATIONS

### 1. Key Considerations

The key issues for consideration are as follows:

- The site's opportunity to deliver new homes in a sustainable, urban location to which your officers give significant weight;
- The impact of the proposal on the character and appearance of the area (including improvements to the building facade), which your officers consider a benefit to the scheme;
- The transport impacts of the proposed development. Your highway officers consider that the proposal addresses all highway concerns;
- The quality of the proposed residential accommodation. Your officers consider that proposal provides a good standard of accommodation, within a building showing good design credentials, which is in line with the adopted Development Plan; and
- The living conditions of neighbours, which your officers believe are not harmed as a result of the proposal

### 2. Principle of Development

2.1. The subject site is within a residential area and does not have any site specific designations.

2.2. Your officers consider the proposal to be acceptable in principle, and give significant weight to the provision of residential units in a sustainable urban location. Further considerations relating to Quality of Accommodation, Impact on Character and Appearance of the Area, Impacts on Neighbouring Amenity and Highway Impacts will be considered.

### 3. Quality of Accommodation

3.1. A good standard of accommodation is a combination of several factors including basic space standards (as defined by the London Plan policy 3.5); outlook; privacy; daylight and sunlight; and amenity space. A good living environment is subject to more subjective matters such as the quality of that amenity space, the design of the scheme and the relationship with car parking, cycle storage and external factors such as noise and pollution.

3.2. The proposal consists of eight new residential units, comprising five x 1 bed and three x 2 bed.

Flat	Size	Amenity
1 - 2b 3p	61sqm	8sqm external balcony

2 - 1b 2p	50sqm	Communal
3 - 2b 3p	62sqm	Communal
4 - 1b 2p	50sqm	18sqm external balcony
5 - 1b 2p	50sqm	10sqm external balcony
6 - 1b 2p	51sqm	10sqm external balcony
7 - 1b 2p	50sqm	10sqm external balcony
8 - 2b 3p	61sqm	6sqm external balcony

3.3. All properties reach the minimum requirements for London Plan (Supplementary Housing Guidance 2015) and Technical Housing Standards (March 2015). All units have ample storage and are laid out in a sensible arrangement with the majority of units having dual aspect outlooks. Your officers note that the proposal does not have any single aspect, north facing units.

#### *Amenity Space*

3.4. The proposal provides private amenity space in the form of external balconies and has included an improved communal area for all residents of the block, including a reconfiguration of the parking arrangements. Your officers consider that the revised landscaping to the rear, including 150sqm of non-parking amenity space is of great benefit to the setting of the existing property. A detailed landscaping plan will be conditioned to secure the amenity space, landscaping and car parking arrangements.

3.5. Your officers consider the overall standard of accommodation provided for future occupants of this building will be satisfactory.

#### *Affordable Housing*

3.6. Concerns have been raised that the applicant is attempting to artificially reduce the amount of affordable housing within the scheme.

3.7. To this end, officers are satisfied that the proposal seeks to maximise the potential of the site in line with the NPPF and the London Plan which promotes the efficient use of land. Policy 3.4 of the London Plan aims to maximise the potential of a site taking account of local context, London Plan design principles and public transport capacity.

3.8. The applicant has revised the scheme to improve the quality of design and officers consider that there are no artificial attempts to reduce the amount of development below 10 units.

### **4. Impact on Character and Appearance of the Area**

4.1. This site contains a well composed and simply designed block of flats dating from the inter-war period with typical streamlined features including horizontal proportions, concrete string courses (now painted) and vertical entrance towers. It is a pleasant block of its time but has no remarkable characters or features. It faces the Western extremity of the Harlesden Conservation Area and Our Lady of Willesden RC Church both heritage assets.

4.2. Officers consider that the additional storey has been carefully designed to incorporate the features, style and proportions of the existing residential block so that it appears as an integral addition. The bulk and massing has been kept to the minimum requirements necessary and has been much reduced from the previous scheme. The design therefore does not stand out, rather it complements the existing building, and from a visual perspective could not be said to be obtrusive. The height increase of the proposal is considered modest, approximately 3m (the site levels change along the street to therefore some elements appear slightly higher than others) and the roof addition is set back from the building frontage.

4.3. When seen as a backdrop to the church it does not draw attention to itself by being excessively bulky or high, and the sympathetic design does not detract from the setting of the conservation area or the church. The selection of materials will be conditioned, but the extension, together with refurbishment, will help the building merge into the background.

4.4. The extension has been set back from all the front façades to lessen the bulk and to provide a subservient addition. The chimneys and the party walls have been raised and the extension follows the buildings stepping's and other delineations to ensure it is of a quality respectful design. New windows and apertures align and match those below. The design is generally replicated to the rear. The roof is topped with an oversailing flat roof to relate to the deep eaves below.

4.5. As part of the proposals the boundary walls would be repaired and there are other enhancements such as the removal of satellite dishes and improved hard and soft landscaping.

4.6. This integral addition will have very little harm on the setting or to views of the statutory grade II listed Our Lady Of Willesden R C Church. There is also limited harm to views into or from the adjacent Harlesden Conservation Area. Officers consider that the proposal is in accordance with para. 134 of the NPPF which states that where a proposal leads to a less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. Officers consider that the harm is very limited and also consider the addition of new residential units, the building/landscape improvements and the revised parking arrangements be public benefits along with securing the maximum viable use of the subject site.

4.7. The proposals meet the NPPF's core principles; particularly that planning should be seeking to secure high quality design and a good standard of amenity as well as conserving heritage assets in a manner appropriate to their significance. The proposal also respects the Listed Building opposite and the wider Conservation Area and is in accordance with DMP1, DMP7 and SPG17, Design Guide for New Developments.

## **5. Neighbouring Residential Amenity**

5.1. The Council seeks to protect the amenity of neighbouring occupants to acceptable standards whilst recognising the right of land-owners to develop their property. On new developments such as this the main impact on amenity arises from (i) overbearing impact of the size and scale of the building(s); (ii) loss of outlook, which is related to overbearing impact; (iii) loss of privacy; and (iv) loss of sunlight. The Council has published supplementary planning guidance (SPG17) which establishes generally acceptable standards relating to these matters, although site specific characteristics will mean these standards could be tightened or relaxed accordingly. Overbearing impact arising from the height of blocks is controlled via 30 degree and 45 degree planes from neighbouring habitable rooms and relevant boundaries; privacy is quoted as distances between directly facing habitable windows and from boundaries. Neither outlook nor light have specific values, although light is generally controlled to BRE standards.

5.2. Your officers have assessed the proposal to ensure there would not be an undue loss of privacy or any unjustified overlooking from the proposed development.

5.3. The separation distance to neighbouring properties is generally good in all directions with a minimum distance of 16m between all neighbouring properties.

5.4. In a previous application, officers were concerned about the relationship with properties in Acton Lane (specifically number 20), however the applicant has demonstrated broad accordance with SPG17, resulting in no material harm to the properties to the rear of The Elms as a result of the roof addition.

## **6. Landscape/Open Space**

6.1. Officers see benefit in reconfiguration of the rear parking/courtyard area which has not been upgraded or renovated in recent years.

6.2. The proposal includes new shrubs, new permeable paving, an improved facade and upgraded refuse and recycling area.

6.3. The above will be conditioned to ensure that the works are completed prior to the occupation of the new units.

## **7. Transportation**

7.1. Car parking allowances for residential use are set out in standard PS14 of the adopted UDP 2004. As the site has very good access to public transport services and is located within a CPZ, reduced allowances apply.

7.2. Highway officers estimate that the existing car parking allowance of the site equates to 17 parking spaces, if maximum allowances were adhered to.

7.3. At present, there is a garage court to the rear, with six garages and space for perhaps four further cars. The garages are not in good condition though and are described by the applicant as unused. It was evident on two separate site visits that parking was uncontrolled and scattered to the rear of the subject site. Nevertheless, the available off-street parking provision of about 10 spaces accords with maximum standards.

7.4. It is now proposed to remove those garages and to resurface the rear garage court area in Marshall's Priora conservation block paving to provide a reduced total of nine spaces picked out in contrasting coloured blocks, including one disabled space. The layout of these spaces meets standards in terms of dimensions and turning area and is more efficient than the existing arrangement, thus allowing some space at the rear of the site to be returned to amenity space for residents. The proposal to revamp the rear parking area and to remove unused garages is therefore welcomed, allowing more flexible use of parking space.

7.5. As previously noted, Nicoll Road is not listed as being heavily parked at night and can accommodate a further eight cars from the development along the site frontage in accordance with the criteria set out in Policy TRN23 for on-street residential parking, thus allowing the maximum parking standard for the existing flats (16.8 spaces) to be met on- and off-street. The addition of a new disabled space also brings the site into compliance with standard PS15.

7.6. This proposal to add eight further flats to the property will increase the parking standard by 5.6 spaces to 22.4 spaces. With no further additional parking proposed for these flats, the applicant has again suggested that the new flats be designated as 'car-free', with the right of future residents to on-street parking permits withdrawn. As the site is within a Controlled Parking Zone and has very good access to public transport services, this approach is acceptable in principle.

7.7. However, any agreement cannot be retrospectively applied to the existing flats at The Elms as residents may already have permits and own a car on that basis. The application of car-free agreements to only a handful of flats in larger buildings has caused difficulties with enforcement in previous cases.

7.8. In this case though, the 'car-free' agreement would apply to all flats within a new third floor level and this presents a reasonably clear division between flats that are and are not entitled to permits, that is far less piecemeal than other developments that have caused issues in the past. The application of a 'car-free' agreement solely to the eight proposed new flats can be therefore accepted in principle as a means of mitigating additional parking pressure in the area.

7.9. Standard PS16 requires the provision of a secure bicycle parking space for each flat. A total of 16 bicycle stands (32 spaces) are now indicated within three covered cycle stores to the rear of the building, thus providing a space for all of the existing and new flats, which is welcomed. Further details of the form of shelter should be reserved by condition so that their design is sympathetic to the character of the building.

7.10. Bin storage is proposed in an enlarged store for seven Eurobins to the front of the site, providing adequate storage capacity and allowing continued easy access for collection from Nicoll Road.

7.11. Pedestrian access to the building will remain as at present, with entrance doors along the Nicoll Road frontage. However, the proposed resurfacing of the rear car park in block paving is to be extended to include resurfacing of pedestrian footpaths around the building, which is welcomed.

7.12. Subject to conditions: (i) designating the eight proposed new flats as 'car-free' to remove the right of future occupants to on-street parking permits; and (ii) requiring the submission and approval of further details of the proposed bicycle shelters, there would be no objections on transportation grounds to this proposal

## 8. Summary

8.1. The proposal is in broad accordance with the NPPF (2012), the London Plan (2015 as amended), Brent's Development Management Policies DPD (2016), the Brent Core Strategy (2010) the Saved Policies of the UDP (2004) and SPG17, Altering and Extending Your Home.

8.2. The proposal contains 8 new dwellings of a good standard, in a sustainable location within a roof extension which shows good design credentials. Your officers attach significant weight to these points. Given the very limited harm to the character and appearance of the area, the listed building opposite and surrounding neighbours, your officers accordingly recommend this application for approval.

## CIL DETAILS

This application is liable to pay **£137,977.41\*** under the Community Infrastructure Levy (CIL).

We calculated this figure from the following information:

Total amount of eligible\*\* floorspace which on completion is to be demolished (E): sq. m.

Total amount of floorspace on completion (G): 485 sq. m.

Use	Floorspace on completion (Gr)	Eligible* retained floorspace (Kr)	Net area chargeable at rate R (A)	Rate R: Brent multiplier used	Rate R: Mayoral multiplier used	Brent sub-total	Mayoral sub-total
Dwelling houses	485	0	485	£200.00	£35.15	£117,352.68	£20,624.73
			0	£0.00	£0.00	£0.00	£0.00

BCIS figure for year in which the charging schedule took effect (Ic)	224	224
BCIS figure for year in which the planning permission was granted (Ip)	271	
<b>Total chargeable amount</b>	£117,352.68	£20,624.73

\*All figures are calculated using the formula under Regulation 40(6) and all figures are subject to index linking as per Regulation 40(5). The index linking will be reviewed when a Demand Notice is issued.

\*\***Eligible** means the building contains a part that has been in lawful use for a continuous period of at least six months within the period of three years ending on the day planning permission first permits the chargeable development.

**Please Note : CIL liability is calculated at the time at which planning permission first permits development. As such, the CIL liability specified within this report is based on current levels of indexation and is provided for indicative purposes only. It also does not take account of development that may benefit from relief, such as Affordable Housing.**



DECISION NOTICE – APPROVAL

Application No: 16/3428

To: Mr OHara  
ROH Architects  
First Floor  
27 Lonsdale Road  
London  
NW6 6RA

I refer to your application dated 03/08/2016 proposing the following:  
Construction of an additional floor to existing block of flats to provide 8 additional self-contained flats (5 x 1bed and 3 x 2bed) with associated car and cycle parking spaces, bin stores, landscaping and associated works  
and accompanied by plans or documents listed here:  
See condition 2  
at 1-24 INC, THE ELMS, Nicoll Road, London, NW10 9AA

The Council of the London Borough of Brent, the Local Planning Authority, hereby GRANT permission for the reasons and subject to the conditions set out on the attached Schedule B.

Date:

Signature:

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

**Alice Lester**  
Head of Planning, Transport and Licensing

**Notes**

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

DnStdG

## SUMMARY OF REASONS FOR APPROVAL

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

Brent Development Management Policies 2016  
Brent Unitary Development Plan 2004  
Council's Supplementary Planning Guidance 17 - Design Guide for New Development

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

- 1 Further landscape details of areas so designated within the site (including the property frontage, fencing and paving) shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development. The landscape works shall be completed in accordance with the approved details prior to the occupation of the extension.

Any planting that is part of the approved scheme that within a period of *five* years after completion 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 to ensure that it enhances the visual amenity of the area.

- 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):

L100  
P102 D (revised)  
P300 D (revised)  
P301B  
P104A  
P103B  
P101C  
P100C  
Design and Access Statement Rev C

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

- 4 Occupiers of the additional 8 residential units, hereby approved, shall not be entitled to a Residents Parking Permit or Visitors Parking Permit to allow the parking of a motor car within the Controlled Parking Zone (CPZ) operating in the locality within which the development is situated unless the occupier is entitled; to be a holder of a Disabled Persons Badge issued pursuant to Section 21 of the Chronically Sick and Disabled Persons Act 1970. For the lifetime of the development written notification of this restriction shall be included in any licence transfer lease or tenancy agreement in respect of the residential development. On, or after, practical completion but prior to any occupation of the residential development, hereby approved, written notification shall be submitted to the Local Highways Authority confirming the completion of the

development and that the above restriction will be imposed on all future occupiers of the residential development.

Reason: In order to ensure that the development does not result in an increased demand for parking that cannot be safely met within the locality of the site.

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

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

- 6 Details of the provision of a minimum of 32 covered and secure cycle parking spaces shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of above ground work. Thereafter the development shall not be occupied until the cycle parking spaces have been laid out in accordance with the details as approved and these facilities shall be retained for the lifetime of the development.

Reason: To ensure satisfactory facilities for cyclists.

- 7 In order to improve the existing facade of the building, detailed in the approved documents and to prevent any further satellite dishes being installed on the exterior of the building, details of a communal television system/satellite dish provision shall be submitted to, and approved in writing by, the Local Planning Authority prior to the occupation of the development. The approved details shall be fully implemented prior to the occupation and retained for the lifetime of the development.

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

- 8 Details of the privacy screening on the balconies/roof terraces shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details prior to the occupation of the residential units and retained for the lifetime of the development.

Reason: To safeguard the neighbouring amenity.

- 9 Notwithstanding the plans hereby approved, the development shall not be occupied until further details of refuse storage are submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved plans. Such facilities shall be retained for the lifetime of the development.

Reason;- To ensure an adequate amounts of refuse facilities are available for future occupants

Any person wishing to inspect the above papers should contact Robert Reeds, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 6726

## COMMITTEE REPORT

Planning Committee on  
Item No  
Case Number

16 November, 2016  
  
**16/3585**

### SITE INFORMATION

**RECEIVED:** 15 August, 2016

**WARD:** Mapesbury

**PLANNING AREA:** Brent Connects Kilburn

**LOCATION:** Summit Court Garages and Laundry & Store Room nex to 1-16 Summit Court, Shoot Up Hill, London, NW2

**PROPOSAL:** Variation of condition application proposing the amendments as follows:

Condition 12 (tree protection)

- area of tarmac reduced to allow more soft landscaping
- area of Cellweb also reduced to tie with the revised layout
- permeable surface to the proposed parking area has been substituted with impermeable surface

Condition 17 (car park layout)

- changes to car park layout to accommodate the revised roof protection strategy

Amendment to pending condition approval for Condition 11 (SUDS)

- revised layout along with details of road, paving and car park build-up

of planning permission reference 15/1892 dated 10/02/2016 for Demolition of redundant garages, caretakers storage and residents community room and erection of a four storey block of 11 self-contained flats (4x1bed, 3x2bed and 4x3bed) with associated space for community room (Use class D1) on the ground floor and additional car and cycle parking spaces, bin stores, and landscaping

**APPLICANT:** Brent Housing Partnership

**CONTACT:** Baily Garner

**PLAN NO'S:** See condition 2

**LINK TO DOCUMENTS ASSOCIATED TO THIS APPLICATION**

[When viewing this on an Electronic Device](#)

Please click on the link below to view **ALL** document associated to case

[https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR\\_129737](https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_129737)

[When viewing this as a Hard Copy](#)

Please use the following steps

1. Please go to [pa.brent.gov.uk](http://pa.brent.gov.uk)
2. Select Planning and conduct a search tying "16/3585" (i.e. Case Reference) into the search Box
3. Click on "View Documents" tab

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*Ref: 16/3585 Page 2 of 24*

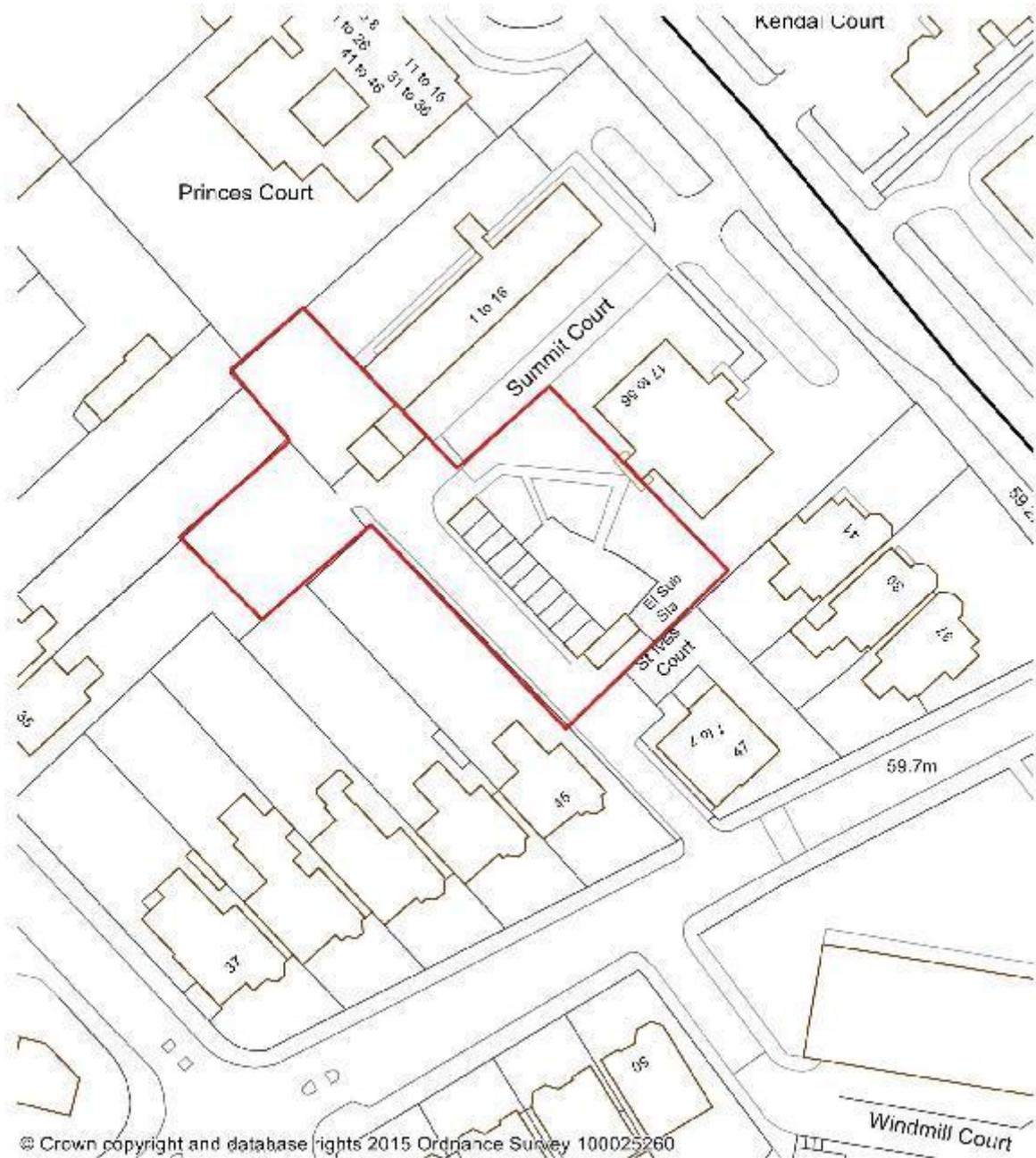
# SITE MAP



## Planning Committee Map

Site address: Summit Court Garages and Laundry & Store Room nex to 1-16 Summit Court, Shoot Up Hill, London, NW2

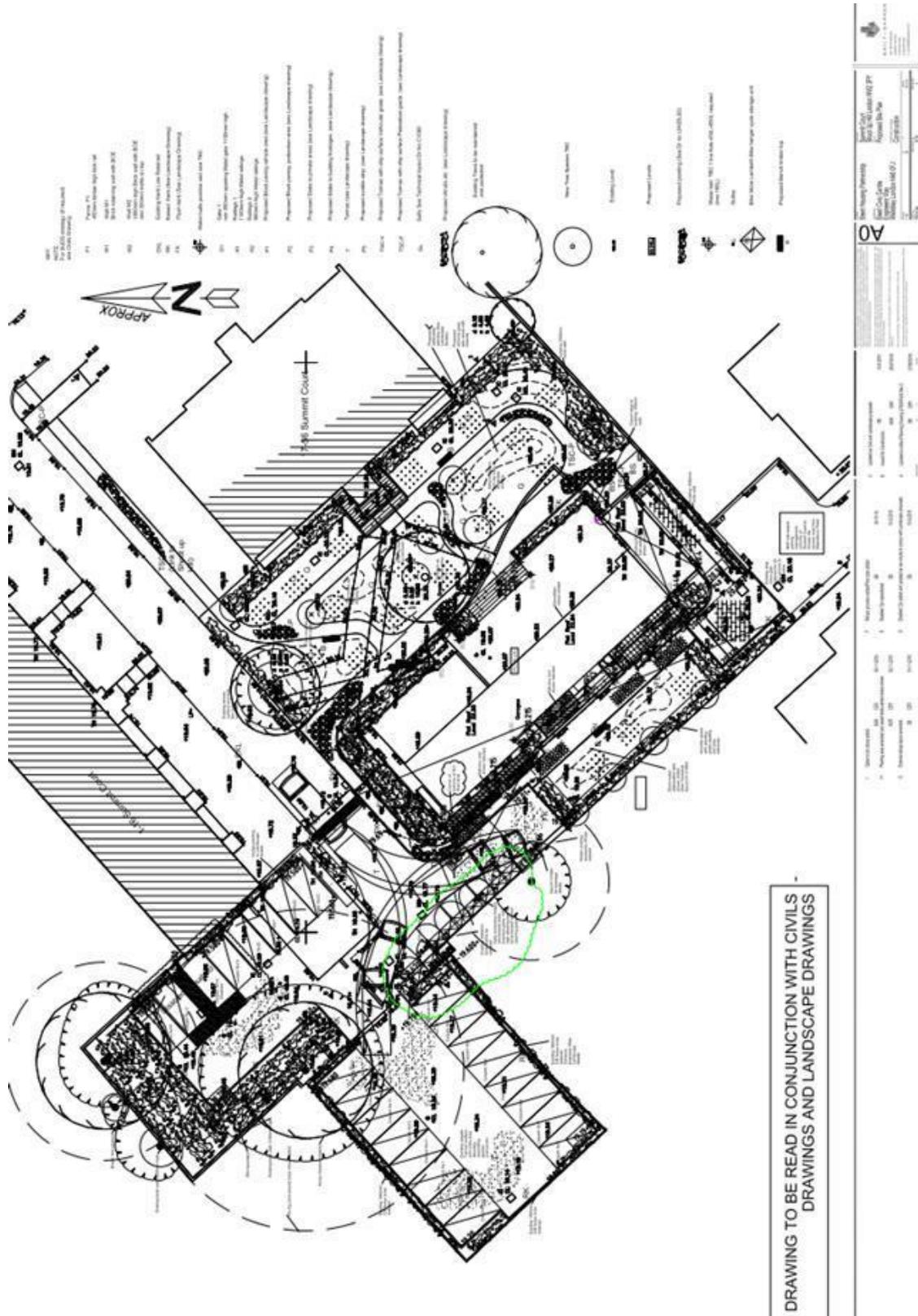
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This map is indicative only.

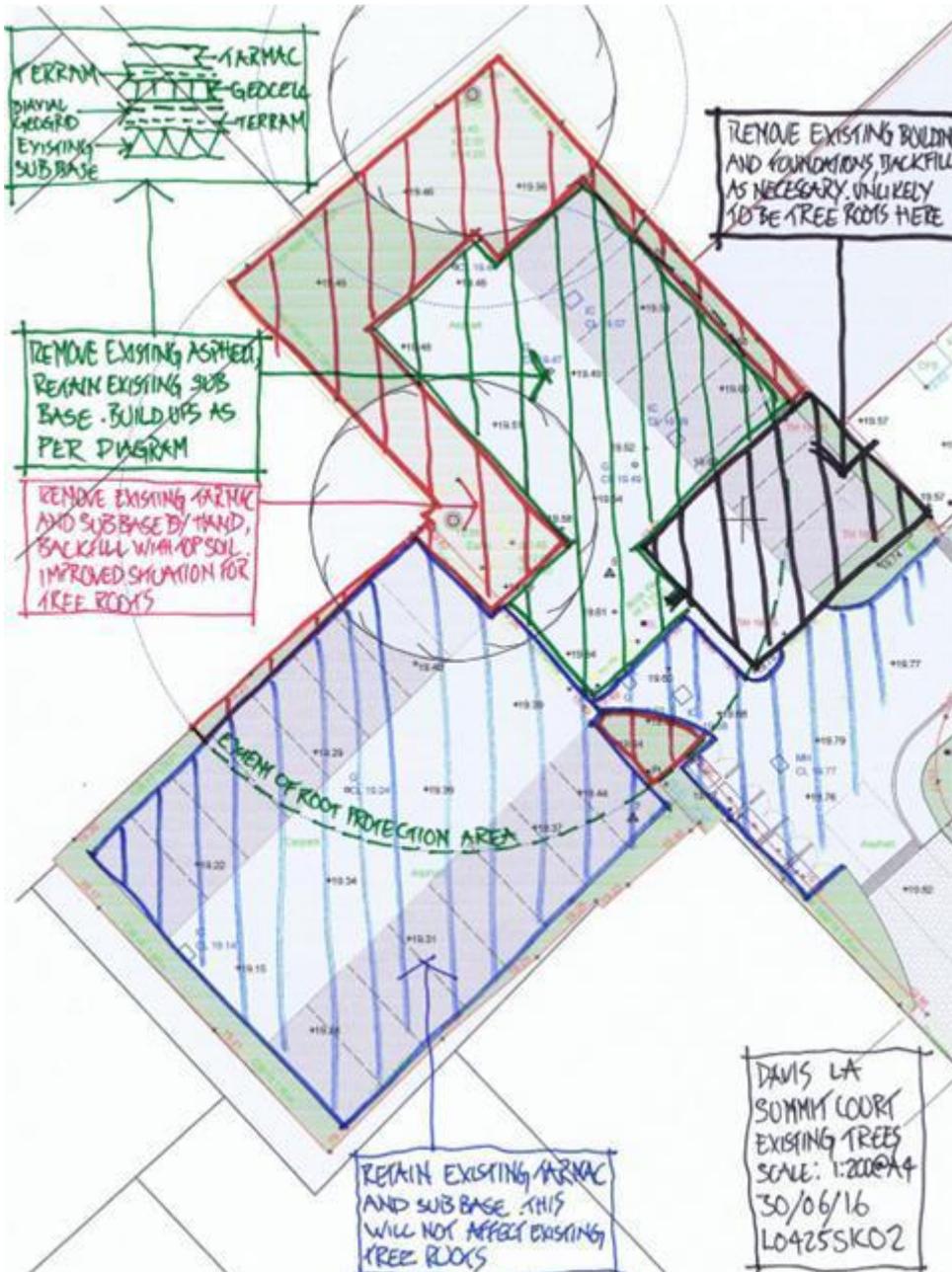
# SELECTED SITE PLANS SELECTED SITE PLANS

## SITE PLAN





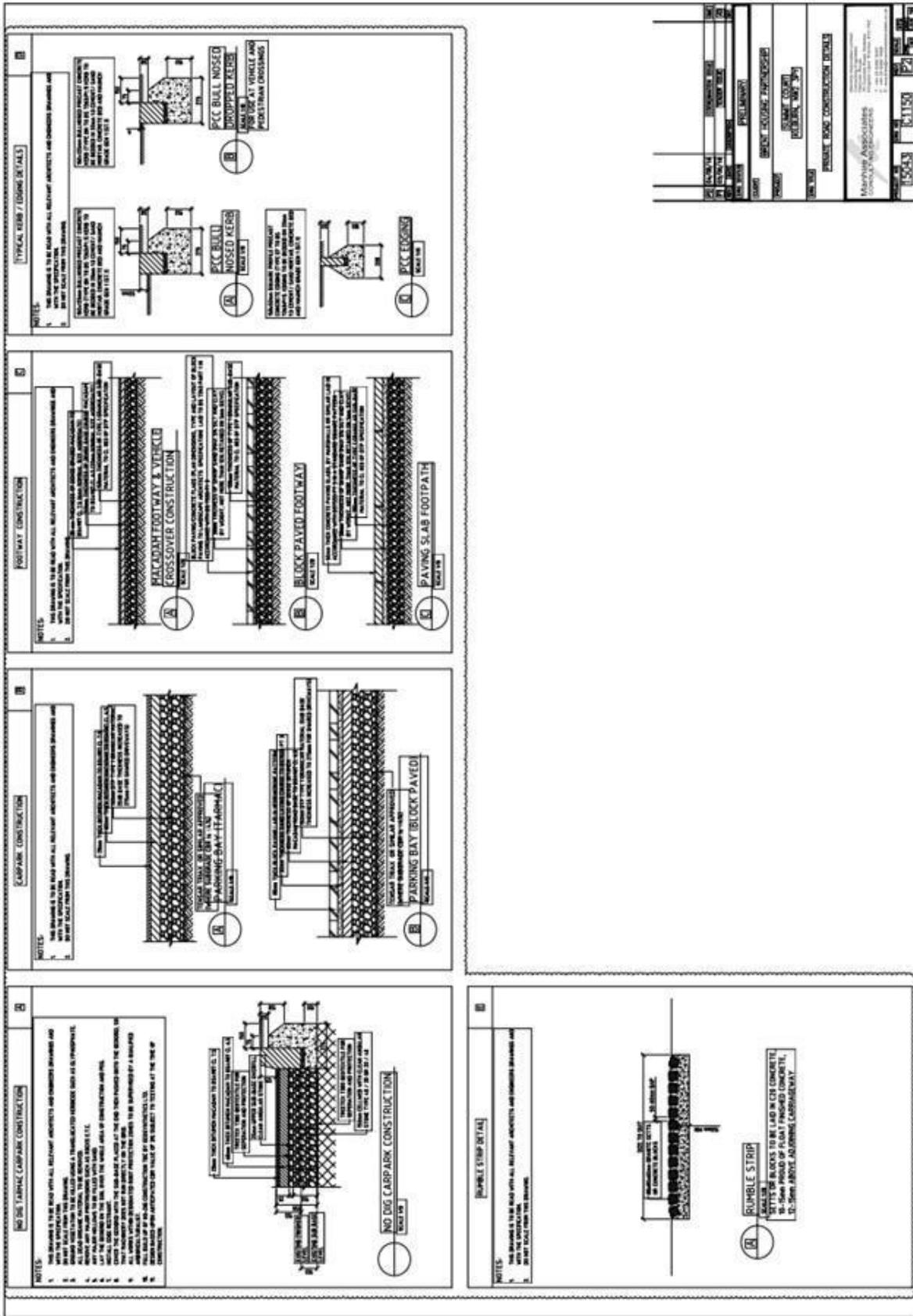
**SKETCH SHOWING REDUCTION OF TARMAC AROUND TREES AND SOFT LANDSCAPING INSTALLED**



**PRIVATE ROAD CONSTRUCTION DETAILS**

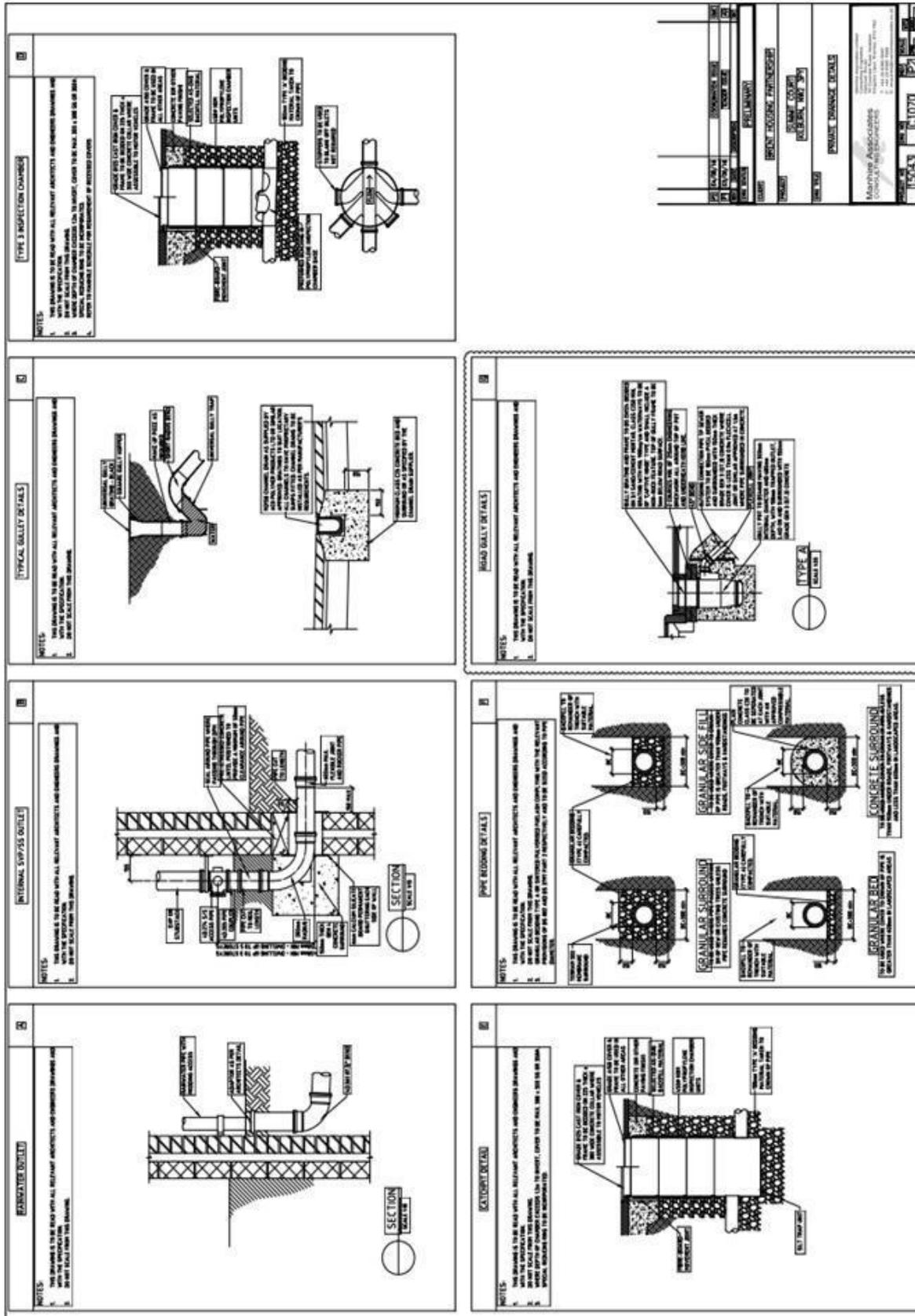
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Ref: 16/3585 Page 6 of 24



**CONSTRUCTION KEY PLAN**





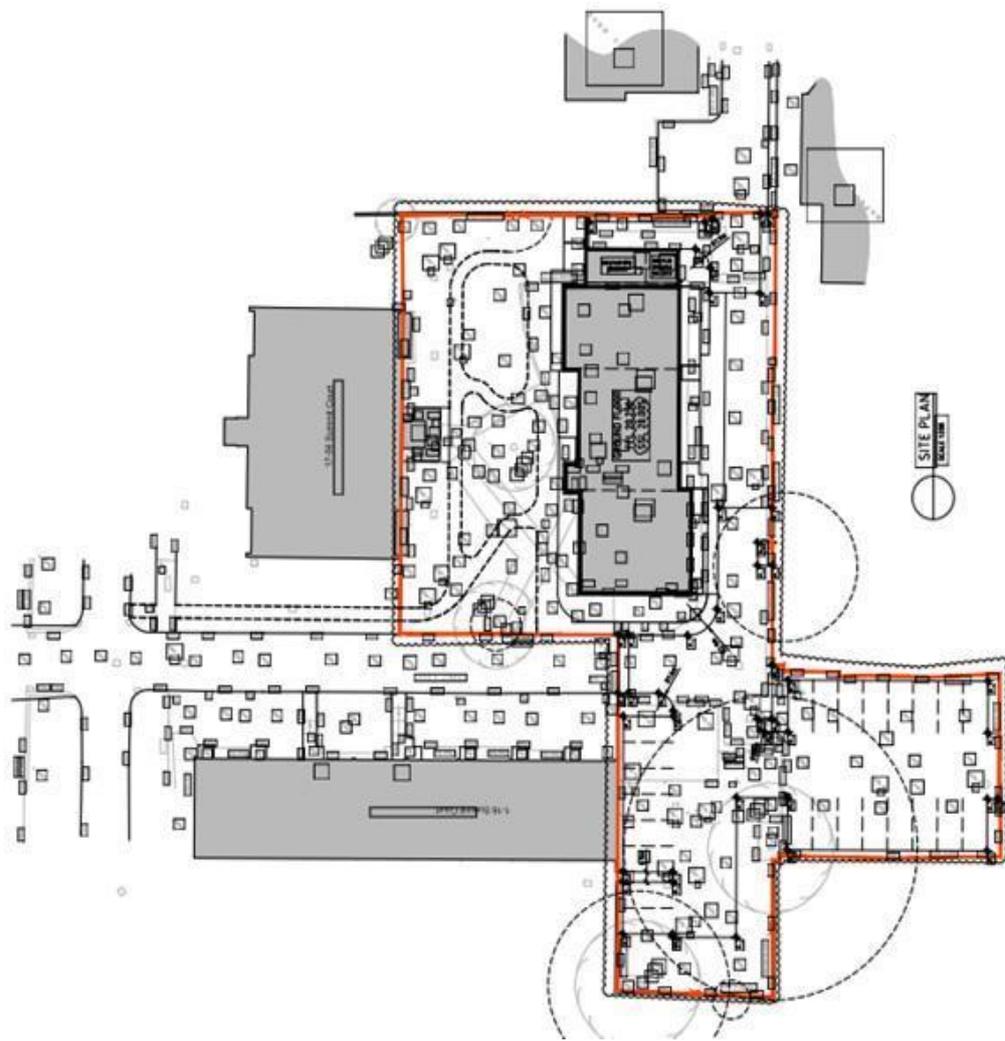
**TECHNICAL LAYOUT**



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 ALL CHANGES TO THE EXISTING AND PROPOSED PLANS SHALL BE APPROVED BY THE CHAIRMAN OF THE BOARD OF APPEALS AND ZONING BOARD OF ADJUDICATION.  
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PROJECT NO.	15043
DATE	01/20/20
PROJECT NAME	RENTAL HOUSING DEVELOPMENT
CLIENT	BRINT HOUSING PARTNERSHIP
ARCHITECT	STANTEC CONSULTANTS INC.
DATE	01/20/20
PROJECT NO.	15043
DATE	01/20/20
PROJECT NAME	RENTAL HOUSING DEVELOPMENT
CLIENT	BRINT HOUSING PARTNERSHIP
ARCHITECT	STANTEC CONSULTANTS INC.
DATE	01/20/20
PROJECT NO.	15043
DATE	01/20/20
PROJECT NAME	RENTAL HOUSING DEVELOPMENT
CLIENT	BRINT HOUSING PARTNERSHIP
ARCHITECT	STANTEC CONSULTANTS INC.
DATE	01/20/20



## RECOMMENDATIONS

1. That the Committee resolve to GRANT planning permission
2. That the Head of Planning is delegated authority to issue the planning permission and impose conditions

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[and informatives] to secure the following matters:

#### Summary of Conditions

1. Development to commence no later than 3 years from the date of the original permission 15/1892 which was granted on 10/02/2016
2. Development to take place in accordance with approved drawings
3. Development to take place in accordance with approved details for Condition 3 (obscure glazing) as detailed in application 16/2542
4. The parking spaces shown on the approved plans shall be constructed prior to the occupation of the development and be used solely in connection with 1-56 Summit Court and retained for the lifetime of the development.
5. Occupiers of the residential development, hereby approved, shall not be entitled to a Residents Parking Permit or Visitors Parking Permit to allow the parking of a motor car within the Controlled Parking Zone (CPZ) operating in the locality within which the development is situated unless the occupier is entitled; to be a holder of a Disabled Persons Badge issued pursuant to Section 21 of the Chronically Sick and Disabled Persons Act 1970.
6. No development shall be carried out until the person carrying out the works is a member of the Considerate Constructors Scheme
7. The development hereby approved shall be implemented and maintained for the lifetime of the development as 100% affordable rented housing
8. Development to take place in accordance with approved details for Condition 8 (External materials) as detailed in application 16/3141
9. Development to take place in accordance with approved details for Condition 9 (Landscaping) as detailed in application 16/3141
10. Development to take place in accordance with approved details for Condition 10 (Refuse and recycling) as detailed in application 16/3141
11. Development to take place in accordance with approved details for Condition 11 (SUDS) as detailed in application 16/2542
12. The development hereby approved shall be completed in accordance with the approved Tree Protection Plans, RPA Method Statement and Arboricultural Method Statement.
13. Development to take place in accordance with approved details for Condition 13 (Communal entrance) as detailed in application 16/2542
14. Development to take place in accordance with approved details for Condition 14 (Cycle parking spaces) as detailed in application 16/2542
15. Details of the location and design of any signage for the community use shall be submitted to and approved in writing by the local planning authority prior to the occupation of the building
16. Development to take place in accordance with approved details for Condition 16 (Construction Method Statement) as detailed in application 16/3141
17. Should any future amendments be proposed to the hereby approved car parking layout, the details shall first be submitted to and approved in writing by the LPA.
18. Within 3 months of practical completion of the development, an Energy Assessment Review shall be submitted to and approved in writing by the Local Planning Authority.
19. Details of a communal satellite system shall be submitted to and approved in writing by the Local Planning Authority and installed in accordance with the agreed details prior to the occupation of the building.

#### Informatives

1. The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges.

#### **A) PROPOSAL**

Variation of condition application proposing the amendments as follows:

#### Condition 12 (tree protection)

- area of tarmac reduced to allow more soft landscaping
- area of Cellweb also reduced to tie with the revised layout
- permeable surface to the proposed parking area has been substituted with impermeable surface

#### Condition 17 (car park layout)

- changes to car park layout to accommodate the revised roof protection strategy

#### Amendment to pending condition approval for Condition 11 (SUDS)

- revised layout along with details of road, paving and car park build-up

of planning permission reference 15/1892 dated 10/02/2016 for Demolition of redundant garages, caretakers storage and residents community room and erection of a four storey block of 11 self-contained flats (4x1bed, 3x2bed and 4x3bed) with associated space for community room (Use class D1) on the ground floor and additional car and cycle parking spaces, bin stores, and landscaping

## **B) EXISTING**

The site is currently occupied by a row of 10 unused garages and a sub station in a single storey block in the south-west corner of Summit Court, a 1960s development of 56 dwellings in two separate blocks of 4 and 10 storeys on the western side of Shoot Up Hill. To the south lies St Ives Court, a block of seven dwellings, 4 storeys high and constructed in 2006/7.

The garages do not have a street frontage as they are separated from Shoot Up Hill by Summit Court and from Mapesbury Road by St Ives Court. To the southwest of the site the application site abuts 45 Mapesbury Road, a two-storey detached Victorian house converted into five flats and located within the Mapesbury Conservation area.

The site is generally flat and level. The garages are situated between tarmacked hardstanding to the front and to the rear a mix of hard and soft landscaping providing amenity space to the residents of Summit Court.

Public transport accessibility is good with a PTAL rating of five and Kilburn underground station located approximately half a kilometre (6-7 minutes walk) to the south along Shoot Up Hill, which itself is well served with bus routes north and south.

These 10 garages make up a significant part of the total of 39 parking spaces provided for Summit Court however they are currently not used.

## **D) SUMMARY OF KEY ISSUES**

Petition of objection outlines concerns which relate mainly to the original permission 15/1892: The main issues are:

1. Unsatisfactory that the changes proposed were not made originally and indicates the whole project is not creating the space that the original planning proposal intended. The whole project has been approved on false premises
2. The number of residents that are against this project is more than 90%. The application should be refused.
3. Loss of amenity space and green space
4. Increased noise, smell, dust, traffic and reduction of parking spaces and increased crime
5. Loss of light and outlook

## **RELEVANT SITE HISTORY**

**16/3141 - Granted**

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Ref: 16/3585 Page 13 of 24*

Details pursuant to discharge of condition numbers 6 (Considerate Constructors Scheme), 8 (materials), 9 (landscaping), 10 (refuse and recycling) and 16 (Construction Method Statement) of planning permission reference 15/1892 dated 10/02/2016 for Demolition of redundant garages, caretakers storage and residents community room and erection of a four storey block of 11 self-contained flats (4x1bed, 3x2bed and 4x3bed) with associated space for community room (Use class D1) on the ground floor and additional car and cycle parking spaces, bin stores, and landscaping

**16/2542 - Granted**

Details pursuant to discharge of condition numbers 3 (obscure glazing), 11 (SUDS), 13 (communal entrance flush) and 14 (cycle parking spaces) of full planning permission reference 15/1892 dated 10/02/2016 for Demolition of redundant garages, caretakers storage and residents community room and erection of a four storey block of 11 self-contained flats (4x1bed, 3x2bed and 4x3bed) with associated space for community room (Use class D1) on the ground floor and additional car and cycle parking spaces, bin stores, and landscaping

**15/1892 – Granted**

Demolition of redundant garages, caretakers storage and residents community room and erection of a four storey block of 11 self-contained flats (4x1bed, 3x2bed and 4x3bed) with associated space for community room (Use class D1) on the ground floor and additional car and cycle parking spaces, bin stores, and landscaping

**CONSULTATIONS**

Statutory neighbour consultation period (21 days) started on 22<sup>nd</sup> September 2016, in total 100 properties were consulted.

A petition of objection was received on 13<sup>th</sup> October 2016 signed by 67 neighbours in Summit Court.

Summary of concerns raised:

Objection raised	Response
Tenants are having their amenity to use the space reduced.	Addressed in Committee report 15/1892
The loss of light, privacy and outlook is significant, as this will be on the sun lit side of both blocks. The development will create a large number of people with diminished sun light.	Addressed in Committee report 15/1892
The green space will be reduced. The removal of the trees and shrubs is to the contrary of tree protection. The increase in people and families will create a problem with the remaining green space, no longer being maintainable.	Addressed in Committee report 15/1892
As satisfactory resolutions of these problems was not made originally, it is an indication that the whole project is not creating the space that the original planning proposal intended. And therefore the whole project has been approved on false premises.	The current application proposes relatively minor changes to the scheme. It is often the case that such changes are not realised during an initial application but at a later stage which can be resolved by a section 73 application.

The affected buildings are housing the more vulnerable residents, and that the loss of peace, space and amenity, has the facility to increase the stress which these people were originally placed here to escape.	Addressed in Committee report 15/1892
The proposed building is in breach of the hygienic requirements for the space between the blocks. In view of that please consider the original plan of the present blocks and the space provided.	Addressed in Committee report 15/1892
Towards these please note the problems of increased noise, smell, dust, traffic, reducing of parking spaces and increase of crime. [The present garages have not been redundant].	Addressed in Committee report 15/1892
The number of residents that are against this project, being more than 90% and please satisfy their refusal of a new development.	Regardless of the current application, approval has already been granted for 15/1892 subject to conditions. There is no valid reason to refuse this application which will be discussed further in remarks.

## POLICY CONSIDERATIONS

### National Planning Policy Framework (2012):

Section 7 – Requiring Good Design

### Core Strategy (2010):

CP17 – Protecting and Enhancing the Suburban Character of Brent

### Brents emerging Development Management Plan:

DMP1 – General DMP policy

DMP12 – Parking

DMP15 – Affordable Housing

DMP19 – Residential Amenity Space

The Development Management Policies will be considered for formal adoption at a Full Council meeting on 21<sup>st</sup> November 2016. In the meantime, in accordance with paragraph 216 of the National Planning Policy Framework, the Council will take the Development Management Policies, including modifications, into account as a material consideration with significant weight in determining planning applications

### Brent's UDP (2004)

BE2 – Townscape: Local Context and Character

BE7 – Public Realm: Streetscape

BE9 – Architectural Quality

### Supplementary Planning Guidance:

SPG17 – Design Guide for New Development

## DETAILED CONSIDERATIONS

### 1.0 Background and context

1.2 The principle of the residential redevelopment on the site is acceptable and this is not for consideration as part of this application. Consideration relates to the nature of the changes proposed to conditions, the extent to which the proposal deviates from the consented scheme, and whether these changes can be supported in planning terms.

### 2.0 Discussion of changes to conditions

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Ref: 16/3585 Page 15 of 24*

2.1 Planning conditions are often applied to the grant of planning permission. These limit and control the way in which the planning permission may be implemented.

2.2 An application can be made under section 73 of the Town and Country Planning Act 1990 to vary or remove conditions associated with a planning permission. One of the uses of a section 73 application is to seek a minor material amendment, where there is a relevant condition that can be varied.

2.3 Where an application under section 73 is granted, the effect is the issue of a new planning permission, sitting alongside the original permission, which remains intact and unamended.

2.4 The applicant seeks to vary the following conditions:

#### 2.5 Condition 12 (tree protection)

- area of tarmac reduced to allow more soft landscaping

2.6 Drawing L0425L01C shows that area of tarmac (cellweb) around trees along the western edge of the car park would be reduced and replaced with soft landscaping which is welcomed by the Council Tree Officer and Principal Landscape Designer.

- area of Cellweb also reduced to tie with the revised layout

2.7 CellWeb is a tree root protection system which provides a flexible and permeable solution for protecting tree roots while creating a robust and stable platform when creating vehicular access paths. In line with the above change to the scheme, the area of cellweb will be reduced and soft landscaping put in its place.

- permeable surface to the proposed parking area has been substituted with impermeable surface

2.8 An impermeable surface is now proposed to the car park as the substrate beneath the car park is impermeable. The applicant states as the existing condition for the area of proposed parking is an impervious surface this proposed change will not have a detrimental impact on the existing tree roots which is accepted by the Council Tree Officer. To offset this the applicant proposes changes to the sustainable drainage system (SUDS) which will be discussed further below.

#### 2.9 Condition 17 (car park layout)

- changes to car park layout to accommodate the revised roof protection strategy

2.10 Drawing L0425L01C shows that the car park layout will be altered. The layout will be amended to accommodate the revised root protection strategy because of the poor infiltration characteristics of the sub soil as discussed above. The same number of car parking spaces will be retained.

2.11 Bins are shown along the access road which is the existing location for refuse storage. To improve the appearance a screen will be erected in front. As the bins are currently in this location, it is expected a refuse vehicle will still continue to navigate this area for collection. A tracking diagram shows a 7.6m refuse vehicle navigating this space.

#### 2.12 Condition 11 (SUDS)

- revised layout along with details of road, paving and car park build-up

2.13 The Sustainable Drainage System (SUDS) strategy for the scheme will be altered from the original proposals as indicated on drawing SLD/HG/LM1 revision B.

2.14 The original proposal was to infiltrate the surface water from the site using permeable paving located in

the car parking and access road areas. Due to unfavourable soakage tests undertaken at various locations on site, it is no longer possible to use infiltration as the SUDS strategy.

2.15 To offset this underground storage tank and hydro-brake to reduce peak flows leaving the site as per the requirements of 'The London Plan 2015'. This information has been reviewed by the Councils Principal Engineer for Highways and Infrastructure who is satisfied with the revised proposal.

### **3.0 Conclusion**

3.1 In summary many of the concerns raised by the petition of objection relate to the original application which regardless of this application can be implemented subject to conditions. The grounds of the objection have been duly considered as part of the original permission 15/1892. The extent of the proposed changes to the original approval can be supported and there are no valid grounds to resist this application, which would serve to improve the setting of the development

## **CIL DETAILS**

The original planning permission is liable to pay the Community Infrastructure Levy (CIL), subject to any claim for Social Housing Relief.

In accordance with Reg 9 Meaning of "Chargeable Development", the effect of this planning permission granted under section 73 of TCPA 1990 is that the amount of CIL payable calculated under regulation 40 (as modified by paragraph (8)) would not change, therefore the Chargeable Development is the development for which planning permission was granted by the previous permission as if that development was commenced.

Therefore no new Liability Notice is required and the original Liability Notice remains in force.



DECISION NOTICE – APPROVAL

=====

Application No: 16/3585

To: Mr Evelyn-Rahr  
Baily Garner  
Baily Garner  
146 -148 Eltham Hill  
London  
SE9 5DY

I refer to your application dated 15/08/2016 proposing the following:  
Variation of condition application proposing the amendments as follows:

- Condition 12 (tree protection)
  - area of tarmac reduced to allow more soft landscaping
  - area of Cellweb also reduced to tie with the revised layout
  - permeable surface to the proposed parking area has been substituted with impermeable surface

- Condition 17 (car park layout)
  - changes to car park layout to accommodate the revised roof protection strategy

- Amendment to pending condition approval for Condition 11 (SUDS)
  - revised layout along with details of road, paving and car park build-up

of planning permission reference 15/1892 dated 10/02/2016 for Demolition of redundant garages, caretakers storage and residents community room and erection of a four storey block of 11 self-contained flats (4x1bed, 3x2bed and 4x3bed) with associated space for community room (Use class D1) on the ground floor and additional car and cycle parking spaces, bin stores, and landscaping and accompanied by plans or documents listed here:

See condition 2

at Summit Court Garages and Laundry & Store Room nex to 1-16 Summit Court, Shoot Up Hill, London, NW2

The Council of the London Borough of Brent, the Local Planning Authority, hereby GRANT permission for the reasons and subject to the conditions set out on the attached Schedule B.

Date:

Signature:

**Alice Lester**  
Head of Planning, Transport and Licensing

**Notes**

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

DnStdG

## SUMMARY OF REASONS FOR APPROVAL

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

Brent Unitary Development Plan 2004  
Council's Supplementary Planning Guidance 17

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

Built Environment: in terms of the protection and enhancement of the environment  
Housing: in terms of protecting residential amenities and guiding new development  
Transport: in terms of sustainability, safety and servicing needs

- 1 Development to commence no later than 3 years from the date of the original permission 15/1892 which was granted on 10/02/2016

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):

L0425L01 M  
L04255K02  
101 I  
C1150 P2  
C110 P2  
C1070 P2  
C1060 P2  
C1020 P2

Approved drawings and technical documents for 15/1892:

PL00  
PL02C  
PL04B  
PL09C  
PL10B  
PL16C  
PL21  
PL22  
Tree protection plan  
Working within root protection areas – method statement  
Arboricultural method statement  
Energy strategy report

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

- 3 Development to take place in accordance with approved details for Condition 3 (obscure glazing) as detailed in application 16/2542 and be retained as such for the lifetime of the development.

Reason: To minimise interference with the privacy of the adjoining occupier(s).

- 4 The parking spaces shown on the approved plans shall be constructed prior to the occupation of the development and be used solely in connection with 1-56 Summit Court and retained for

the lifetime of the development.

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

- 5 Occupiers of the residential development, hereby approved, shall not be entitled to a Residents Parking Permit or Visitors Parking Permit to allow the parking of a motor car within the Controlled Parking Zone (CPZ) operating in the locality within which the development is situated unless the occupier is entitled; to be a holder of a Disabled Persons Badge issued pursuant to Section 21 of the Chronically Sick and Disabled Persons Act 1970. For the lifetime of the development written notification of this restriction shall be included in any licence transfer lease or tenancy agreement in respect of the residential development. For the lifetime of the development a notice, no smaller than 30cm in height and 21cm in width, clearly informing occupants of this restriction shall be displayed within the ground floor communal entrance lobby, in a location and at a height clearly visible to all occupants. On, or after, practical completion but prior to any occupation of the residential development, hereby approved, written notification shall be submitted to the Local Highways Authority confirming the completion of the development and that the above restriction will be imposed on all future occupiers of the residential development.

Reason: In order to ensure that the development does not result in an increased demand for parking that cannot be safely met within the locality of the site.

- 6 No development shall be carried out until the person carrying out the works is a member of the Considerate Constructors Scheme and its code of practice, and the details of the membership and contact details are clearly displayed on the site so that they can be easily read by members of the public.

Reason: To limit the impact of construction upon the levels of amenity that neighbouring occupiers should reasonably expect to enjoy.

- 7 The development hereby approved shall be implemented and maintained for the lifetime of the development as 100% affordable rented housing (meaning subsidised housing at below market rents, intended for households who cannot afford housing market rates) and LB Brent will have the right to nominate people to be housed in the whole of the affordable housing development, unless otherwise agreed in writing with the local planning authority.

Reason: To ensure the development is implemented in accordance with the details submitted, and to contribute to meeting Brent's identified housing needs, including meeting LB Brent's statutory housing duties.

- 8 Development to take place in accordance with approved details for Condition 8 (External materials) as detailed in application 16/3141 and be retained as such for the lifetime of the development.

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

- 9 Development to take place in accordance with approved details for Condition 9 (Landscaping) as detailed in application 16/3141 and amended by 16/3585. 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.

- 10 Development to take place in accordance with approved details for Condition 10 (Refuse and recycling) as detailed in application 16/3141 and be retained as such for the lifetime of the development.

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

- 11 Development to take place in accordance with approved details for Condition 11 (SUDS) as detailed in application 16/2542 and amended by 16/3585 and be retained as such for the lifetime of the development.

Reason: To ensure a satisfactory standard of development in the interests of local visual amenity.

- 12 The development hereby approved shall be completed in accordance with the approved Tree Protection Plans, RPA Method Statement and Arboricultural Method Statement. Furthermore a watching brief is required so that any activity within the RPA's of trees T1 and T2 shall only take place under the site supervision of a qualified arboriculturalist. A written record must be kept of these visits and made available to the LPA on their request and should any problems arise with respect to the retained trees the LPA tree officer should be immediately contacted.

Reason: To ensure that the trees are protected

- 13 No works shall commence unless revised plans which show the communal entrance flush with or closer to the front elevation of the building have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure a safe and welcoming entrance.

- 14 Details of the provision of a minimum of 11 secure cycle parking spaces shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of work on site. Thereafter the development shall not be occupied until the cycle parking spaces have been laid out in accordance with the details as approved and these facilities shall be retained for the lifetime of the development. The cycle storage shall be located to maximise accessibility and minimise any impact on the visual amenity and usability of soft landscaping.

Reason: To ensure satisfactory facilities for cyclists.

- 15 Details of the location and design of any signage for the community use shall be submitted to and approved in writing by the local planning authority prior to the occupation of the building and the development shall be completed in accordance with the approved plans.

Reason: In the interest of the design quality of the building.

- 16 Development to take place in accordance with approved details for Condition 16 (Construction Method Statement) as detailed in application 16/3141

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

- 17 Should any future amendments be proposed to the hereby approved car parking layout, the details shall first be submitted to and approved in writing by the LPA. The arrangement shall be constructed and permanently retained thereafter and the area shall not be used for any purpose other than the parking of cars and shall not be altered except with the prior written permission of the Local Planning Authority.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic or conditions of general safety along the neighbouring highway and to ensure a satisfactory standard of amenity by providing and retaining adequate on site car parking.

- 18 Within 3 months of practical completion of the development, an Energy Assessment Review shall be submitted to and approved in writing by the Local Planning Authority. This review by an approved independent body shall verify that the development has met or exceeded the following:

(i) Minimum 35% improvement on Part L 2013 Building Regulations Target Emission Rate ("TER") for CO2 emissions;

If the review specifies that the development has failed to meet the above levels, and it has been satisfactorily demonstrated that it has not been possible or feasible to incorporate any of the measures proposed within the Energy Statement and/or the Sustainability Strategy then details of alternative measures or alternative means by which the impacts of the failure to implement the measures will be mitigated shall be submitted to and approved in writing by the Local Planning Authority within 2 months of the review, and implemented in full thereafter in accordance with a timescale agreed with the Local Planning Authority.

The approved Sustainability and Energy Strategies (or as amended) shall be fully implemented and maintained for the lifetime of the Development unless otherwise agreed in writing with the Council.

Reason: To ensure a satisfactory development which incorporates sustainability measures.

- 19 Details of a communal satellite system shall be submitted to and approved in writing by the Local Planning Authority and installed in accordance with the agreed details prior to the occupation of the building. No individual satellite dishes shall be attached to the building.

Reason: To ensure that such additions do not harm the visual amenity of the area.

## INFORMATIVES

- 1 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at [www.brent.gov.uk/CIL](http://www.brent.gov.uk/CIL).

Any person wishing to inspect the above papers should contact Katrina Lamont, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 1905