



Planning Committee

Wednesday 6 June 2018 at 6.00 pm

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

Membership:

Members

Councillors:

Denselow (Chair)
Johnson (Vice Chair)
Abdi
Colacicco
Hylton
Lo
Maurice
Sangani

Substitute Members

Councillors:

Ahmed, S Butt, Dar, Ethapemi, Gill, Kabir,
W Mitchell Murray and Patterson

Councillors

Colwill and Kansagra

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

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

democracy.brent.gov.uk

Members' briefing will take place at 5.00pm in Boardroom 2

The press and public are welcome to attend this meeting

Please note this meeting will be filmed for live broadcast on the Council's website. By entering the meeting room you will be deemed to have consented to the possibility of being filmed and to the possible use of those images and sound recordings for webcasting.

Notes for Members - Declarations of Interest:

If a Member is aware they have a Disclosable Pecuniary Interest* in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent and must leave the room without participating in discussion of the item.

If a Member is aware they have a Personal Interest** in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent.

If the Personal Interest is also significant enough to affect your judgement of a public interest and either it affects a financial position or relates to a regulatory matter then after disclosing the interest to the meeting the Member must leave the room without participating in discussion of the item, except that they may first make representations, answer questions or give evidence relating to the matter, provided that the public are allowed to attend the meeting for those purposes.

***Disclosable Pecuniary Interests:**

- (a) **Employment, etc.** - Any employment, office, trade, profession or vocation carried on for profit gain.
- (b) **Sponsorship** - Any payment or other financial benefit in respect of expenses in carrying out duties as a member, or of election; including from a trade union.
- (c) **Contracts** - Any current contract for goods, services or works, between the Councillors or their partner (or a body in which one has a beneficial interest) and the council.
- (d) **Land** - Any beneficial interest in land which is within the council's area.
- (e) **Licences**- Any licence to occupy land in the council's area for a month or longer.
- (f) **Corporate tenancies** - Any tenancy between the council and a body in which the Councillor or their partner have a beneficial interest.
- (g) **Securities** - Any beneficial interest in securities of a body which has a place of business or land in the council's area, if the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body or of any one class of its issued share capital.

****Personal Interests:**

The business relates to or affects:

(a) Anybody of which you are a member or in a position of general control or management, and:

- To which you are appointed by the council;
- which exercises functions of a public nature;
- which is directed is to charitable purposes;
- whose principal purposes include the influence of public opinion or policy (including a political party or trade union).

(b) The interests a of a person from whom you have received gifts or hospitality of at least £50 as a member in the municipal year;

or

A decision in relation to that business might reasonably be regarded as affecting the well-being or financial position of:

- You yourself;
- a member of your family or your friend or any person with whom you have a close association or any person or body who is the subject of a registrable personal interest.

Agenda

Introductions, if appropriate.

Apologies for absence and clarification of alternate members

ITEM	WARD	PAGE
Members are invited to declare at this stage of the meeting, the nature and existence of any relevant disclosable pecuniary, personal or prejudicial interests in the items on this agenda and to specify the item(s) to which they relate.		
2. Minutes of the previous meeting - 11 April 2018		1 - 4
APPLICATIONS FOR DECISION		
3. Kings Drive Garages, Kings Drive, Wembley (Ref. 17/5416)	Barnhill	9 - 30
4. 40 Sudbury Court Road HA1 3SH (Ref. 18/0354)	Northwick Park	31 - 50
5. 253A Ealing Road, Wembley, HA0 1ET (Ref. 17/1104)	Alperton	51 - 80
6. Parking Spaces, York House, Empire Way, Wembley (Ref. 18/0204)	Tokington	81 - 98
7. Former Palace of Arts and Industry, Engineers Way, Wembley, HA9 (Ref. 18/0968)	Tokington	99 - 126
8. Land rear of 25 to 30 Stonebridge Park (Ref. 17/4203)	Stonebridge	127 - 144

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 60.

Date of the next meeting: Wednesday 4 July 2018



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 11 April 2018 at 7.00 pm

PRESENT: Councillors Marquis (Chair), Agha (Vice-Chair), S Choudhary, Colacicco, Daly, Hylton, Kabir (substitute for Councillor Moher), Maurice and W Mitchell Murray

Apologies for absence were received from Councillor Moher.

1. **Declarations of interests**

None.

2. **Minutes of the previous meeting**

RESOLVED:-

that the minutes of the previous meeting held on 14 March 2017 be approved as an accurate record of the meeting subject to the following amendment to the minutes of 14 February 2018:

Page 2 paragraph 3 (sentence 2) delete "main door".

3. **1-12 INC, Queens Parade, Willesden Lane, Willesden, London, NW2 5HT (Ref. 17/0322)**

PROPOSED: Demolition of existing retail units and erection of part-six, part-seven, part-eight storey building, comprising 117 student residential accommodation units (Use class Sui Generis) on the upper floors, ground floor retail floorspace of 324.5sqm providing 5 commercial units (Use class A1) and entrance lobby for the student accommodation, and use of basement level to provide retail warehouse floorspace of 226.5sqm (ancillary to A1) along with cycle parking, bin stores, laundry and plant room ancillary to the student accommodation, with associated enhancements to the public realm at street level.

RECOMMENDATION: Defer to a subsequent planning committee meeting to enable officers to assess the revised proposals and supporting new information received and to re-consult neighbouring residents.

The Application was deferred at the last meeting when members were minded to refuse the application and asked officers to present a report that dealt with their concerns relating to the impact of the scheme, quality of student accommodation and servicing arrangements.

Mr Damian Manhertz (Area Planning Team Manager) introduced the report and answered members' questions. In reference to the supplementary report, he updated the Committee that since the last meeting, the applicant had suggested

revisions to the scheme which sought to address members' concerns. To enable the receipt of the revised drawings and supporting documents, the assessment of the revisions and consultation with neighbouring residents and interested parties, he recommended a deferral to a future meeting.

Ms Rachel Leharne (objector) reiterated the concerns she raised at the last meeting relating to impact on residential amenities including daylight and sunlight and traffic on Willesden Lane.

Mr Simon Owen (applicant's agent) addressed the Committee and answered members' questions. Mr Owen clarified the suggested revisions to the scheme as follows; removal of one storey to reduce impact, alterations to the basement and draft servicing plans.

In welcoming the revisions, members emphasised to the applicant's agent to ensure that the applicant should engage with residents with regards to the revised scheme prior to its submission to a future meeting of the Committee.

DECISION: Deferred to a subsequent planning committee meeting to enable the submission of revised drawings and supporting documents, the assessment of the revised proposals and supporting information by officers and to re-consult neighbouring residents.

(Voting on the application was unanimous as follows: For 8, Against 0)

Note: Councillor Colacicco having declared personal interest left the meeting room and did not take part in the discussion and voting on the application.

4. 13 Wyndale Avenue London NW9 9PT(Ref. 17/1011)

PROPOSED: Erection of a two storey side extension with associated alterations to roof to replace gabled roof to main house with a hipped roof and reduction in size of rear dormer window, a single storey side/ rear extension, a front porch and the conversion of dwellinghouse into two self-contained flats (1 x 2-bed & 1 x 3-bed) with associated cycle parking spaces, bin stores, amenity space (revised description).

RECOMMENDATION: Grant planning permission for reasons set out within the Committee report subject to conditions and informatives as set out in the report.

That the Head of Planning be granted 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.

Mr Andrew Neidhardt (Deputy Development Management Team Leader) introduced the report and answered members' questions. With reference to the supplementary report he drew members' attention to the list of expanded objections and officers' responses to them.

Mr Troy Healy (applicant's agent) spoke to specify that the proposed development was intended to be wholly occupied by the existing family.

Members discussed the application after which they recommended additional conditions suggested by Councillor Daly regarding the retention of soft landscaping within the frontage and noise insulation measures between the kitchen/living area of the upper floor flat and the front bedroom of the ground floor flat.

DECISION: Granted planning permission as recommended subject to additional conditions regarding frontage landscaping and noise insulation.
(Voting on the application was unanimous as follows: For 9, Against 0)

5. Any Other Urgent Business

Councillor Marquis thanked Councillor Agha and Councillor Moher for successfully chairing the meetings while she was away. She also expressed her appreciation to all other members and officers for their hard work, support and professionalism. Councillor Marquis indicated that she would not be putting herself forward for the position of Chair should she get re-elected on 3rd May 2018 Local Elections.

Members were unanimous in reciprocating the appreciation to Councillor Marquis.

The meeting closed at 7.50 pm

S MARQUIS
Chair

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PART 1 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.

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

6 June, 2018
04
17/5416

SITE INFORMATION

RECEIVED	20 December, 2017
WARD	Barnhill
PLANNING AREA	Brent Connects Kingsbury & Kenton
LOCATION	Kings Drive Garages, Kings Drive, Wembley
PROPOSAL	Demolition of garages and erection of 4 bungalows with associated car parking spaces, cycle storage, refuse storage and amenity space, 25 communal parking spaces and associated landscaping (Amended description 16.12.18).
PLAN NO'S	See condition 2.
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_137814</p> <p><u>When viewing this as an Hard Copy</u> .</p> <p>Please use the following steps</p> <ol style="list-style-type: none"> 1. Please go to pa.brent.gov.uk 2. Select Planning and conduct a search tying "17/5416" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab

RECOMMENDATIONS

RECOMMENDATION Resolve to grant planning permission subject to conditions.

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 commencement
2. Approved drawings/documents
3. Construction Method Statement
4. Construction Ecological Management Plan
5. Site Investigation
6. Materials samples
7. Further tree survey, arboricultural impact assessment and tree protection scheme
8. Details of external lighting and drainage
9. Contaminated land remediation measures and verification report
10. Hard and soft landscaping scheme
11. Provision of parking, amenity space, boundary treatments prior to occupation
12. Securing affordable housing

Informatives

1. CIL Liable
2. Crossover works
3. Building near boundary
4. Party Wall
5. Soil quality
6. Asbestos removal
7. Living Wage
8. Notify highways before works commence

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.

SITE MAP



Planning Committee Map

Site address: Kings Drive Garages, Kings Drive, Wembley

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This map is indicative only.

PROPOSAL IN DETAIL

The proposal seeks to demolish the garages and to redevelop the parking area to provide four x 2bed bungalows with associated garden space and each having one dedicated parking space, and an additional 25 parking spaces for communal use by existing residents of the housing estate.

EXISTING

The existing site consists of an L-shaped area of hardstanding containing a row of single-storey domestic garages with additional space marked out for parking. There are also some boundary trees and small areas of grass verge.

The site is on the southern and southwestern boundary of the Kings Drive housing estate owned by Brent Council and sits on the brow of a hill with the three and four-storey apartment blocks of the estate stepping down the hill to the north and east. The site does not contain any listed buildings and is not in a conservation area, but is on the boundary with Barn Hill Conservation Area to the west, along the rear garden boundaries of the houses along Barn Hill itself. The surrounding area is residential and of a mixed character, including two-storey detached and semi-detached properties interspersed with larger housing blocks.

The site provides garaging and informal parking for residents of the housing estate, and the garages are let out on short term leases.

AMENDMENTS SINCE SUBMISSION

Minor revisions to the site layout have been made in revised drawings submitted on 9 March 2018. These include the addition of patios to each of the gardens and the provision of an enlarged cycle store and garden store in each garden, the addition of rooflights to the dwellings, renumbering of parking spaces to provide four spaces specifically allocated to the new dwellings, and the resizing of one parking space to provide for disabled use. These revisions are not considered to materially impact upon the proposal, and have not been subject to a further period of consultation.

SUMMARY OF KEY ISSUES

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

Objections from neighbours: The application has been referred to Planning Committee due to the number of neighbour objections received. The objections relate mainly to the principle of developing sites such as this, the impact on neighbouring properties in terms of privacy and outlook, the impact on trees including those in neighbouring gardens within the conservation area, loss of parking spaces and the impact on on-street parking capacity. A number of objections relate to the Council's role as landlord and other issues that are not material planning considerations. Objections have been summarised together with a brief officer response in the 'Consultations' section of this report and considered in the relevant sections of the report.

Principle of development: The site is previously developed land in an established residential area, and its redevelopment for residential use is supported by current and emerging policy and is considered to be acceptable in principle.

Affordable housing: Affordable housing is not a policy requirement for sites of this size. However, the proposal will provide four new affordable homes, as part of a wider programme to redevelop underused garage sites. Your officers attach significant weight to the provision of affordable housing in this case.

Design, scale and appearance: The scale of development would be appropriate for its context, whilst the contemporary design would add interest and variety to the street scene without being unduly obtrusive and the layout would make good use of the L-shaped site. The proposal is considered to be of an acceptable standard of design.

Impact on conservation area: The site adjoins rear gardens in Barn Hill conservation area. However, the impact on the conservation area is considered to be negligible in this case.

Relationship with neighbouring properties: The proposal would not have any material impact on neighbouring properties in terms of their light, outlook or privacy, and would provide adequate light, outlook and privacy for future occupants.

Residential living standards: The properties would comply with all relevant standards and would provide a good standard of accommodation.

Impact on trees and biodiversity: No significant impact on biodiversity is anticipated. A number of low quality trees are proposed to be removed, and could be compensated for by replacement planting. A further tree survey would be required following demolition of the garages, and a tree protection scheme.

Transportation: The proposal would provide parking spaces reflecting the surveyed demand for the existing garages and informal parking, and four parking spaces to serve the proposed dwellings. The access would be constructed as a shared surface, which is appropriate for a development of this size, and would provide sufficient width for cars and pedestrians to pass safely.

RELEVANT SITE HISTORY

There is no relevant planning history.

CONSULTATIONS

67 adjoining properties were consulted by letter on 11 January 2018 for a period of 21 days. This complies with statutory requirements and no press notice or site notice are required in the case of minor developments outside of conservation areas. However, due to public interest in the case a site notice was posted on 14 February 2018 to provide additional publicity.

13 objections were received, in addition to a petition with 105 signatures. A summary of matters raised, together with officers' responses, is given below:

Comment	Response
Proposal makes only minimal contribution to housing targets	These are not valid reasons for refusing planning permission. Furthermore, Policy H2 of the Draft New London Plan emphasises that small sites should play a much greater role in housing delivery, and expects boroughs to apply a presumption in favour of infill developments on vacant or underused sites.
Proposal would have a negligible impact in terms of regeneration	
There are other suitable sites for building bungalows	
Proposal represents beginning of erosion of open spaces such as Fryent Country Park	The site is a small area of previously developed land and its redevelopment would not in any way create a precedent for development on designated open spaces in the borough.
Proposal is not in keeping with this area of Barn Hill and the conservation area is not mentioned in any documents.	The site is outside the conservation area. However, the Planning Statement has been revised to include an assessment of the impact on the conservation area, and the conservation officer is satisfied that the impact would be negligible.
Bungalows look like holiday cottages, similar to prefabs built previously nearby, and do not give the impression of being here for a long time.	The flat-roofed single storey design is intended to minimise the bulk of the properties to be similar to that of the existing garages, but this does not indicate that construction methods and materials would be of low quality.

Noise pollution from additional residents	Residential uses are proposed within a residential area. The proposal does not introduce uses that are incompatible with this residential setting.
Loss of trees will result in loss of privacy and amenity for neighbours	Only low quality trees between the garages and rear boundary would be removed, and replacement planting would compensate for these, whilst trees in neighbouring rear gardens would remain.
Loss of privacy, light and 'green outlook' for existing residents	The development complies with SPG17 and draft SPD1 on overlooking distances and would not result in any loss of light or outlook to neighbouring properties. The site does not provide a 'green outlook' at present other than by virtue of tree cover, and replacement trees are proposed to compensate for trees removed.
Bungalows will overlook blocks 400-442 and will be subject to 'right to buy' in five years, when the council could not stop purchasers from changing the front aspect or fencing.	The proposal complies with SGP17 and draft SPD1 on overlooking distances. Permitted development rights would be withdrawn if planning permission is granted, and this would still apply even if the properties were sold to private owners.
Garages have weathered into the landscape and are not used on numerous occasions, whereas the bungalows will be more intensively used.	This is not a valid reason to constrain the development of the site. The level of noise and disturbance from four residential properties is unlikely to be significantly greater than that from the existing use.
Object to removal of trees	Only low quality trees between the garages and rear boundary would be removed, and replacement planting would compensate for these, whilst trees in neighbouring rear gardens would remain.
Mature trees on Barn Hill boundary pose risk from storm damage if falling onto proposed dwellings	Despite the increasing frequency and intensity of storm events, the number of tree related deaths recorded per year remains constant at approximately 6.5 throughout the UK, which equates to a less than 1:10,000,000 chance of being killed by a falling tree.
Information on number of trees fallen in storms in last five years requested	The Council does not keep records of fallen trees. Owners of trees not protected by conservation area status or TPOs are not required to notify the council when trees are removed and the council does not have the resources to check the health of every tree in the borough following a storm.
Inaccuracies in tree report, which does not show trees on boundary in gardens of Barn Hill residents	The tree report is designed to highlight the quality of trees in and around the site prior to making development decisions. The report also advises on how development should commence in relation to trees and highlights trees of a lesser quality or with irremediable defects that may be removed and replaced as part of the development. The remit does not require the arboriculturalist to enter private gardens but allows them to assess trees from a distance with

	a caveat that they were unable to inspect the tree in close detail.
Loss of trees immediately adjacent to conservation area	Trees within the conservation area boundary would remain and would continue to enhance the character and appearance of the conservation area. Trees outside of the conservation area are not protected unless by a TPO, and the trees to be removed are all of low quality.
Trees will be overbearing on proposed development, and lack of street lighting will also make development dark, unwelcoming and unsafe	The outlook of future residents of the bungalows would not be affected by trees in rear gardens. Trees overhanging the application site could under common law be cut back to the boundary. A lighting plan would be required by condition.
Proximity to trees will cause risk of fire transmission from one building to another	Trees occasionally catch fire in the UK but do not spontaneously combust unless struck by lightning. Fires that do occur are generally man made, either purposely set fire to or near an object that is already on fire, and in the summer months when foliage is dry.
Impact of loss of trees on habitat	A Preliminary Ecological Appraisal has been submitted and makes a number of recommendations, which would be required as conditions or noted as informatives as appropriate.
The development will increase traffic flow in the area, and residents may have more than one car.	The proposal complies with the Council's maximum parking standards and the scale of development is not considered to result in a significant increase in traffic flow.
Additional traffic will have detrimental impact on owners of houses 33-41 directly opposite	The access is already used for parking and it is not considered that the additional activity caused by an additional four cars would be unduly detrimental.
Parking in area is inadequate and heavy on-street parking demand on narrow streets causes problems for emergency access	The proposal would not add to on-street parking demand, as the existing level of parking demand on-site and the maximum parking for the new dwellings would be provided.
Inaccuracy and bias of parking surveys and photographs – parking demand is highest in the evening	Parking surveys are generally conducted overnight as this is the time when parking demand is generally highest. The survey demonstrates that nearby streets are too heavily parked to safely accommodate any overspill parking from this site, and the proposal has been assessed on this basis.
On-street parking capacity has been reduced eg by introduction of double yellow lines.	The proposal would not add to on-street parking demand.
Lack of parking nearby for disabled, elderly, less mobile residents and those with young children and/or heavy shopping	There is one on-street disabled parking bay within 200m of the site and the proposal would provide a second. There are no specific parking standards for other groups.
No arrangements for disabled persons or	The shared surface would be designed for both

pedestrians.	pedestrian and vehicular use. Disabled parking would be provided on-site.
Inaccessibility of public transport in the area.	Parking provision is in line with the council's maximum standards, based on public transport accessibility levels.
Top of steep hill is not a suitable location for disabled people.	There is no evidence that the bungalows would be occupied by disabled people or that this location would be unsuitable for them.
New parking spaces could be used by residents of other developments, as at present.	This is an existing situation and not a planning consideration in relation to this case.
Space should be used to address needs of current residents rather than building new properties.	The meaning of this comment is unclear although it is assumed to refer to the loss of garaging and parking provision. See comments above.
The opening of the Lycee has increased parking demand on Kings Drive.	Parking demand from the Lycee is unlikely to affect residents of the estate as there are other roads in closer proximity to it with more on-street parking capacity.
Proposal does not make allowance for access by emergency services or refuse collection vehicles.	The Proposed Site Plan shows a tracking path for a large service vehicle, which would allow both emergency services and refuse collection vehicles to enter and turn within the site.
Bin storage will be consolidated in one space in the future, causing a nuisance to neighbouring residents.	There are no plans to consolidate bin storage into a single location.
Nuisance from noise, dust and vibrations during construction	These matters would be controlled through a construction method statement.
Works will add to poorly maintained standard of Kings Drive road surface, and resurfacing this should be a priority for the council	There is no evidence that the works would cause damage to the road surface. Highway maintenance is a statutory duty of the council and legally separate from its role as a housing provider.
Council is building bungalows to make a profit	This is not a planning consideration. The council would not make a profit from this development. The four bungalows would be for affordable rent and this would be secured by a planning condition.
Eviction from garages in 2017 has led to use of the site for dumping of vehicles and rubbish including car tyres, causing environmental nuisance and fire hazard	This is not a planning consideration. Fly-tipping, abandoned vehicles and other environmental nuisance issues should be reported to the council's environmental health team.
No allowance to indemnify Barn Hill homeowners for loss of life, property and trees due to future fires or storm damage.	This is not a planning consideration. There is no evidence that loss of life, property or trees would occur as a result of this development.
Notices to quit issued before any consultation with residents – people were subsequently told these were issued incorrectly and it was an attempt to discover who had a garage and how the garages were being used.	This is not a planning consideration.
Garages are not under-used but are not made	This is not a planning consideration.

available for rent to residents and have been deliberately left to decay	
The Council and BHP have not sought to enforce any of their rights over the garages since the rebuilding in 2004	This is not a planning consideration.
No consultation letter received	Immediately adjoining neighbours were consulted by letter, as required by legislation. However anyone can comment on a planning application, regardless of whether they received an individual letter.
No reference made to material objections raised in pre-application consultations	There is no statutory requirement for the applicant to submit these.
Previous objections have not been considered and have to be repeated – this is a disrespectful attitude	There have been no previous planning applications on this site. Objections raised during pre-application consultation related mainly to the level of communal parking proposed, and this has been increased following the consultation.
Proposal discriminates against existing residents as bungalows would have private gardens and dedicated parking.	The planning system delivers a range of housing types to meet different needs and circumstances. New developments are expected to comply with the Council's current planning policies. If the new dwellings did not have dedicated parking, they could add to on-street parking demand within the wider area.
Loss of garages has safety and insurance impacts for residents who would be required to park on the street	This is not a planning consideration.
Residents have emotional attachments to having a garage nearby	This is not a planning consideration
Most planning applications have been approved to date. This is just another KPI and quick win for the council	The council as a planning authority is legally required to determine planning applications in accordance with adopted development plan policy. This role is legally separate from the council's role as a landowner and housing provider.
Proposal fails on Brent's planning rules on grass verges, by widening existing 3m grass verges	It is not clear what 'planning rules' this refers to. The Highways Department applies its own guidance to applications under the Highways Acts for new or widened crossovers, and this is not a planning consideration.

Internal and statutory consultees:

Barn Hill Residents Association: No comment

Transport: No objection

Subject to condition requiring prior submission and approval of further details of lighting and drainage for the resurfaced and widened access road, and informative advising applicant to contact Head of Highways & Infrastructure to arrange for the crossover to the site to be widened. Comments discussed in main body of report.

Tree officer: No objection

Subject to condition requiring submission and approval of follow up survey of rear boundary trees following careful removal of garages.

Environmental health: No objection

Subject to conditions requiring (i) site investigation (ii) remediation of any land contamination and verification (iii) construction method statement. Comments discussed in main body of report.

Conservation officer: No objection

POLICY CONSIDERATIONS

For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the Development Plan in force for the area is Brent's Core Strategy 2010, Brent's Development Management Policies 2016 and the London Plan 2016. The relevant policies include:

Brent's Core Strategy 2010

CP2: Population and Housing Growth
CP17: Protecting and Enhancing the Suburban Character of Brent

Brent's Development Management Policies 2016

DMP1: Development Management General Policy
DMP7: Brent's Heritage Assets
DMP12: Parking
DMP18: Dwelling Size and Residential Outbuildings
DMP19: Residential Amenity Space
Appendix 1 - Parking Standards

The London Plan 2016

Key Policies include:
Policy 3.3: Increasing Housing Supply
Policy 3.4: Optimising Housing Potential
Policy 6.9: Cycling

The following are also relevant material considerations:

- The National Planning Policy Framework 2012
- Technical Housing Standards – Nationally Described Space Standard 2015
- SPG 17 Design Guide for New Development 2002
- Brent Waste Planning Guide 2013
- Mayor of London's Housing SPG 2016

All of these documents are adopted and therefore carry significant weight in the assessment of any planning application. In addition, the Draft Brent Design Guide SPD1 has been subject to public consultation and once adopted will supersede SPG17, whilst the Draft New London Plan has recently been subject to public consultation and once adopted will supersede the 2016 London Plan. These emerging documents are given more limited weight in the assessment of planning applications at this time.

DETAILED CONSIDERATIONS

Principle of development

1. The National Planning Policy Framework 2012 expects local planning authorities to approve proposals that accord with the development plan without delay, encourage the effective use of land by reusing previously developed land, and consider housing applications in the context of the presumption in favour of sustainable development in order to significantly boost the supply of housing.
2. Brent's Core Strategy Policy CP2 sets out a target for delivering 22,000 new homes over the 2007-2026 period, and the above policies set a positive context encouraging new housing development on previously developed land in established residential areas such as this site. The draft New London Plan also sets out significantly higher targets for new housing and is a material consideration in the determination of this application. Policy H2 emphasises that small sites should play a much greater role in housing delivery and expects boroughs to support well-designed new homes on small sites. The

proposal would result in the provision of a residential use within a residential area and the provision of additional homes to meet housing need. While only a small number of homes would be delivered, those homes would be on a small site. The general principle of the proposed development accords with relevant policies and is acceptable in principle, subject to other relevant planning considerations.

Affordable housing

3. Core Strategy Policy CP2 sets out aims for new residential developments to achieve the London Plan target of 50% affordable housing and to provide at least 25% family sized accommodation (3bed or larger units). Brent's approach to securing affordable housing provision is set out in more detail in Policy DMP15, which requires an economic viability assessment to support proposals for less than 50% affordable housing and sets out a preferred tenure mix within the affordable housing provision of 70% social or affordable rent and 30% intermediate housing.
4. These policies do not apply to sites delivering less than ten housing units, and no affordable housing provision is required on this site. However, the applicant, Brent Council, proposes to offer all four bungalows for Affordable Rent, as set out in the Affordable Housing Statement submitted as part of the application. As such this proposal is part of a wider programme to redevelop under-utilised and vacant garage sites across the borough to provide affordable housing as part of its Housing Strategy, comprising a total of 18 sites delivering 74 new homes, of which planning permission has been granted for 13 sites to date.
5. The provision of affordable housing on a small site, where this is not a policy requirement, is considered to be a significant benefit of the scheme. Affordable housing would be secured in perpetuity as a condition.

Design, scale and appearance

6. Policy CP17 aims to protect suburban areas from inappropriate development including infilling of plots with out-of-scale buildings that do not respect the settings of the existing dwellings, while Policy DMP1 requires the scale, type and design of development to complement the locality. The NPPF also emphasises that good design involves responding to local character and history and reflecting the identity of local surroundings and materials, while not discouraging appropriate innovation.

Site layout

7. The four bungalows would be arranged along the southern and eastern boundaries of the site, each with areas of private garden to the side. This layout would be similar to that of the existing garages, although the garden areas would create a more open aspect than the continuous line of garages. Defensible planting strips would provide a landscaped setting for the dwellings, and the entrance doors would feature canopies to provide a sense of arrival. Parking spaces would be mainly along the northern and western boundaries and the centre of the site would form an estate road providing access to both the bungalows and the parking spaces.
8. One small area of soft landscaping is proposed, in addition to defensible planting at the front of the dwellings, hedging along the western and northern boundaries and the private gardens. The site is currently hard surfaced and additional areas of landscaping are not considered to be necessary given that the site is adjacent to the extensive grounds of the Kings Drive estate. However, submission of a landscaping scheme to include further details of both hard and soft landscaping is recommended as a condition.
9. The proposal makes effective use of the L-shaped site and would provide a legible and attractive layout for all users.

Height, bulk, scale and mass

10. The dwellings would be of a rectangular form with flat roofs, and would be broadly similar in terms of bulk and scale to the existing garages. The existing garages have a maximum height of 2.8m whilst the maximum height of the proposed dwellings (including roof parapets) would be 3.3m.
11. The flat-roofed single storey design is intended to minimise the bulk of the properties to be similar to that of the existing garages. In terms of architectural style the surrounding area is characterised by traditional housing types which are also greater in bulk and height, and the more contemporary style of the proposal

would represent a departure from the character of the area in this sense. However, the planning system recognises that the character of an area can evolve over time, and that new developments on small infill sites can add variety and visual interest to an established street scene. Given the modest scale of the proposal, the opportunity it provides to improve the current appearance of the site whilst being of a similar scale to the existing buildings, and the layout of the site being largely set back from the road, the development would not look incongruous or out of keeping with the area.

12. The dwellings would be set close to the rear boundaries of adjoining properties, however the site is at a lower ground level (approximately 1m - 2m) than those properties and the rear boundaries are well screened by existing tree cover in the rear gardens. These factors are considered to mitigate the visual impact of the additional height and it is considered that the dwellings would not look obtrusive from neighbouring properties or within the wider street scene. However, existing and proposed ground levels should be confirmed following the demolition of the garages, and a condition is required to secure this.

Detailing and materials

13. The proposal adopts a simple contemporary design and materials palette, based on smooth grey brickwork and brown aluminium window and door fittings. Architectural detailing would be limited, and this is considered to be appropriate given the modest size of the dwellings. Sections of brickwork banding, bronze cladding panels and door canopies would add visual interest and articulation to the elevations without appearing unduly obtrusive. The natural materials would provide a high quality appearance that would improve with age.
14. Details of materials are shown on the plans, however to ensure a high quality development a condition is recommended to require materials samples prior to development commencing. Subject to this condition the design is considered to be acceptable in this case.

Impact on conservation area

15. Policy DMP7 sets out criteria for proposals affecting heritage assets such as conservation areas, and the NPPF emphasises that the level of detail provided in heritage statements should be no more than is sufficient to understand the potential impact of the proposal on the significant of the asset affected.
16. The site boundary is adjacent to the boundary of Barn Hill conservation area. However, the setting of a conservation area is not regarded as a heritage asset in itself.
17. A heritage statement was provided as part of the revised Planning Statement. The conservation officer is satisfied that this is sufficient to comply with the policy requirements and considers that, due to the modest height of the proposed dwellings in relation to the rear garden fences, the proposal will have little or no impact on the setting of the conservation area. Marginal views from upper windows within the conservation area would overlook the flat roofs of the dwellings, which would be similar to if not an improvement on their existing views.

Relationship with neighbouring properties

18. Any development will need to maintain adequate levels of privacy and amenity for existing residential properties, in line with the 30 degree and 45 degree guidance set out in SPG17 and draft SPD1, retaining a 10m distance to the rear boundary and 20m to the nearest rear-facing habitable room windows. Draft SPD1 also proposes reduced separation distances of 9m and 18m for new developments where this can be justified in terms of the impact on neighbours' privacy. Flank elevation windows should be at a distance of 5m or more from the boundary, or 10m if the only window serving a habitable room.

Light and outlook

19. Section drawings have been provided to show that the proposed dwellings would be well within a 30 degree line from the nearest rear habitable room windows of properties on Barn Hill and from the nearest windows of the apartment block Nos 412-426 Kings Drive, and that they would also be within a 45 degree line from the rear garden boundaries of properties on Barn Hill (the 45 degree standard is not applied in relation to communal gardens). Notwithstanding objections on this issue, the height and layout of the proposed dwellings would be similar to that of the existing garages, whilst the proposal would comply with the Council's standards and would not result in any loss of light or outlook to neighbouring properties.

Privacy and overlooking

20. Although the distance to the rear garden boundaries on Barn Hill does not meet the 10m distance referred to in guidance, there would be no windows on the elevations facing onto those rear gardens, and the ground levels in the rear gardens of the dwellings would be approximately 1.5m below those of the properties on Barn Hill. Consequently the proposal would not lead to any overlooking and loss of privacy to residents of those properties, subject to a condition requiring details of a suitable boundary treatment.
21. The separation distance to the apartment blocks on Kings Drive would be over 20m at most points, reducing to 17m for the northernmost dwelling. However the relationship between the dwellings and the existing blocks would be oblique so that there would be no direct views between the two, and the proposed boundary hedging along the boundary with the Kings Drive estate would prevent any perception of overlooking or loss of privacy to existing residents.
22. The main area of garden and the second aspect for each dwelling would be to the side, and side-to-side separation distances between two pairs of dwellings (A1 and A2, and A2 and A3) are below 10m. However, the second dwelling in each case has no window on the flank elevation facing towards the first dwelling, and so it is considered acceptable for them to be in close proximity. Dwelling B has a flank elevation window looking onto the window and garden space of dwelling A3. However, the distance between A3 and B is over 18m, with part of this distance given over to parking spaces which provide some separation from the window to the boundary, and this is considered an adequate distance to maintain the privacy of both occupants in the light of the revised standards in draft SPD1, subject to the provision of boundary fencing as indicated on the plans.
23. Notwithstanding the close proximity between the dwellings, they would sit within a 30degree line from one another's windows due to their modest height. Three of the dwellings would be built up to the side garden boundary of adjoining dwellings, contrary to the 45degree standard. However, this is a normal situation for side garden boundaries to single-storey buildings and is considered acceptable.

Conclusion

24. Overall, the relationship between the proposed dwellings and neighbouring properties is considered to be acceptable, as is the relationship between each dwelling.

Residential living standards

25. Development would be required to comply with standards set out in the Mayor's Housing SPG (including minimum internal space standards based on Technical Housing Standards – Nationally Described Space Standard 2015), and with Brent Policy DMP19, which requires private amenity space of 20sqm per 1bed or 2bed unit.
26. The proposed dwellings would be 2bed 3person and would have internal floorspace of 64sqm, including adequate storage space. This exceeds the minimum requirement of 61sqm for dwellings of this type. Each dwelling would be dual aspect or triple aspect, with direct access from the living space into the private garden and additional light to bedrooms provided by rooflights.
27. Each dwelling would have in excess of 50sqm of private amenity space, which is well in excess of the Council's requirements.

Impact on trees and biodiversity

28. Potential impacts on trees and biodiversity are material considerations in relation to any planning application, and trees within a conservation area are protected from development by virtue of the conservation area designation.

Biodiversity

29. The existing site is primarily hard surfaced and the biodiversity value is therefore likely to be minimal and confined to the habitat provided by trees and vegetation on and near the site. However, the applicant has submitted a preliminary ecological assessment, based on an ecological desk study and walkover survey. This makes a number of recommendations including a construction ecological management plan, biodiversity enhancement measures incorporated into the landscaping scheme, preliminary bat roost assessments of buildings, mammal ramps fitted to any excavations left overnight, vegetation and building

clearance to be undertaken outside of the bird nesting season, and careful removal of butterfly-bush, which is an invasive species. These requirements will be secured by condition.

Impact on trees

30. A tree survey and arboricultural impact assessment were submitted, which recommends the removal of six low amenity trees to be replaced by a hedgerow and two low amenity groups of trees to facilitate the development, in addition to two trees requiring removal on grounds of arboricultural best practice due to their poor condition.
31. The Council tree officer has been consulted and has responded in detail following objections received relating to the loss of trees, potential damage to residents and their property from retained trees, and apparent inaccuracies in the tree survey. In particular, some trees are shown outside of the application site but identified for removal. The tree officer has advised that one of these trees has significant decay and would need to be removed irrespective of the outcome of this application. These project over garages at present and would be over a parking area if the scheme is approved. The applicant has clarified that the other two trees are situated on land within their ownship.
32. The tree officer considers that the tree report has been compiled in accordance with industry guidance (British Standard 5837:2012, Trees in relation to design, demolition and construction - Recommendations). Tree reports are designed to highlight the quality of trees both in and around sites to aid decisions about developing the site. They are also intended to advise on how development should commence in relation to trees and to identify any trees of a lesser quality or with irremediable defects that could be removed and replaced as part of the development. The remit does not require the arboriculturalist undertaking the report to enter into private gardens but instead allows them to assess such trees from a distance with a caveat that they were unable to inspect the tree in close detail.
33. In this case, the report suggests removing a number of low quality trees between the garages and the retaining walls on the rear boundary. These trees have grown up as self-sown seedlings that would have very little structural support once the garages are removed, and the tree officer agrees that they could be removed. Some low grade Ash trees located between the garages and the Kings Drive apartment blocks are also recommended to be removed in order to implement the proposed scheme, and two low amenity groups of shrubs. The tree officer considers that good quality replacement trees could compensate for the loss of any low quality trees that are removed as a result of development, and these can be required by condition.
34. A high quality mature category A Oak tree located in the adjacent rear garden of a property on Barn Hill, and a high quality Oak tree within the Council's site would need to be covered by a tree protection scheme to ensure they are adequately protected from both root and above ground damage throughout all phases of the planned construction.
35. Concerns have been raised regarding the possible loss of structural integrity of trees on or near the rear boundaries of properties in Barn Hill, particularly following the proposed removal of the garages. This group of conifers makes an important contribution in terms of visual amenity, wildlife habitat and screening between Barn Hill and Kings Drive, and any impact on the quality, longevity or structural integrity of this tree group should be prevented. The tree officer has requested a detailed survey of boundary trees and possible root damage following the demolition of the garages and prior to construction starting, as the presence of the garages prevent a conclusive survey being undertaken at this stage. This is to be secured through condition.

Potential damage from retained trees

36. Further objections have been made regarding potential damage caused by retained trees falling or being damaged during storms, or spreading fire. However, the tree officer notes that whilst storm events have become more frequent and of a higher intensity in recent years, leading to a greater number of tree failures, the number of tree related deaths recorded per year remains constant at approximately 6.5 throughout the UK, a less than 1:10,000,000 chance of being killed by a falling tree. The Council does not keep records of trees on private land that have fallen or been damaged during storms although the number of street trees lost is very small (for example 12 out of a total of 18,000 trees during the recent Storm Eleanor).
37. Trees occasionally catch fire in the UK although they do not spontaneously combust unless struck by lightning. If a fire were to occur in one of the dwellings, it could spread to the conifer trees overhanging

the boundary and then to other dwellings. However, a fire could also break out in one of the existing garages or in a parked car, and the overhanging tree branches could be cut back to the boundary under common law.

38. Furthermore, the responsibility for trees on private land lies with the owners of those trees and it is not the duty of a third party such as the applicant in this case to indemnify the safety of trees under another person's ownership.

Conclusion

39. In conclusion, the recommendations of the tree report are considered to be acceptable, subject to a revised report being submitted to clarify the position of boundary trees and conditions requiring a more detailed survey following demolition and a tree protection scheme. The risk of harm to future residents or their properties from retained trees is considered to be negligible.

Environmental health

Contaminated land

40. Environmental Health consider that land contamination may be present due to the use of the site for garaging, and have requested conditions requiring prior submission and approval of a site investigation report, any remediation measures to be carried out and a verification report to be submitted and approved prior to occupation, to ensure that the site can be made safe for the intended residential use. Informatives are also recommended, regarding the quality of imported soil and the applicant's duties under the Control of Asbestos Regulations.

Construction noise and dust

41. Environmental Health consider that the construction process has the potential to contribute to background air pollution levels and cause nuisance to neighbours, and have requested a condition requiring prior submission and approval of a Construction Method Statement in order to minimise these impacts.

Transportation considerations

Parking provision

42. Parking standards are given in Policy DMP12 and Appendix 1 of the Development Management Policies, and Policy DMP11 provides criteria for new road accesses. Cycle parking spaces must be provided in compliance with the London Plan (two spaces per 2bed unit) in a secure weatherproof location. Bin storage should allow for collection from the highway within a 20m carrying distance.
43. As the site does not have good access to public transport services, the higher residential car parking allowances apply. The four dwellings would therefore be allowed up to one space each, giving an allowance of four car parking spaces in total.
44. Policy DMP12 also requires that any overspill parking generated in the area can be safely accommodated on-street and as such, consideration also needs to be given to the impact of the proposals on existing parking provision for the wider estate. The site currently comprises 28 garages and marked space for about 25 additional cars (plus three informal spaces). The applicant has confirmed that only eight of the garages are rented out, of which seven are used for storage. Three further internal estate roads can accommodate up to about 30 cars before turning heads and access routes start to become obstructed.
45. To assess existing demand for parking, the applicant commissioned an overnight parking survey over two consecutive midweek nights in March 2017. These identified 23-25 cars parked within the site. Within the wider estate, which is managed by Brent Housing Partnership, 44-48 cars were observed parked overnight, thus giving an overall total of 67-73 cars parked within the estate. The available external parking space within the estate was therefore fully occupied. A total of 114 flats are located within the estate, so the parking surveys suggest that car ownership averages up to 0.64 cars per flat. This accords closely with data collected in the 2011 Census, which identified average car ownership for flats in this area at 0.59 cars per flat. The surveys are therefore considered to be representative.

46. The overnight parking surveys also included lengths of public highway close to the site; namely Kings Drive, Swinton Close and Greenhill Way. The first two streets were noted as being very heavily parked, although Greenhill Way, which is about 120m south of the site, was very lightly parked. As such, the streets closest to the site are not considered to be capable of safely accommodating any overspill parking, so it is essential that the development is capable of re-providing existing parking spaces and of accommodating any additional demand from the new dwellings.
47. To this end, the access road within the site is proposed to be reconstructed in block paving and marked to provide a total of 29 parking spaces, to accommodate the maximum surveyed total of 25 cars observed parked overnight within the site at present and to provide an additional four spaces for the proposed new dwellings. One parking space would be for disabled use, which would supplement the one existing on-street disabled bay. The boundary with the grounds of the Kings Drive estate would be partly open to provide informal access between the site and the existing apartment buildings, however a hard-surfaced pedestrian link is not proposed as changes in ground levels would make this inaccessible by wheelchair.
48. As the new dwellings are considered likely to generate demand for only two or three cars (based on Census data) and with the layout having the potential to accommodate up to five further informal parking spaces close to the turning head, the development is considered capable of re-providing existing useable parking and of accommodating additional parking from the new dwellings within the site, and is therefore considered unlikely to add to on-street parking demand in the wider area.

Cycle parking and bin storage

49. The London Plan requires each new dwelling to be provided with two secure bicycle parking spaces and a covered locker is proposed in the garden of each property to meet this requirement.
50. Bin stores are also proposed alongside each dwelling. The northernmost of the four proposed dwellings would be located some 80m from Kings Drive and to accommodate access by refuse vehicles and emergency services, a new turning head is proposed at the end of the access road, of sufficient size to allow large delivery and refuse vehicles to turn and leave the site in a forward gear. This is welcomed.

Pedestrian and vehicle access

51. With regard to pedestrian access, the access road is proposed to be resurfaced in block paving to act as a shared surface and to avoid the need for footways. The road layout is unusual, as it is a hybrid between a road and a parking court. As such, the 'carriageway' edges are not as clearly defined as might be the case for other developments. However, the use of a shared surface would be appropriate for the level of housing and parking proposed.
52. In general, a typical maximum width for an estate road would be 5.5m, with cars able to park along one side of the street. Widths of 4.1m would still allow two cars to pass one another, but would require service vehicles to wait for a gap in the traffic. This layout provides an overall width of over 6m at all points, so exceeds the usual maximum width for an estate road. The parking bay near to Bungalow B reduces the remaining unobstructed width to 4.2m, which is still sufficient for two cars to pass. As such, there should not be a need for cars to wait to pass one another. Large service vehicles and cars would have to wait on either side of the pinch point to pass one another, but the chances of this occurring are close to zero, as only one (or occasionally two) large vehicles could be expected per week.
53. The layout of the parking spaces close to the sharp bend in the road reduces forward visibility when these spaces are occupied, but this is not considered to be a concern as it retains the existing arrangement and the access is to be resurfaced as a low-speed, shared surface environment. Manual for Streets (para. 7.8.2) states that there will be situations where it is desirable to reduce forward visibility to control traffic speed, and this area would be one such example of this.
54. The widening of the crossover to Kings Drive would need to be undertaken by the Council's Highways & Infrastructure service at the applicant's expense, and further details of drainage and lighting along the road should be submitted and approved as a condition of any approval. Subject to this condition there are no objections on transportation grounds.

Density

55. Development of the site would be expected to conform to the density range set out in the London Plan of

150-250 hr/ha for suburban sites (or 50-95 units/ha) with a PTAL score of 2, unless a higher density can be justified as a result of a scheme being acceptable in planning terms. The proposed density of approx. 60 hr/ha or 20 units/ha is below the London Plan density range, however part of the site would be used to reprovide existing parking and consequently the proposed density is considered to be appropriate to its context.

Other matters

56. A number of objections have been received relating to the management of the site by the Council in its role as a housing provider (the applicant). However, these matters are not material planning considerations. The applicant has confirmed that the six garages currently in use are rented on licence agreements with a 7 day notice period, and that there are no tenancies or lease agreements involved. Consequently there is no requirement in planning legislation for the applicant to serve notice of the planning application on other parties with an ownership interest.

CIL DETAILS

This application is liable to pay **£0.00*** 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): 259 sq. m.

Total amount of floorspace on completion (G): 259 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	259	0	0	£200.00	£35.15	£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)	313	
Total chargeable amount	£0.00	£0.00

*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: 17/5416

I refer to your application dated **20/12/2017** proposing the following:

Demolition of garages and erection of 4 bungalows with associated car parking spaces, cycle storage, refuse storage and amenity space, 25 communal parking spaces and associated landscaping (Amended description 16.12.18).

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

at **Kings Drive Garages, Kings Drive, Wembley**

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: 25/05/2018

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:-

National Planning Policy Framework 2012
London Plan 2016
Brent Core Strategy 2010
Brent Development Management Policies 2016
Supplementary Planning Guide 17: Design Guide for New Development 2001

- 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):

PL01 Rev E
PL02 Rev E
PL03 Rev K
PL04 Rev K
PL10 Rev K
PL11 Rev K
PL12 Rev I
PL13 Rev I
PL14 Rev D
PL15 Rev E
PL20 Rev K
PL21 Rev K
PL22 Rev F
PL23 Rev F
PL30 Rev E
PL31 Rev F

Supporting information

Affordable housing statement
Arboricultural Impact Assessment
Preliminary Ecological Assessment
Material Schedule
Planning Statement
Design and Access Statement
Parking Stress Survey Summary

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

- 3 The proposed parking spaces, refuse and recycling facilities, cycle storage facilities and amenity spaces inclusive of their boundary treatments shall be installed, completed and made available for use in accordance with the approved details before the development is occupied and thereafter retained and not used other than for purposes ancillary to the dwellings hereby approved and to provide parking to serve the needs of neighbouring residents.

Reason: These details are required to ensure that a satisfactory development is achieved.

- 4 The four residential units hereby approved shall be homes within an affordable rent tenure and shall remain within this tenure for the lifetime of the development, unless an alternative arrangement is first agreed in writing with the Local Planning Authority.

Reason: To ensure the development provides affordable housing in accordance with the applicant's affordable housing statement.

- 5 Prior to the commencement of the development a Construction Method Statement shall be submitted to and agreed in writing by the Local Planning Authority, outlining measures that will be taken to control dust, noise and other environmental impacts of the development. The measures set out within the approved document shall be complied with during the 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.

- 6 Prior to development commencing, a Construction Ecological Management Plan shall be submitted to and approved in writing by the Local Planning Authority, setting out how the construction process will be managed so as to protect biodiversity interests across the site, in accordance with the recommendations of the approved Preliminary Ecological Assessment.

Reason: In order to ensure that the development results in no net loss to biodiversity.

- 7 Following the demolition of the existing buildings and prior to the commencement of building works, a site investigation shall be carried out by competent persons to determine the nature and extent of any soil contamination present, and shall be submitted to and approved in writing by the local planning authority. The investigation shall be carried out in accordance with the principles of BS 10175:2011 + A1:2013 and 'Model Procedures of for the Management of Land Contamination – Contaminated Land Report 11' (CLR 11). A report shall be submitted to the Local Planning Authority, that includes the results of any research and analysis undertaken as well as an assessment of the risks posed by any identified contamination. It shall include an appraisal of remediation options should any contamination be found that presents an unacceptable risk to any identified receptors.

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

- 8 Details of materials for all external work, including samples which shall be made available for viewing on site or within another location as agreed, shall be submitted to and approved in writing by the Local Planning Authority before any above ground level works are commenced (excluding demolition). 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.

- 9 Following the demolition of the existing buildings and prior to the commencement of building works, a detailed tree survey, arboricultural impact assessment and tree protection scheme carried out in accordance with British Standard 5837:2012 shall be submitted to and approved in writing by the local planning authority.

Reason: To prevent any damage to retained trees including trees within the conservation area boundary.

- 10 Prior to development commencing, further details of an external lighting scheme and a drainage scheme for the access road shall be submitted to and approved in writing by the local planning authority. The lighting scheme shall propose measures such as baffled, low level and movement-sensitive lighting to prevent light pollution causing nuisance to neighbouring residents. The approved details shall be implemented in full for the lifetime of the development.

Reason: To enable safe access throughout the site at all times, to ensure adequate drainage for the site and to safeguard the residential amenities of neighbouring residents.

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

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

- 12 Details of hard and soft landscape works of the areas so identified on the approved plans shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development. The approved details shall be carried out in full prior to occupation of the buildings and thereafter maintained in accordance with the approved scheme.

The scheme shall indicate:-

- details of existing and proposed ground levels throughout the site;
- soft landscaping including plant sizes and species and densities of planting for plants and shrubs;
- tree planting to replace any trees removed;
- biodiversity enhancement measures as recommended in the approved Preliminary Ecological Assessment;
- details of materials to be used for areas of hard surfacing;
- details of boundary treatment including materials;
- landscape management plan showing requirements for the ongoing maintenance of hard and soft landscaping.

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

Reason: To ensure a satisfactory standard of appearance and to ensure that the proposed development enhances the visual amenity of the 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.
- 2 If the development is carried out it will be necessary for the existing crossing over the public highway to be widened by the Council as Highway Authority. This will be done at the applicant's expense in accordance with Section 184 of the Highways Act 1980. An application for such works should be made to the Head of Highways and Infrastructure. The grant of planning permission, whether by the Local Planning Authority or on appeal, does not indicate that consent will be given under the Highways Act.
- 3 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.
- 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

- 5 The quality of imported soil must be verified by means of in-situ soil sampling and analysis. We do not accept soil quality certificates from the soil supplier as proof of soil quality

- 6 Given the age of the buildings 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.

- 7 Brent Council supports the payment of the London Living Wage to all employees within the Borough. The developer, constructor and end occupiers of the building are strongly encouraged to pay the London Living Wage to all employees associated with the construction and end use of development.

- 8 The applicant is advised to notify the Council's Highways and Infrastructure Service of the intention to commence works prior to commencement and include photographs showing the condition of highway along the site boundaries. The Highways and Infrastructure Service will require that any damage to the adopted highway associated with the works is made good at the expense of the developer.

Any person wishing to inspect the above papers should contact June Taylor, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 2233

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

6 June, 2018
05
18/0354

SITE INFORMATION

RECEIVED	29 January, 2018
WARD	Northwick Park
PLANNING AREA	Brent Connects Wembley
LOCATION	40 Sudbury Court Road, Harrow, HA1 3SH
PROPOSAL	Demolition of existing residential building and erection of a four storey building to provide 8 self-contained flats (4x 2bed and 2x 3bed and 2 x studios) with associated alterations including dropped kerb, provision for car parking spaces, bicycle store, bin stores, hard and soft landscaping and fencing
PLAN NO'S	See Condition 2
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_138301</p> <p><u>When viewing this as an Hard Copy</u> _</p> <p>Please use the following steps</p> <ol style="list-style-type: none"> 1. Please go to pa.brent.gov.uk 2. Select Planning and conduct a search tying "18/0354" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab

RECOMMENDATIONS

RECOMMENDATION That the committee resolve to grant planning permission subject to the conditions set out below.

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 commencement
2. Approved drawings/documents
3. Provision of parking, cycle parking and refuse storage
4. Construction Method Statement
5. Revised site layout plan
6. Materials samples

Informatives

1. CIL Liable
2. Crossover works
3. Party Wall
4. Building near boundary
5. Living Wage
6. Fire safety
7. Notify highways before works commence

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.

SITE MAP

	<p>Planning Committee Map</p> <p>Site address: 40 Sudbury Court Road, Harrow, HA1 3SH</p> <p>© Crown copyright and database rights 2011 Ordnance Survey 100025260</p>
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This map is indicative only.

PROPOSAL IN DETAIL

The proposal is for the demolition of the building and the construction of a four-storey building comprising eight flats (two x 3bed, four x 2bed and 2 x 1bed studios), with associated parking, landscaping and cycle storage.

EXISTING

The existing site consists of a two-storey detached house and its residential curtilage. Ground levels rise sharply from the road and a garage is provided beneath and projecting forward from the ground floor of the house.

The site is on the southern side of Sudbury Court Road within an established residential area. It is not in a conservation area or the curtilage of a listed building, but is within an Archaeological Priority Area and adjacent to Elmwood Park, a designated open space and site of importance for nature conservation.

SUMMARY OF KEY ISSUES

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

Neighbour objections: these relate to neighbour consultation on the previous application on the site, the principle of a flatted development in this location, the height and bulk of the proposed building and its impact on the character of the area, impacts on neighbouring properties, construction impacts, traffic and parking issues.

Planning history and background: the site has a recent extant permission for a building of the same height, scale, bulk and design providing six flats. This was decided under delegated powers and is a material consideration in the determination of this application.

Principle of development: residential redevelopment of the site for a greater number of units is supported by current policy, and the emerging policy context strongly supports proposals that optimise the development potential of small previously developed sites such as this.

Design, scale and appearance: the height, scale and bulk of the building are only marginally greater than the existing dwelling and the building would not appear incongruous or out of scale with the site or other buildings in the surrounding area. The contemporary design approach is considered to be of high quality and in keeping with the mixed character of the surrounding area.

Relationship with neighbouring properties: the proposal complies with all relevant guidelines set out in the Council's policies and supporting documents and it is not considered that any neighbouring properties would be adversely impacted.

Residential living standards: the proposed flats all exceed minimum floorspace requirements and amenity space is provided in excess of the Council's standards. The two studio flats, although single-aspect and north-facing, would receive good levels of internal daylight and the proposal is considered to provide a high standard of accommodation overall.

Transportation: the site has low access to public transport and the application proposes six off-street parking spaces to comply with the Council's maximum parking standards. A minimum of four spaces would be considered to meet the likely need for off-street parking given the capacity for overspill parking demand to be accommodated on street and this reduction in the level of parking would allow changes to the frontage to reduce the width of crossovers to an acceptable level. A revised site layout providing four parking spaces is accordingly recommended to be secured through condition.

RELEVANT SITE HISTORY

17/4940

Full planning permission

Demolition of existing residential building and erection of a four storey building to provide 6 self-contained flats (4x 2bed and 2x 3bed) with associated alterations including dropped kerb, provision for car parking spaces, bicycle store, bin stores and hard and soft landscaping

Permission granted 23/01/18

This application was decided under delegated powers, in accordance with the Council's constitution.

CONSULTATIONS

15 neighbouring properties were consulted by letter on 15 February 2018 for a period of 21 days, and a site notice was posted on 26 March 2018. Five letters of objection and a petition from eleven signatories were received and are summarised as follows:

Comment

Officer response

Previous application approved without residents' knowledge.

Neighbouring properties were notified of the previous application 17/4940 by letter and site notice. The extent of the consultation exceeded the statutory requirements for notifying neighbouring properties of planning applications and no objections to that application were received.

Flats are not appropriate to the area and additional residents could increase noise in quiet residential neighbourhood.

See 'Principle of development', paragraphs 4-8

No urgent need for this kind of housing in the area, as St George Square is in close proximity and is partly unoccupied.

See 'Principle of development', paragraphs 4-8

Proposal would obstruct neighbours' views.

Loss of views is not a material planning consideration. However, the relationship to neighbouring properties is considered under 'Impact on neighbouring properties' (paragraphs 33-35)

Proposal would ruin character of area as there are no other four storey buildings and architecture of current houses harmonises with landscape.

See 'Design, scale and appearance', paragraphs 9-18

Four-storey block would tower over neighbouring properties.

See 'Design, scale and appearance', paragraphs 9-18

Proposal would create overshadowing, loss of daylight and sunlight to properties adjoining and opposite the site, eg due to increased height compared to opposite side of road.

See 'Impact on neighbouring properties', paragraphs 33-35

Proposed building would be closer to the road than existing house and would impact on privacy of neighbours opposite, causing overlooking.

See 'Design, scale and appearance' (paragraphs 9-18) and 'Impact on neighbouring properties' (paragraphs 33-35)

Construction process would cause inconvenience to neighbours and have negative impact on health of disabled

See 'Environmental Health', paragraphs 39-40

neighbours.

Proposal would increase traffic, noise and congestion in area, and would disrupt access to the park. See 'Transportation', paragraphs 41-52

Increased width of dropped kerb could increase flow of rainwater into properties opposite. See 'Transportation', paragraphs 41-52

Parking Survey refers to six flats not eight. Poor availability of public transport would lead to higher demand for private car ownership and create increased demand for parking. Parking demand estimates are based on Census 2011, which is not necessarily up to date. See 'Transportation', paragraphs 41-52

Statutory consultees

Greater London Archaeological Advisory Service (GLAAS): No objection

POLICY CONSIDERATIONS

For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the Development Plan in force for the area is Brent's Core Strategy 2010, Brent's Development Management Policies 2016 and the London Plan 2016. The relevant policies include:

Brent's Core Strategy 2010

CP2: Population and Housing Growth
CP17: Protecting and Enhancing the Suburban Character of Brent
CP18: Protection and Enhancement of Open Space, Sports and Biodiversity

Brent's Development Management Policies 2016

DMP1: Development Management General Policy
DMP7: Brent's Heritage Assets
DMP8: Open Space
DMP11: Forming an Access on to a Road
DMP12: Parking
DMP16: Resist loss of housing
DMP18: Dwelling Size and Residential Outbuildings
DMP19: Residential Amenity Space
Appendix 1 - Parking Standards

The London Plan 2016

Policy 3.3: Increasing Housing Supply
Policy 3.4: Optimising Housing Potential

The following are also relevant material considerations:

- The National Planning Policy Framework 2012
- Technical Housing Standards – Nationally Described Space Standard 2015
- SPG 17 Design Guide for New Development 2002
- Basement SPD 201
- Brent Waste Planning Guide 2013
- Brent's Crossover Policy
- Mayor of London's Housing SPG 2016

All of these documents are adopted and therefore carry significant weight in the assessment of any planning

application. In addition, the Draft Brent Design Guide SPD1 has been subject to public consultation and once adopted will supersede SPG17, whilst the Draft New London Plan has recently been subject to public consultation and once adopted will supersede the 2016 London Plan. These emerging documents are given more limited weight in the assessment of planning applications at this time.

DETAILED CONSIDERATIONS

Planning history and background

1. The site benefits from an extant planning permission (17/4940) decided under delegated powers, which is similar to the current proposal. This forms a material consideration which must be taken into account in the determination of the current application. The following sections of this report will highlight the relevant similarities and differences between the two applications.
2. Objections have been raised that the previous application was granted permission without neighbouring residents' knowledge. However, both applications have been advertised by way of letters sent to adjoining and other neighbouring residents and by way of a site notice posted nearby, exceeding the statutory notification requirements for applications of this type.
3. No responses were received in relation to the previous application, and responses received in relation to this application have been considered in detail in the relevant sections of this report.

Principle of development

4. Core Strategy Policy CP1 seeks to concentrate housing growth in well located areas, and Policy CP2 sets out a target for delivering 22,000 new homes over the 2007-2026 period, including a target of 25% family sized accommodation. Policy DMP16 resists the loss of homes, including family sized homes.
5. Furthermore, the NPPF expects the planning system to significantly boost the supply of housing and to consider applications for new housing in the context of the presumption in favour of sustainable development, which requires applications to be approved where they are in accordance with local planning policies. The Draft New London Plan adds further weight to this policy context, proposing substantially increased housing targets across London and a range of measures aiming to deliver these increased targets. Specifically, Policy H1 requires boroughs to optimise the potential for housing delivery on all suitable and available brownfield sites, while Policy H2 expects them to pro-actively support well-designed new homes on small sites.
6. The site is previously developed land in existing residential use, in a primarily residential area, and currently provides one 5 bedroom house. The proposal would provide eight dwellings including two x 3 bed units to accord with the requirement to provide family-sized dwellings set out in Policies CP2 and DMP16.
7. Neighbours have raised concerns about the appropriateness of flats in this area and the need for further housing of this type locally. However, flats are homes and planning policy does not distinguish between the need for houses rather than flats (or vice versa) at either a national or a local level. The consented scheme would also provide flatted accommodation (six dwellings including two x 3 bed units) and the current proposal seeks to increase the number of dwellings provided by reconfiguring the internal floorspace in order to optimise the development of the site.
8. Residential redevelopment of the site is strongly supported by the NPPF, by Policy CP2, by London Plan Policy 3.3, which supports sensitive renewal of existing residential areas, and Policy 3.4 which seeks to optimise housing output within the relevant density range, and by the emerging policy context given in the Draft New London Plan. Consequently the proposal is considered to be acceptable in principle subject to the consideration of the remainder of the material planning considerations.

Design, scale and appearance

9. Policy CP17 aims to protect suburban areas from inappropriate development including infilling of plots with out-of-scale buildings that do not respect the settings of the existing dwellings, while Policy DMP1 requires the scale, type and design of development to complement the locality. The NPPF also emphasises that good design involves responding to local character and history and reflecting the identity

of local surroundings and materials, while not discouraging appropriate innovation.

10. The existing building is of a 1970s style with a shallow gable roof, which sits alongside a terrace of six houses of a similar period but having gable end roofs. The site and the adjoining properties make use of changing ground levels to provide three stories of accommodation. The ridge height of the existing building is approximately 0.7m greater than that of the terrace, although the difference in height is not readily obvious due to the different roof forms. The front building line is approximately in line with that of the terrace, although both are broken up by forward projecting garages at lower ground floor level. There is only a minimal separation distance to the side boundary with the terrace and the rear building line (which is readily visible from Elmwood Park) is set in from that of the terrace. Overall the building appears modest in width and bulk in comparison to the terrace, although the plot density is comparatively very low as the terrace consists of a number of smaller dwellings.
11. The wider street scene is more strongly characterised by more traditional hipped roof styles, although there is substantial variation in plot size, building height and bulk. Extensive set backs from the road, pronounced changes in ground levels and the open expanse of Elmwood Park also contribute to the varied and spacious character of the area.
12. The proposed building would be identical in height, scale, form and design detail to the consented scheme, which is a material consideration in the determination of this application. The consented scheme was considered to be acceptable in terms of its design approach and impact upon the character of the area.
13. The proposed building would be four stories high with a flat roof at approximately 1m higher than the adjacent terrace. The additional height would be only 0.3m greater than the ridge of the existing building, whilst the greater height and bulk of a flat roofed building compared to a gable roof would be minimised as the top storey would be set back from the front and side building lines by 1.5m.
14. The front building line would project forward of the adjoining terrace by approximately 1.3m and this is considered acceptable given that there is no strong building line along the street and the building would retain a very substantial set back from the street. Inset balconies at first floor level and the 1.5m set back at second floor level would also reduce the impression of additional bulk, whilst the forward projection at lower ground floor and ground floor levels would be less pronounced than that of the existing garage and the garage projections on the adjoining terrace. Furthermore, the visual impact of the lower ground floor elevation would be minimised by landscaping to maintain the existing rising ground levels across most of the frontage whilst providing level pedestrian access to the entrance core.
15. The separation distances to the sides would remain as existing whilst the rear building line would be extended slightly beyond that of the terrace. As with the existing dwelling, the rear and one side elevation of the building would be visible from Elmwood Park. However the visual impact of the slightly larger building when viewed from this open space would be softened by the steeply rising ground levels and retained tree cover, and by the overall size of the open space compared to the size of the site.
16. The flats would be accessed from a central core which would present a strong and legible sense of arrival and would also provide access to cycle storage and to the communal garden at the rear, at lower ground and ground floor levels respectively. The elevations would be principally in white render, with the central core and set back second floor highlighted in timber cladding, and this approach is considered to be acceptable within the context of the surrounding area. Further details of materials and landscaping are required by condition, to ensure a high quality development.
17. Objections have been raised to the proposal for a four-storey building, however the visual impact of the additional height compared to the existing building is considered to be minimal and to be well modulated by the design and layout, and is therefore acceptable in this instance. Your officers consider that contemporary flatted buildings can be acceptable within traditional residential areas, provided they can be accommodated on the site and contribute to the diversity and visual interest of the street scene. On corner or end of terrace locations in particular such buildings can add focal points of interest where they are well designed and of an appropriate scale.
18. Overall, whilst the building would be slightly larger than that existing it would remain of a domestic scale and in keeping with the scale and bulk of neighbouring properties. The simple modern design would provide strong horizontal articulation to complement the style of the adjacent terrace, whilst the projecting entrance core in contrasting materials would provide vertical articulation, break up the mass and bulk of the building and provide a strong sense of arrival to the proposed units. The existing building is not of

any particular architectural merit, and the proposal is considered to be of a high standard of design to complement the surrounding area.

Relationship with neighbouring properties

19. Any development would need to maintain adequate levels of privacy and amenity for existing residential properties, in line with the following guidance set out in SPG17 and draft SPD1. The development should remain within a 30 degree line at a height of 2m from the nearest rear-facing habitable room windows and be at a distance of 20m or more from them, and within a 45 degree line at a height of 2m from the nearest front or rear boundary and at a distance of 10m. The rear building lines should not extend further than half the distance between the flank wall of the proposed building and the midpoint of the nearest window serving a habitable room on the adjacent property (the '1:2 rule'). A distance of 1m should be retained between side-facing non-habitable room windows and the side boundary.
20. The bulk, scale and layout of the building are identical to that of the consented scheme, which was considered to fully comply with the Council's guidelines and to be acceptable in terms of its impact on neighbouring properties.
21. The site is bounded to the rear and western side by open parkland, with the only neighbouring properties potentially affected by the proposed building being the adjacent house on the eastern side, No 42 Sudbury Court Road, and the houses directly opposite on the north side of Sudbury Court Road (Nos 37, 39 and 41).
22. Both the front building line and the rear building line would comply with the 1:2 guidance in respect of No 42 and no significant overshadowing to its rear garden would occur given the limited additional bulk of the building.
23. Objections have been raised on grounds of overlooking and overshadowing of properties on the north side of the road, due to the height of the building being greater and the front building line being further forward than the existing dwelling. However, the proposed building would be sited approximately 12.6m from the front boundary and 36m from the front elevation of No 39, compared to the existing building which is approximately 16.6m from the front boundary and over 40m from the front elevation of No 39. Nos 37 and 41 are at the same distance from the site, although only at an oblique angle. Given the distances involved, and notwithstanding the marked fall in ground levels from south to north, the proposal would comply with the 30 degree and 45 degree requirement from the front elevation of No 39 and its front boundary.
24. The side elevation facing onto No 42 would have small kitchen and bathroom windows at ground, first and second floors, however these would face onto a blank side elevation of No 42 and would not allow for overlooking onto the rear garden due to their positioning and the minimal separation distance between the two buildings. Consequently it is not necessary that they be obscured and fixed shut to protect the privacy of neighbouring residents. There are no external areas of flat roof that could be used as balconies to overlook the neighbouring rear garden.
25. In conclusion, the relationship with neighbouring properties is acceptable.

Residential living standards

26. Development should comply with standards set out in the Mayor's Housing SPG (including minimum internal space standards based on Technical Housing Standards – Nationally Described Space Standard 2015), and with Brent Policy DMP19, which requires private amenity space of 20sqm per 1bed or 2bed flat and 50sqm for family housing including ground floor 3bed or 4bed flats. Balconies should have a minimum width and depth of 1.5m to be considered usable, and single aspect units should be avoided, particularly if north-facing.
27. The previously consented scheme was considered acceptable in terms of residential living standards, meeting relevant standards.
28. With regard to the proposed development, all of the proposed homes exceed the minimum standards for internal space. The size of all bedrooms also meets the standards. Each home has an area of private external amenity space of between 7 and 10 square metres, with a total of 70 square metres of private amenity space provided. This is supplemented by a 166 sqm communal garden to the rear, bringing the total external amenity space provision to 236 square metres. This exceeds the minimum policy

requirement of 220 square metres excluding the landscaped areas to the front of the building which will act as visual amenity space but will have much lower value as usable amenity space.

29. Compared to the consented scheme, the two 3bed flats would be smaller, however they would still be generously sized in relation to minimum floorspace requirements. The two studio flats (which were not in the consented scheme) would also exceed minimum floorspace requirements. The layout of the four 2 bed flats would remain as in the consented scheme, comfortably exceeding minimum requirements.
30. The two studio flats would be single-aspect and north-facing, and the floor level of these units would be set below the natural ground level on this part of the site. The Mayor's Housing SPG advises against single-aspect north-facing units, and the Council's Basements SPD advises against self-contained basement dwellings. However the floor level of the studio flats would be only 0.7m below the ground level of the landscaped front garden at this point, and they would be accessible via a level access path from the street to the front entrance of the building, with 2m deep lightwells provided to increase levels of daylight received. Their outlook would be limited in scope due to the lower ground level but would be enhanced by looking over the landscaped front garden.
31. Furthermore, the application has been supported by an Internal Daylight Assessment carried out in accordance with the nationally accepted BRE guidelines for ensuring acceptable levels of daylight are provided in new developments. This demonstrates that the Average Daylight Factor for the two flats would be over 7%, which comfortably exceeds the recommended 2%. As the flats would have direct level access from the street and adequate levels of daylight, it is considered that they would provide an acceptable standard of accommodation in this instance.
32. Each of the remaining six flats would be dual aspect including south-facing rooms looking onto the rear garden. Each of the proposed flats would have private amenity space and, in combination with communal amenity space provision, this would comfortably exceed the requirements of DMP19, notwithstanding the increase in amenity space required as a result in the increase in the number of units compared to the consented scheme. The landscaping scheme would be conditioned to include frontage planting to increase the privacy of the front garden areas.

Impact on heritage assets

33. The site lies within an Archaeological Priority Area, which the NPPF considers to be a non-designated heritage asset, and Policy DMP7 requires a heritage statement to be submitted in proportion to the significance of the asset.
34. The footprint and layout of the proposed building are identical to that of the consented scheme, which was considered to be acceptable in terms of its impact on heritage assets.
35. A short statement has been provided as part of the Planning, Design and Access Statement, which notes that there are no known archaeological findings or records on the site. Greater London Archaeological Advisory Service have been consulted and have advised that, as the proposed building lies predominantly on the footprint of the existing building which will already have impacted upon any archaeological remains, it is unlikely that there would be a significant archaeological impact at this location. No further assessment or conditions are required and there are no concerns in relation to heritage assets.

Impact on trees and ecology

36. There are no trees of note on the site and the use of the residential garden is considered to preclude any significant ecological interest on site. However, the site adjoins a designated open space and site of importance for nature conservation (Elmwood Park). Policy DMP8 protects open spaces from development that would compromise their biodiversity or recreational function, whilst Policy CP18 also protects open space from inappropriate development.
37. The footprint and layout of the proposed building are identical to that of the consented scheme and consequently the potential impact on trees and ecology is considered to be the same. An ecology statement has been included in the Planning, Design and Access Statement, and an Arboricultural Impact Assessment has been submitted.
38. The scheme is considered to be acceptable with regard to the potential impact on trees and ecology subject to a condition preventing any construction works from taking place within the designated open

space and compliance with the arboriculturalist's recommendations, in order to prevent any adverse impacts to trees or ecological interests.

Environmental health

39. Objections have been raised in relation to the inconvenience caused by the construction process. These matters are controlled under environmental nuisance regulations, however additional measures are considered appropriate in the case of developments involving the demolition of a building and construction of a new building in close proximity to neighbouring residential properties.
40. A condition is recommended, requiring a Construction Method Statement to 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 construction process in order to minimise any adverse impacts on neighbouring residents.

Transportation

41. As the site has a low PTAL rating of 2 and does not have good access to public transport, the higher residential parking allowance set out at Appendix 1 of the Development Management Policies 2016 applies. The existing house would therefore be allowed up to two off-street parking spaces and the existing provision of at least four spaces exceeds standards in this respect.
42. The consented scheme for six flats would have a maximum parking allowance of seven spaces, and permission was granted on the basis of a site layout plan showing four on-site parking spaces and 50% soft landscaping on the frontage. Highways officers considered four spaces to be appropriate, on the basis that average car ownership figures for flats in this area indicate that parking demand is likely to be 75% of the maximum allowance, suggesting a demand of five spaces. Sudbury Court Road is not noted as being a heavily parked street and has sufficient width to accommodate parking along both sides, so could safely absorb some overspill parking from the site, consequently one space could be accommodated on the road in front of the site.
43. The same reasoning has been applied in respect of the current proposal. The proposed eight flats would be allowed up to nine car parking spaces. The application is supported by the results of a parking survey, including the results of two overnight parking beats undertaken at 3.30am on 20 October and 31 October 2017. These surveys found a parking stress of 69% on 20 October and 59% on 31 October. Although the parking stress east of the property was found to be greater than 70%, the section of road west of the property, which fronts the open space and allotments, had a lower stress of 40%-52%. This survey supports the Council's own data showing that the road is not heavily parked and could support overspill parking.
44. The proposal would result in a significant increase in parking standards compared to the existing dwelling, and a slight increase compared to the consented scheme. However, as noted above, average car ownership figures for flats in this area suggest that parking demand is likely to be 75% of the maximum allowance, requiring six to seven spaces. Highways officers consider that overspill parking for two or three cars could be accommodated on-street either along the site frontage or on the open space frontage to the west, and consequently that only four off-street parking spaces are required in this case.
45. The application proposes the widening of the existing crossover to 7 m to provide three off-street parking spaces on the western side of the frontage, with a new 7 m wide crossover on the eastern side to access a further three off-street spaces, giving a total of six spaces. Due to the depth of the front garden, soft landscaping is also proposed at the rear of the parking spaces, to cover about 35% of the front garden area.
46. The gradient of the parking spaces is proposed at 8.5%, which is acceptable. However, the two proposed 7m wide crossovers are unacceptably wide and do not comply with the Council's Crossover Policy Section 10, whereby the crossover should not exceed 4.2 m in order to maintain the safety of pedestrians on the footway, and together exceed 50% of the width of the site frontage. In addition, the proposed two crossovers would provide excessive off-street parking and consequently would not comply with London Plan Policy 6.10 whereby the quality of the pedestrian and street environment should be maintained.
47. In order to address this concern, highway officers have requested that a maximum of four off-street parking spaces, accessed via two 4.2m wide crossovers, are provided, with 50% soft landscaping

retained for natural drainage and a drainage channel located at the highway threshold to capture surface water before it reaches the public highway. Details of a front boundary wall are also required, including pedestrian visibility splays (2m x 2m above a height of 850mm) at both accesses. These details will be required by condition on a revised site layout plan.

48. Objections have been raised by neighbours on the basis that the applicant's Parking Survey refers to a development of six flats rather than eight (paragraph 3.3) and that its reliance on Census data (paragraphs 3.13 to 3.15) is not robust as these data are not current. However, submission of a Parking Survey is not a requirement for applications of this scale, and Census data are generally regarded as highly robust due to their comprehensive coverage. The Parking Survey applies the same reasoning in interpreting the Council's Policy DMP12 as the Council's highways officers, who are satisfied that the provision of four parking spaces is appropriate in this case. Consequently it is considered that only limited weight needs to be given to the applicant's Parking Survey, and that its inaccuracies are not a material consideration on this occasion.
49. Highway works to widen the existing crossover and create a new crossover would need to be provided by the Highways and Infrastructure Unit at the applicant's expense. An informative is recommended to remind the applicant of this.
50. The London Plan requires one secure cycle parking space per 1 bed flat and two spaces for larger flats, giving a total requirement for 14 spaces in this case. A cycle store for 14 cycles is proposed at the rear of the building on the lower ground floor to satisfy this requirement.
51. Two Eurobins are proposed within the front garden of the site for refuse alongside the entrance path to the building. These are sufficient to meet storage requirements and as the pathway would be excavated into the front garden to provide a level approach to the building, there are no concerns over the gradient along which bins need to be wheeled.
52. Concerns have been raised by neighbours on the basis of increased traffic, increased rainwater runoff onto the road and downhill to properties on the north side of the road caused by the greater width of dropped kerbs, and impacts on access to Elmwood Park. However, the increase in traffic likely to be caused by the development is considered to be marginal and not to give rise to any congestion, whilst the revised plans required by condition would make adequate provision for soft landscaping and a drainage channel to allow drainage on site and the proposal would not have any impact upon access to Elmwood Park. In conclusion there are no objections on transport grounds, subject to the condition above and an informative regarding new crossover works.

Density

53. Development of the site must have regard to the density range set out in the London Plan of 150-250 hr/ha for suburban sites (or 40-80 units/ha) with a PTAL score of 2, unless a higher density can be justified as a result of a scheme being acceptable in planning terms.
54. The proposed density of approximately 288hr/ha or 105 units/ha marginally exceeds the London Plan density range, however in this case the proposal is considered to make effective use of the site to offer a high standard of design and residential living standards without any adverse impacts in planning terms, and the proposed density is therefore acceptable.

Conclusion

55. The proposed development is considered to accord with relevant policies and guidance and result in the provision of additional homes within the borough. It is recommended that Planning Permission is granted.

CIL DETAILS

This application is liable to pay **£146,546.74*** 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): 280 sq. m.
Total amount of floorspace on completion (G): 726 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	726		446	£200.00	£35.15	£124,641.07	£21,905.67

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)	313	
Total chargeable amount	£124,641.07	£21,905.67

*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

DECISION NOTICE – APPROVAL

Application No: 18/0354

I refer to your application dated **28/01/2018** proposing the following:

Demolition of existing residential building and erection of a four storey building to provide 8 self-contained flats (4x 2bed and 2x 3bed and 2 x studios) with associated alterations including dropped kerb, provision for car parking spaces, bicycle store, bin stores, hard and soft landscaping and fencing

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

at **40 Sudbury Court Road, Harrow, HA1 3SH**

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: 25/05/2018

Signature:

A handwritten signature in blue 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:-

London Plan 2016 (Policies 3.3 and 3.4)
Brent Core Strategy 2010 (Policies CP2, CP17, CP18 and CP21)
Brent Development Management Policies 2016 (Policies DMP1, DMP7, DMP11, DMP12, DMP18, DMP19).

- 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):

SCR40-02-1001
SCR40-02-1002
SCR40-02-1003
SCR40-02-1004
SCR40-02-1005 Rev A
SCR40-02-1006 Rev A
SCR40-02-1007 Rev A
SCR40-02-1008
Arboricultural Impact Assessment and Method Statement (Trevor Heaps, ref TH1537)

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

- 3 The parking, cycle parking and refuse storage areas shall be provided as approved prior to first occupation or use of the development, and shall be retained in use solely for the purposes approved thereafter.

Reason: In order to ensure the development provides adequate on-site parking, cycle parking and refuse storage.

- 4 The tree protection proposals as contained within the Arboricultural Impact Assessment and Method Statement prepared by Trevor Heaps Arboricultural Consultancy Ltd (dated 11 December 2017) shall be adhered to in full throughout the full period of construction of the development hereby approved. Subsequent to the erection of tree protective fencing but prior to commencement of the development (including demolition of the existing property), a meeting shall be arranged between the site manager and Brent's tree protection officer to allow the fencing to be observed by Brent's tree protection officer before works are undertaken.

Reason: For assurance that trees are to be protected to minimise negative external impacts of the development.

- 5 Prior to any works commencing on site (including the demolition of the existing building) a Construction Method Statement shall be submitted to and agreed in writing by the Local Planning Authority outlining measures that will be taken to control dust, noise and other environmental impacts of the development. The development shall thereafter be carried out in accordance with the approved details.

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

- 6 Details of materials for all external work shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced (excluding demolition of existing property). 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 Notwithstanding Condition 2 of this permission, and prior to development commencing (excluding demolition of the existing property), a revised site layout plan and a scheme of hard and soft landscaping shall be submitted to and approved by the Local Planning Authority to supersede Drawing No SCR40-02-1005 Rev A. The site layout plan shall show:

- four parking spaces arranged at right angles to the highway and accessed via two dropped kerbs each of 4.2m width;
- soft landscaping on half of the area of the site frontage;
- a drainage channel located at the threshold of the highway to capture surface water drainage;
- details of a front boundary wall;
- pedestrian visibility splays (2 x 2m at a height of 850mm at both accesses).

The landscaping scheme shall demonstrate proposed ground levels across the site and shall incorporate measures such as planting of small ornamental trees to prevent the use of garden areas on the site frontage for informal parking and planting to increase the privacy of remaining front garden areas, and shall include details and proposed materials for all hard landscaping, boundary treatments and walls including retaining walls.

The development shall thereafter be carried out in accordance with the approved details. The soft landscaping works shall be completed during the first available planting season following completion of the development. Any planting that is part of the approved scheme that within a period of five years after planting is removed, dies or becomes seriously damaged or diseased, shall be replaced in the next planting season and all planting shall be replaced in the same positions with others of a similar size and species, unless the Local Planning Authority first gives written consent to any variation.

Reason: To ensure a satisfactory standard of appearance and setting for the development, 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, to ensure adequate on-site parking to meet the needs of the development and to provide tree planting in pursuance of section 197 of the Town and Country Planning Act 1990.

- 8 Prior to development commencing (excluding demolition of the existing property), further details of the rear garden landscaping shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include:

- details of soft landscaping (including species, locations and densities)
- details of boundary treatments
- details of hard landscaping and any patio areas
- details of ground levels including any retaining walls

The development shall thereafter be carried out in accordance with the approved details. The soft landscaping works shall be completed during the first available planting season following completion of the development. Any planting that is part of the approved scheme that within a period of five years after planting is removed, dies or becomes seriously damaged or diseased, shall be replaced in the next planting season and all planting shall be replaced in the same positions with others of a similar size and species, unless the Local Planning Authority first gives written consent to any variation.

Reason: To ensure a satisfactory standard of appearance and setting for the development, 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, to ensure adequate on-site

parking to meet the needs of the development and to provide tree planting in pursuance of section 197 of the Town and Country Planning Act 1990.

INFORMATIVES

- 1 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at www.brent.gov.uk/CIL.
- 2 If the development is carried out it will be necessary for a crossing to be formed over the public highway by the Council as Highway Authority. This will be done at the applicant's expense in accordance with Section 184 of the Highways Act 1980. An application for these works should be made to the Council's Head of Highways & Infrastructure via <https://www.brent.gov.uk/services-for-residents/transport-and-streets/vehicle-crossings-and-dropped-kerbs/>, tel 020 8937 5600 or transportation@brent.gov.uk. The grant of planning permission, whether by the Local Planning Authority or on appeal, does not indicate that consent will be given under the Highways Act.
- 3 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
- 4 The applicant must ensure that the treatment/finishing of flank walls can be implemented, before work commences, 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.
- 5 Brent Council supports the payment of the London Living Wage to all employees within the Borough. The developer, constructor and end occupiers of the building are strongly encouraged to pay the London Living Wage to all employees associated with the construction and end use of development.
- 6 The Council recommends that the maximum standards for fire safety are achieved within the development.
- 7 The applicant is advised to notify the Council's Highways and Infrastructure Service of the intention to commence works prior to commencement and include photographs showing the condition of highway along the site boundaries. The Highways and Infrastructure Service will require that any damage to the adopted highway associated with the works is made good at the expense of the developer.
- 8 Brent Council supports the payment of the London Living Wage to all employees within the Borough. The developer, constructor and end occupiers of the building are strongly encouraged to pay the London Living Wage to all employees associated with the construction and end use of development.
- 9 The applicant is advised to notify the Council's Highways and Infrastructure Service of the intention to commence works prior to commencement and include photographs showing the condition of highway along the site boundaries. The Highways and Infrastructure Service will require that any damage to the adopted highway associated with the works is made good at the expense of the developer.

Any person wishing to inspect the above papers should contact June Taylor, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 2233

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COMMITTEE REPORT

Planning Committee on
Item No
Case Number

6 June, 2018
06
17/1104

SITE INFORMATION

RECEIVED	10 March, 2017
WARD	Alperton
PLANNING AREA	Brent Connects Wembley
LOCATION	All Units, 253A Ealing Road, Wembley, HA0 1ET
PROPOSAL	Demolition of the existing buildings on the site and the erection of 20 residential units comprising four 2 storey terraced houses (4 x 2bed houses) and two 4 storey residential blocks providing 16 flats (8 x 2bed and 8 x 3bed units), together with 5 associated car parking spaces, cycle storage, landscaping and access
PLAN NO'S	See condition 2
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_133135</p> <p><u>When viewing this as an Hard Copy</u> .</p> <p>Please use the following steps</p> <ol style="list-style-type: none"> 1. Please go to pa.brent.gov.uk 2. Select Planning and conduct a search tying "17/1104" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab

INTRODUCTION

This application was reported to Planning Committee on 14 March 2018 with Officer recommendation to grant planning permission subject to conditions as set out in the committee report and completion of Section 106 Agreement. The Planning Committee resolved to defer the application for further clarification on the following matters:

- i. construction traffic
- ii. acceptability of a post implementation viability review
- iii. public right of way through the site from Carlyon Close to 243 Ealing Road/Hatton Road and
- iv. details of the car scheme (car clubs)

These matters are discussed below:

Construction Traffic

In response to the queries raised by the Planning Committee, the applicant has prepared a Construction Management Plan. This is a framework document, as the development has yet to receive planning consent and no principal contractor has yet been appointed. The anticipated commencement and length of the works is not therefore known at the present time, whilst the precise site set-up arrangements are also yet to be finalised.

However, it is confirmed that all construction vehicles will be routed to and from the site via the Hanger Lane junction of the North Circular Road and A40 Western Avenue, using Ealing Road to reach the site. Access and egress will be solely from Ealing Road, with no construction vehicle access via Carlyon Close. As such, construction vehicles will be kept to major distributor roads, which is supported by your highway officers.

It is also confirmed that all unloading will take place within the site and that no reliance will be placed on an on-street loading bay. Banksmen will be employed to help safely manoeuvre vehicles into and out of the site and tracking diagrams have been provided to show that lorries will be able to turn on site and leave in a forward gear.

Whilst working hours will comply with the standard times of 8am-6pm on weekdays and 8am-1pm on Saturdays, HGV deliveries will be timed to avoid peak hours (i.e. to be scheduled between 9.30am-3.30pm only). Pre-booking of deliveries will also be arranged to ensure that only one vehicle is ever on site at a time and drivers will be required to phone ahead prior to arrival. As the site access is narrow, the banksmen will ensure lorries do not try to pass one another along the site access.

An accurate profile of vehicle movements cannot be drawn up until a contractor is appointed. Nevertheless, based on other similar sized developments, it is anticipated that the development would generate about six deliveries per day (12 movements) over the course of about 12 months, which is not sufficient to cause concern regard impact on highway capacity. Indeed, the applicant has surveyed the existing activity on the site and found that this generates far more existing traffic, including seven daily lorry movements.

The site is to be secured with 2.4m high hoardings and it is not anticipated that these will need to encroach over the public highway.

It is confirmed that wheel washing facilities will be provided to prevent muck being carried onto Ealing Road and that surrounding roads will be swept as necessary.

Whilst it is proposed to provide some contractor parking on site, all construction staff will be encouraged to use public transport, with good bus and rail services stopping close by.

In conclusion, the framework Construction Management Plan is considered acceptable, confirming that lorries will not use Carlyon Close to access the site. Further details are recommended to be secured through condition (amended condition 12). This shall include a requirement to specify that the site and construction logistics should be managed in such a way as to ensure that constructions large vehicles access the site via Ealing Road and not via Carlyon Close.

Acceptability of a post implementation viability review

As discussed within the main committee report, four affordable units are proposed, representing 20% of the

total. Although less than the 50% target for affordable housing provision set out in Policies CP2 and DMP15, your officers consider that this is the maximum amount that could reasonably be provided on this site, given that a Financial Viability Appraisal has been submitted and an agreed position reached between the two parties as to the viability of the development. This process is required by Policy DMP15 where less than 50% is provided.

Affordable housing provision would be secured by the s106 Agreement, however your officers previously advised that it would not be reasonable to seek a post-implementation viability review. Due to the scale of the scheme, timeframes for implementation and the findings of the submitted viability information, it was considered unlikely that a review would result in an uplift in scheme viability. Notwithstanding this advice, the Planning Committee have requested for a post implementation viability review to be secured as part of the Section 106 Agreement. In response, your officers can advise that In line with Policy DMP15, major sites where the proportion of affordable housing agreed is significantly below 50% appropriate provisions to reappraise scheme viability will be sought at agreed stages in S106 agreements to secure contingent obligations. It should be noted that Brent typically secures post implementation reviews where schemes fall significantly below the 50% affordable housing target and that late stage reviews only require deferred affordable housing obligations when they can be viably delivered i.e. after agreed land value and profit have been secured.

The applicant has agreed to a post-implementation viability review on the basis that, of the four affordable units provided, three units would be for shared ownership and one for social rent. The original proposal set out in the main committee report involved three units for social rent and one for shared ownership, reflecting a 75:25 tenure split considered to be in accordance with Policy DMP15 for this site. The revised tenure split would not be in accordance with policy but would reflect the assumptions of the Financial Viability Appraisal, which did test this mix of units and demonstrated that this proportion of affordable housing would be the maximum reasonable amount.

The revised tenure mix is considered acceptable, on the basis that if the post-implementation review demonstrates that any additional surplus is available for affordable housing provision, this should firstly be directed towards increasing the proportion of Affordable Rented units (changing the units proposed as Intermediate accommodation to Affordable Rented Accommodation), with any further surplus provided as financial contributions towards off-site provision.

Public right of way through the site from Carlyon Close to 243 Ealing Road/Hatton Road

The Alperton Masterplan SPD 2011 emphasises the role of the canal in the wider pedestrian and cycle network linking communities and local facilities. It aims to improve permeability and connectivity so that pedestrians and cyclists can move freely and easily within the area, and to provide a green link along the south of the canal for public access and recreation.

The Site Specific Allocations DPD 2011 also requires development on the A.3 allocated site to enhance the canal side environment for pedestrian and canal users.

The committee report for the 243 Ealing Road development (09/2116, 3 February 2010) emphasises the high quality of the waterside amenity spaces proposed as part of that development, which is intended as an open space for the enjoyment of both residents and visitors that pedestrians can walk through. Para 13.1 of the s106 agreement for the development includes a requirement for the owner of that site to allow a right of way for emergency services vehicles, pedestrian and cycle access from the adjoining land to the south. This is in the interests of making the canal side available for the enjoyment of neighbouring residents, in accordance with the adopted Alperton Masterplan SPD and Site Allocations DPD.

The Alperton Masterplan SPD 2011 emphasises the role of the canal in the wider pedestrian and cycle network linking communities and local facilities. It aims to improve permeability and connectivity so that pedestrians and cyclists can move freely and easily within the area, and to provide a green link along the south of the canal for public access and recreation.

The Site Specific Allocations DPD 2011 also requires development on the A.3 allocated site to enhance the canal side environment for pedestrian and canal users.

The committee report for the 243 Ealing Road development (09/2116, 3 February 2010) emphasises the high quality of the waterside amenity spaces proposed as part of that development, which is intended as an open space for the enjoyment of both residents and visitors that pedestrians can walk through. Para 13.1 of the s106 agreement for the development includes a requirement for the owner of that site to allow a right of way

for emergency services vehicles, pedestrian and cycle access from the adjoining land to the south. This is in the interests of making the canal side available for the enjoyment of neighbouring residents, in accordance with the adopted Alperton Masterplan SPD and Site Allocations DPD.

An addendum to the Design and Access Statement to this application has been provided. This shows an indicative route for a pedestrian access from Carlyon Close, through the car park of the application site, and onto 243 Ealing Road. Information has been provided to show how this route will benefit from natural surveillance from the proposed development and the existing development at 243 Ealing Road. Whilst it is noted that the route is through the car park, the area is lighter trafficked with only five car parking spaces. The pedestrian and cycle access to the residential properties within the development will be separated from the car park by a security gate with access control.

Full details of boundary treatments including access gates and external lighting within the scheme will form part of condition 11.

Details of the car scheme (car clubs)

The Planning Committee requested details on car club schemes within the area. Zipcar have a car available for hire at the 243 Ealing Road site and another two on Atlip Road opposite Alperton Station. These are available to hire by anyone with a Zipcar account eg occupants of neighbouring properties.

The development at 243 Ealing Road secured provision for two car club spaces within the Section 106 Agreement (this formed part of the Travel Plan obligation) (LPA Ref: 09/2116). It is assumed that the second car club space has not yet been provided due to a lack of demand but the legal agreement secures measures to provide the additional one in the future when demand arises.

The development at 255 Ealing Road (LPA Ref: 14/2276) included a car club requirement within the Section 106 Agreement to provide two on-street parking spaces along Carlyon Road, with three years membership for residents.

A scheme that was recently presented to Planning Committee at 245-249 and 253 Ealing Road (LPA Ref: 16/3606) included a requirement for the Section 106 Agreement to provide free membership of a Car Club in the vicinity of the development offered for residents for an enhanced period of at least two years. The legal agreement for this scheme is still being drafted.

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

The full previous committee report, including its supplementary section, is included below for reference.

RECOMMENDATIONS

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

Section 106 Heads of Terms

- 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
- Affordable Housing (3 x two bedroom units will be for social rent and 1 x two bedroom unit for intermediate shared ownership);
- Contribution of £62,500 towards affordable workspaces;
- Highway works under section 278 of the Highways Act to comprise removal of the existing vehicular crossover to Ealing Road and repaving of the footway fronting the site
- Contribution of £10,000 towards introduction of Controlled Parking Zone on adjoining roads;
- Establishment of public rights of way through the site from Carlyon Close to 243 Ealing Road / Hatton Road for pedestrians, cyclists and emergency vehicles;
- Training and employment plan targetting Brent residents;
- Contribution of £33,139 towards a local carbon off-setting scheme to achieve the targets for carbon reduction set out in the Energy Strategy by Metropolis Green (February 2017, ref 5430, as amended)
- Any other planning obligation(s) considered necessary by the Head of Planning

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

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

1. Time limit for commencement
2. Approved drawings/documents
3. Membership of Considerate Constructors Scheme
4. Withdrawal of permitted development rights
5. That the homes are "parking permit restricted"
6. Obscure non-opening side elevation windows
7. Internal noise levels
8. Retention of parking spaces and cycle storage
9. Site investigation, remediation and verification
10. Details of external materials
11. Landscaping scheme
12. Constuction Method Statement
13. Details of photovoltaic panels
14. Details of electric vehicle charging point
15. Details of sustainable drainage scheme
16. Details of compliance with Building Regulations M4(2) and M4(3)
17. Details of waste storage and collection
18. Parking Management and Allocation Plan

Informatives

1. Waste transfer facility in vicinity
2. CIL liability informative
3. Control of Asbestos Regulations
4. Contact Highways for crossover works
5. Notify highways before commencing works
6. Fire Safety
7. Living Wage
8. Advice from the Fire Brigade

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 the legal agreement has not been completed by the statutory determination date for this application (including determination dates set through agreement), the Head of Planning is delegated authority to refuse planning permission.

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

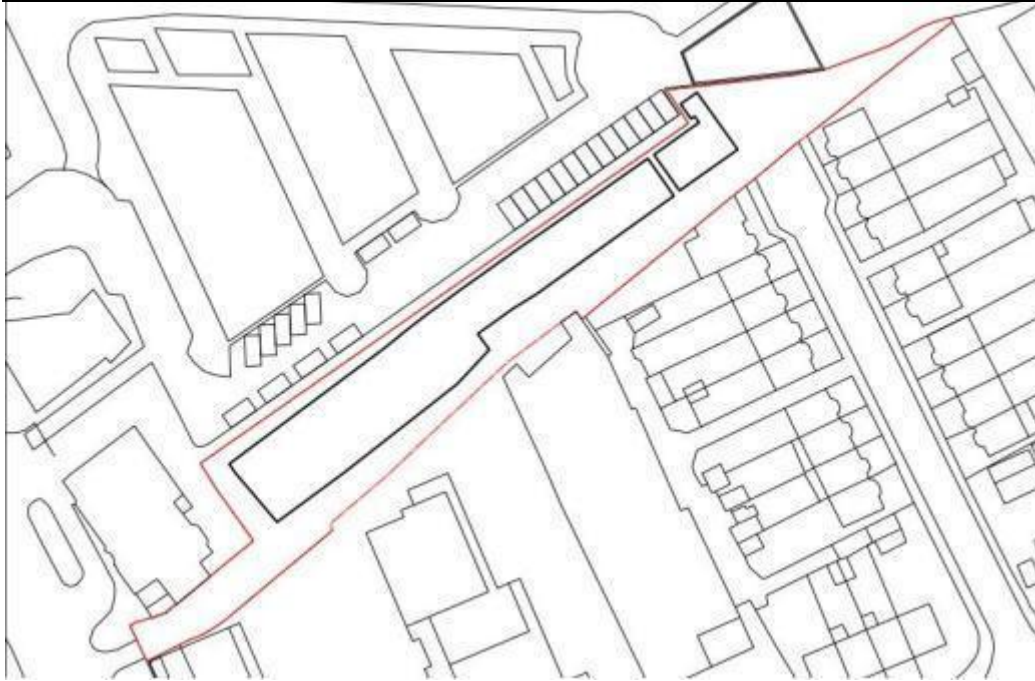
SITE MAP



Planning Committee Map

Site address: All Units, 253A Ealing Road, Wembley, HA0 1ET

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This map is indicative only.

PROPOSAL IN DETAIL

Demolition of the existing buildings on the site and the erection of 20 residential units comprising four two-storey terraced houses (four x 2bed houses) and two four-storey residential blocks providing 16 flats (eight x 2bed and eight x 3bed units), together with five associated car parking spaces, cycle storage, landscaping and access.

The proposal was originally for 24 units including four x 2bed houses, ten x 2bed and ten x 3bed flats, and was revised in October 2017, following discussions with officers, to omit four of the units.

EXISTING

The site consists of a narrow strip of land on which are a group of single-storey general industrial units occupied by vehicle repair businesses, together with a private spine road providing vehicular access from Ealing Road to the southwest and Carlyon Close to the northeast, and a small area of hardstanding used for additional parking.

The site is not in a conservation area or within the curtilage of a listed building. It is in Alperton Growth Area and part of the site allocation A3 (Former B&Q and Marvellairs House). As such it is bounded to the north by a recent residential development at 243 Ealing Road (granted planning permission under reference 09/2116), to the west by 253 Ealing Road, a development site comprising a vacant public house with a resolution to grant permission under reference 16/3606, to the south by development sites under construction at 255 Ealing Road (reference 14/2276) and at 1c Carlyon Road (reference 15/3950) (all part of the same site allocation) and to the southeast by traditional two-storey residential dwellings on Carlyon Close.

AMENDMENTS SINCE SUBMISSION

16/10/17: A full set of revised plans were received, reducing the overall number of units from 24 to 20, in order to address concerns regarding relationships with neighbours, site layout and amenity space provision. Further consultation undertaken.

06/11/17: Drawings D7100, D7300 and D7301 were revised to alter the proposed ground floor internal layouts (other than for wheelchair accessible units) from separate rooms to open plan layout, in order to improve levels of daylighting within proposed units. This is considered a minor change not requiring reconsultation.

18/12/17: Drawings D7201 and D7104 were revised, to clarify that first floor angled windows in units CG1 and CG2 would face due south to prevent overlooking onto 17 Carlyon Close (previous sets of plans contained anomalies in this respect). This is considered a minor change not requiring reconsultation.

31/01/18: Drawings D7102 and D7103 were revised to clarify that side elevation windows are proposed. Drawing D7702 was revised to be consistent with Drawings 7210 and D7104. Drawing D7100 was revised to include a dry riser for fire safety purposes, to relocate the cycle store to prevent it blocking the side elevation kitchen window in one of the units, to amend the size of bin stores in accordance with the Council's storage requirements, and to relocate the bin store in the parking court area to allow space to provide a cycleway into the adjoining development at 243 Ealing Road. A Fire Safety Report was submitted. These are considered minor changes not requiring reconsultation other than with Transportation and London Fire Brigade.

SUMMARY OF KEY ISSUES

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

1. **Principle of development.** The site is part of the allocated Site A3 Site Specific Allocation (SSA) within Alperton Growth Area. Residential redevelopment of the site is therefore supported by policy and acceptable in principle. The proposal accords with the housing mix sought in policy, with 40% of the residential units providing family sized accommodation. To compensate for the loss of employment floorspace, and accord with the allocation, the proposal includes a financial contribution of £62,500 towards affordable workspace.

2. Affordable housing provision. Four Affordable units are proposed, which represents 20% of the units (or 18% by habitable room). The proposal has been supported by a Financial Viability Appraisal and is considered to be the maximum reasonable proportion of Affordable Housing in this instance. The proposal therefore complies with policy. The tenure mix would be three social rented homes and one shared ownership home. It is not considered reasonable to request a post-implementation review on a scheme of this size.

3. Design. The proposal is considered to be of a good standard of design, providing a legible and accessible layout, and creating an identity and sense of place. The combination of four-storey mansion blocks and two-storey houses would appear in keeping with both the high density new development and traditional two-storey housing in the surrounding area, and would help to draw together these different forms of development.

4. Relationship with neighbouring properties. The relationship with houses on Carlyon Close complies with standards set out in SPG17 and draft SPD1. Although the development would be close to the boundaries with recent and forthcoming neighbouring schemes, the application has demonstrated that acceptable levels of light, outlook and privacy would be retained for neighbouring residents.

5. Residential living standards. The development would provide a good standard of accommodation for future residents. All units would comfortably exceed minimum floorspace standards with two units (10%) designed to wheelchair accessible standards, and a combination of private and communal amenity space would be provided in excess of the required standard. All rooms would received the recommended levels of daylight except ground floor kitchens, which would benefit from the revised layout incorporating open plan living spaces.

6. Sustainability and environment. The application has demonstrated that regulated carbon emissions would be reduced by 35.4% compared to the 2013 Building Regulations baseline, including 15.9% by the use of PV panels. A carbon offset payment of £33,139 is proposed to compensate for the shortfall against the London Plan zero carbon target. Measures to mitigate and adapt to climate change are proposed, including limiting water use to 105 litres per person per day, and sustainable drainage measures. Noise, air quality and contaminated land impacts have been assessed and can be controlled through conditions.

7. Transportation considerations. Local objections are centred around the transport impacts on Carlyon Close. However, traffic generation and pressure on on-street parking are expected to reduce compared to the existing use. The existing vehicular access from Ealing Road would be removed, improving highway safety, and there would be no through route into Carlyon Close. A turning head would be provided to allow service and delivery vehicles to drive out of Carlyon Close in forward gear. Pedestrian and cycle rights of way would be provided from the site and Carlyon Close into the adjoining site at 253 Ealing Road, to enhance permeability and provide pedestrian and cycle links to the Grand Union Canal. The development would be parking permit restricted, with future residents not eligible for on-street parking permits, and a financial contribution of £10,000 is proposed which would help subsidise the cost to existing residents of the eventual introduction of a Controlled Parking Zone in surrounding streets. Overall, the development is considered to improve the existing transport situation.

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)
Dwelling houses	0	0	0	2211	2211
General industrial	832		832	0	-832

Monitoring Residential Breakdown

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

EXISTING (Flats û Market)										
PROPOSED (Houses)		4								4
PROPOSED (Flats û Market)		8	8							16

RELEVANT SITE HISTORY

There is no relevant planning history on the site.

CONSULTATIONS

231 neighbours were consulted on 6 April 2017 and again on 19 October 2017 following receipt of revised plans.

A site notice was posted on 16 February 2018 and a press notice placed on 22 February 2018.

Six responses were received including four individual objections, one objection listing 20 separate respondents and one petition including 17 signatures (there is a high degree of overlap between these categories, with some individual objectors also signing the petition and/or the group objection). The large majority of objectors were from addresses in Carlyon Close. The petition was resubmitted in the second consultation.

The following issues were raised:

Comment	Officer response
Object to use of Carlyon Close as access for service and delivery vehicles for new development.	<p>Carlyon Close is already used to access the vehicle repair workshops and there are no existing restrictions on the type or number of vehicles accessing the site.</p> <p>Servicing and delivery traffic associated with the new development would be of a small scale domestic nature and is unlikely to cause undue nuisance to neighbouring residents. Servicing and delivery traffic already serves existing residents of Carlyon Close.</p>
Lack of consultation on proposed access arrangements.	Access arrangements are clearly indicated on the plans that were subject to public consultation with neighbouring residents
Existing noise, pollution and traffic nuisance will get worse.	The existing use generates a high level of traffic and associated noise as it involves a number of small businesses who test and repair vehicles. The proposed development is expected to lead to reduced vehicle traffic compared to the existing use, as parking will be restricted to five spaces and residents will not be eligible for on-street residents parking permits.
Carlyon Close should remain a closed road.	<p>The access from Carlyon Close into the site is an existing access. The existing workshops also have a vehicular access onto Ealing Road and a service road connecting the two accesses and providing a through route from Ealing Road to Carlyon Close.</p> <p>The proposal would remove the vehicular access from Ealing Road entirely, and so would achieve the aims of this objection. Vehicular access would only be provided to the five parking spaces at the head of Carlyon Close, and this would provide a turning circle that could also be used by existing residents and other traffic.</p>

Height of two-storey blocks should not exceed that of houses in Carlyon Close.	The two-storey houses would have flat roofs at a height of 6m, compared to the 7.7m ridge height of the existing houses. The stairwell housing providing access to the roof terrace would extend to a height of 9.2m but would be set back from the front elevation by 1.5m and from the side elevation by 4m, and the visual impact of the greater height would be offset by its limited bulk.
Visual and smell impact of bins in proximity to child's play area at No 243.	Further details of bin stores would be required by condition and to ensure these are well designed so as to minimise any visual impacts and odours.
Site visit required to Carlyon Close.	Site visits were conducted by officers.

External Consultees

Environment Agency: No objection

Informative recommended regarding proximity to (currently non-operational) industrial waste processing facility within 50m of the site.

London Fire Brigade: No objection

The Fire Brigade do not object to the proposal and they make particular reference to Fire Bridge Access Note 29 which relates to water mains and Hydrants, and the need for the proposal to conform with Building Regulations Approved Document Part B and submission of plans to Building Control or Approved Inspector (approval under the Building Regulations).

Internal consultees

Lead local flood authority: No objection subject to conditions

The site falls within Flood Zone 1 and is less than a hectare in size, so a detailed Flood Risk Assessment is not required. Measures proposed to reduce flood risk and surface water discharge are appropriate. Further details of flood mitigation measures and proposed discharge rates (the latter to be reduced by 50%), together with maintenance arrangements (process and frequency) are required by condition.

Environmental Health: No objection subject to conditions

Conditions required to control construction works, restrict external lighting and secure adequate levels of internal noise.

POLICY CONSIDERATIONS

Regional policy guidance

2016 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 policies are relevant:

Chapter 3 - London's People

- Policy 3.3: Increasing Housing Supply
- Policy 3.4: Optimising Housing Potential
- Policy 3.5: Quality and Design of Housing Development
- Policy 3.6: Children and Young People's Play and Informal Recreation Facilities
- Policy 3.8: Housing Choice
- Policy 3.9: Mixed and Balanced Communities
- Policy 3.10: Definition of Affordable Housing
- Policy 3.11: Affordable Housing Targets

Policy 3.12: Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes

Chapter 5 - London's Response to Climate Change

Policy 5.2: Minimising Carbon Dioxide Emissions
Policy 5.3: Sustainable Design and Construction
Policy 5.6: Decentralised Energy in Development Proposals
Policy 5.7: Renewable Energy
Policy 5.9: Overheating and Cooling
Policy 5.12: Flood Risk Management
Policy 5.13: Sustainable Drainage

Chapter 6 - London's Transport

Policy 6.5: Funding Crossrail and other strategically important transport infrastructure
Policy 6.9: Cycling
Policy 6.13: Parking

Chapter 7 - London's Living Places and Spaces

Policy 7.2: An Inclusive Environment
Policy 7.3: Designing Out Crime
Policy 7.4: Local Character
Policy 7.5: Public Realm
Policy 7.6: Architecture
Policy 7.14: Improving Air Quality
Policy 7.15: Reducing Noise and Enhancing Soundscapes

Chapter 8 - Implementation, Monitoring and Review

Policy 8.3: Community Infrastructure Levy

Local policy guidance

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 hold considerable weight. The relevant policies for this application include:

CP1: Spatial Development Strategy
CP2: Population and Housing Growth
CP8: Alperton Growth Area
CP19: Brent Strategic Climate Change Mitigation and Adaption Measures
CP21: A Balanced Housing Stock

Brent Development Management Policies Document 2016

DMP1: Development Management General Policy
DMP9B: On site Water Management and Surface Water Attenuation
DMP12: Parking
DMP14: Employment Sites
DMP15: Affordable Housing

Brent's Site Specific Allocations DPD adopted July 2011

The above document forms part of Brent's Local Plan and sets out the planning policies and guidance for the future development of over 70 key opportunity sites around the borough. One of these sites is known as A.3 (B&Q and Marvellairs House).

Supplementary Planning Guidance and Design Guides

Government's Technical Housing Standards (March 2015)

All of these documents are adopted and therefore carry significant weight in the assessment of any planning application. In addition, the emerging Draft Brent Design Guide SPD1 has been subject to public consultation and once adopted will supersede SPG17. This document is now given significant weight in the assessment of planning applications.

DETAILED CONSIDERATIONS

Principle of development

1. Core Strategy Policy CP1 focuses new housing development in five growth areas including Alperton, while Policy CP2 sets out a target for delivering 22,000 new homes over the 2007-2026 period, including a target of 25% family sized accommodation. Policy CP8 seeks to provide at least 1,600 new homes in Alperton Growth Area to 2026, and the Site Specific Allocations DPD sets out requirements for the residential-led mixed use redevelopment of Site A3. The Alperton Masterplan SPD provides detailed guidance on the forms of development supported in the Growth Area, including high density flatted development.
2. The site is within the Alperton Growth Area and part of the allocated Site A3. The allocation also includes the four adjoining sites which already benefit from planning permission or resolution to grant permission. Residential redevelopment of the site is supported by the above policies and would be consistent with the ongoing residential-led redevelopment of the surrounding sites. The proposed housing mix includes eight 3bed units out of 20 units, which represents 40% of the total and exceeds the target of 25% family-sized dwellings set out in Policy CP2.
3. The proposal does not include any B1 or A3 uses or public amenity space, which are amongst the priorities highlighted in the Site Specific Allocation. However, the site is a small and constrained part of the allocated Site A3, with no significant road frontage, and consequently is considered less suitable for mixed use development than the other parts of Site A3. The existing vehicle repair workshops represent a small scale employment use, and it is proposed that their loss is compensated for by a financial contribution towards affordable workspace of £62,500. The applicant has agreed to this contribution and it would be secured through the s106 Agreement.

Affordable housing provision

4. London Plan Policy 3.12 requires boroughs to seek the maximum reasonable amount of affordable housing, having regard to a number of factors including development viability. Core Strategy Policy CP2 sets a strategic target that 50% of new homes delivered in the borough should be affordable. Policy DMP15 reinforces this target and specifies that 70% of new affordable housing across the Borough should be social/affordable rented housing and 30% intermediate housing. However, this tenure mix can be varied on individual developments where this is justified by the viability of the scheme and other site-specific characteristics.
5. The application has been supported by a Financial Viability Appraisal (FVA) which has been reviewed on the council's behalf by independent consultants. The FVA concluded that three affordable units could be provided out of the total of 20 units, without compromising the viability of the scheme. The council's consultants argued that the existing use value and construction costs had been over-estimated in the FVA, and that five affordable units could be provided. The applicant then provided further evidence in the form of existing lease and tenancy information, and further discussions were held regarding construction

costs. It was agreed that the provision of four affordable units would represent the maximum reasonable provision.

6. Four affordable units are proposed, representing 20% of the total, with three units being for social rent and one for shared ownership, reflecting a 75:25 tenure split which is considered to be in accordance with Policy DMP15 for this size of development. Although less than the 50% target for affordable housing provision set out in Policies CP2 and DMP15, your officers consider that this is the maximum amount that could reasonably be provided on this site, given that a Financial Viability Appraisal has been submitted and an agreed position reached between the two parties as to the viability of the development.
7. Affordable housing provision would be secured by the s106 Agreement, however your officers consider that it would not be reasonable to seek a post-implementation viability review on a scheme of this size.

Design, scale and appearance of proposal

8. The proposed development would be in three groups of buildings of a square plan form located towards the northern boundary of the site. The four mansion blocks would be grouped in two sections to break up the massing, Block 1 on the western boundary adjoining 253 Ealing Road and the centrally located Block 2. Each would be four stories high with flat roofs, with each unit being a duplex occupying two stories. Central projecting entrance cores would provide access to the upper units, flanked by separate entrance doors to ground floor units. The blocks would appear modest in height and bulk in comparison to the significantly larger and taller schemes to the north, south and west, and the 'mansion block' form would be an appropriate form of development in this context. Block 3, located towards the east of the site, would be a terrace of four houses, two stories high with a flat roof. It would be read within the context of the similar height, domestic scale and form of the established housing on Carlyon Close, and would appear in keeping with this area. Each block would have roof terraces incorporating stairwell housing, 2m high privacy screens and raised planters.
9. A communal amenity space and cycle store would be located between Blocks B and C, and a parking court with bin storage at the northeastern end of the site, accessed from the existing access on Carlyon Close. Pedestrian access to the buildings would be via a footpath running along the existing spine road from the Ealing Road entrance to the parking court, with the remainder of this space providing additional bin storage and landscaping. Each block would be set back progressively by 0.5m, to break up the overall bulk of the building line, create an attractive vista along the footpath and provide defensible space in front of the ground floor accommodation.
10. The architectural style is contemporary, with the facing materials being mainly light grey brickwork to respond to the character of the surrounding area but also including sections of light brown textured brick and white precast concrete horizontal banding to provide articulation and visual interest. Doors and window frames would be finished in metallic bronze, which would provide an effective contrast to the brickwork, and their shape and alignment would provide a strong vertical emphasis to the buildings.
11. One concern raised by neighbours relates to the height of the two-storey blocks. These would have the stairwell housing leading up onto the roof terrace, which appears as a part third-storey but would be of limited bulk and footprint compared to the overall bulk of the buildings and less bulky than the pitched roofs on neighbouring two-storey properties. Privacy screens would also be provided on the roof terraces, but would be of limited bulk and height compared to the bulk of pitched roofs.
12. Overall the design is considered to be of a good standard that provides a legible and accessible layout and a sense of arrival at individual properties. It would successfully create an identity and sense of place to draw together the two forms of development across the site, whilst complementing the character of both the high density new developments surrounding the site and the traditional housing to the east.

Further details of materials, a landscaping scheme including details of roof terrace planting and hard landscaping, boundary treatments, and the design of cycle storage and bin storage would need to be secured by condition.

Relationship with neighbouring properties

13. The impact on neighbours is also a material consideration, and Policy DMP1 seeks to ensure that this is acceptable, with further guidance set out in SPG17 and draft SPD1. The surrounding buildings, including those consented and under construction, are residential in nature and as such the impact of this development upon them needs to be considered.
14. SPG17 requires new development not to breach a 30 degree line at 2m height from the nearest habitable room windows on existing properties and a 45 degree line at 2m height from rear boundaries of private amenity space, in order to protect their light and outlook. Draft SPD1 proposes a more flexible 45 degree standard in relation to windows in transitional and transformational areas. To maintain adequate standards of privacy, SPG17 requires new development to maintain a 10m distance from proposed rear habitable rooms to the rear boundary and 20m to the nearest existing rear habitable rooms, whilst draft SPD1 allows reduced distances in transitional and transformational areas where proposals are of high quality design and incorporate measures to reduce the perception of overlooking or loss of privacy.
15. In respect of this site, the surrounding development across the allocated Site A3 is all high-density flatted development and Site A3 as a whole represents a transformational area of the type described in draft SPD1 and within which the more relaxed standards could apply, whereas the housing on Carlyon Close represents a typical area in which the 30 degree standard should continue to apply.
16. The application is supported by a Daylight & Sunlight Report, which provides a detailed assessment of the potential impacts of the development on the light received by windows of neighbouring properties. The methodology used is based on the BRE's 'Site Layout Planning for Daylight and Sunlight: A guide to good practice', which is the accepted national standard method for assessments of this type. It calculates daylight using three methods: the Vertical Sky Component (VSC), the No-Sky Line Contour (NSC) and the Average Daylight Factor (ADF), and sunlight using the Annual Probable Sunlight Hours (APSH).
17. Compliance with the relevant standards and any other concerns regarding the relationship to each of the nearest neighbouring properties is assessed in the following paragraphs.
18. The proposed two storey houses would be within a 30 degree line of the side boundary of the rear garden of 17 Carlyon Close at the eastern end of the site and at a distance of 11m from the flank elevation of this house, in accordance with SPG17. There are no side-facing windows in this house and the side boundary is screened by wooden fencing. The first-floor front elevation windows in the proposed houses would be angled to prevent overlooking and loss of privacy, with those on Plots CG1 and CG2 facing southwards onto the far rear garden of 17 Carlyon Close and those on Plots CG3 and CG4 facing eastwards towards its flank elevation and frontage. Properties on Carlyon Close have not been assessed for overshadowing, being to the south of the proposed development.
19. The four-storey Block B would breach a 45 degree line from the side garden boundary of the nearest unit within the approved (but not constructed) development at 1c Carlyon Close, and from a side-facing secondary habitable room window in that unit. However this garden comfortably exceeds minimum standards, having an L-shaped area of 90sqm of which the majority would not be affected by the proposed development, whilst the side-facing window in the unit affected is very small in size and secondary to the larger rear-facing window in the same room. Furthermore, that garden does not exist at present and is to be constructed as a part of a high density development. Consequently the resultant

loss of light and outlook would not have an undue adverse impact. This site is also to the south of the proposed development and so would not be affected by overshadowing. Although there are some upper floor habitable room windows on this northern elevation of the 1c Carlyon Close development, these are high level obscured secondary windows and so overlooking from the proposed development would not be a concern.

20. The four-storey blocks would be 12m distant from the flank elevation of the development under construction at 255 Ealing Road to the south. However, there are no windows in this flank elevation and consequently no concerns about loss of light and look. This distance is considered to be adequate to maintain levels of privacy. The proposed blocks would retain a distance of over 10m to the communal amenity space at 255 Ealing Road and would not breach a 45 degree line at a 2m height from the boundary of that space. Although the 45 degree standard is not applied in relation to communal gardens, the lack of a breach provides further support for the view that the overall scale and height of the proposed development is appropriate to the site. The site at 255 Ealing Road has not been assessed for overshadowing, being to the south of the proposed development.
21. The rear elevation of the adjoining development at 245-249 & 253 Ealing Road (Block B) would be only 2m distant from the side elevation of the nearest of the proposed four-storey mansion blocks, with both developments being built up close to the boundaries. However, that scheme was designed to achieve an appropriate relationship with the proposed development. At ground floor, the adjoining development contains car parking spaces and refuse storage and the window/terraces on the upper floors have been designed to avoid any direct overlooking between the sites.
22. From the ground floor south-facing windows of the nearest block at 243 Ealing Road to the north (Block C), the proposed four-storey mansion blocks would breach the 30 degree line only by virtue of the additional staircase housing, which would be of limited bulk, and would not cause any breach of the 45 degree line which is applicable in transformational areas (as set out in draft SPD1). They would be 17m distant from those windows which, given the high density context of the area and the constraints of the site, is considered to provide an acceptable degree of privacy for existing and future occupants, in accordance with draft SPD1.
23. Block C at 243 Ealing Road and the adjoining communal amenity space are considered in the Daylight & Sunlight Report to be most sensitive in terms of the daylight and sunlight impacts of the proposed development, due to their orientation due north of the site. The Report concludes that the majority of these windows (including all at second floor level and above) would retain VSC levels in excess of 0.8 times their former value. Some ground and first floor windows (8 windows) would have VSC levels reduced to 0.7 times their former value but these would be primarily bedroom windows, with living spaces retaining good overall daylight. Furthermore, the design of 243 Ealing Road incorporates 'wrap around' balconies on the southern elevations which overhang windows below and so limit sky visibility, and further analysis undertaken in the Report concludes that the reduced daylighting is primarily due to the impact of the overhanging balconies rather than the proposed development to the south. There would also be no noticeable change in NSC levels, all windows would retain good levels of sunlight in accordance with the BRE guidelines, and there would be no adverse impact resulting from overshadowing onto the communal amenity space.
24. The proposal includes roof terraces for the upper floor flats and the houses, and the design has addressed the potential for overlooking or perceived overlooking onto existing properties from these. On the northern elevation near to the boundary with 243 Ealing Road, 2m high privacy screens would be installed and on the southern elevation raised planters would be provided. Each block would include narrow side elevation windows on each floor, which provide further visual interest and vertical articulation on these elevations. As the windows serve bathrooms or are secondary windows to habitable rooms, it is considered acceptable for these to be obscured and fixed shut at first floor level and above, and this would be secured by a condition. Further details of privacy screens and landscaping (including a maintenance schedule) would be required by condition.

25. Overall, the proposal is considered to have an acceptable relationship with neighbouring properties including consented schemes and developments under construction, given the surrounding context of high density development. However, a condition is recommended to withdraw permitted development rights in order to control any future impacts on neighbouring properties.

Residential living standards

26. Policy DMP18 requires new housing development to comply with standards set out in the Mayor's Housing SPG, including minimum internal space standards. Policy DMP19 requires private amenity space of 20sqm per 1bed or 2bed flat and 50sqm for family housing including ground floor and 3bed or 4bed flats. Balconies should have a minimum width and depth of 1.5m to be considered usable, and single aspect units should be avoided, particularly if north-facing. The Mayor's Housing SPG also requires 90% of units to meet Building Regulations M4(2) 'accessible and adaptable homes' standards and 10% to meet M4(3) 'wheelchair accessible homes' standards.

Internal floorspace

27. All of the proposed units would be dual-aspect including south-facing rooms, and would significantly exceed the minimum floorspace requirements, as set out in the table below. The proposal includes two wheelchair-accessible 2bed units designed to Building Regulations Part M4(3) standard and all other units are designed to be adaptable and accessible to Part M4(2) standard.

	Floorspace proposed	Minimum floorspace required
2B4P duplexes	92sqm	79sqm
2B3P wheelchair accessible duplexes	100sqm	70sqm
3B5P duplexes	98sqm	93sqm
2B4P houses	86sqm	79sqm

External amenity space

28. Three types of amenity space would be provided across the site. Each of the twelve units with access to the ground floor would have private rear garden space. Although these would become progressively shallower, they would range in size from 20sqm (complying with the standard for 2bed units) to 10sqm, with the smaller gardens belonging to the four houses which would also have private roof terraces of 17sqm with an additional 6sqm of raised planters. The upper floor duplexes would have no private garden space but would have private roof terraces of 30sqm with an additional 6sqm of raised planters. The private spaces would be supplemented by a communal amenity space provided between the mansion blocks and the houses. The overall amenity space provision is summarised in the table below:

	Amenity space proposed
Rear gardens	168sqm
Roof terraces including planters	380sqm
Communal amenity space	126sqm

Total amenity space 684sqm

29. The amenity space required to fully comply with Policy DMP19 would be 640sqm (twelve x 20sqm for 2bed units and eight x 50sqm for 3bed units). The proposal would exceed this requirement, which is particularly welcomed on such a constrained site, and would provide a mixture of private space and accessible communal space.

Daylight and sunlight

30. The Daylight & Sunlight Report assesses the internal light levels of the proposed units, in terms of the BRE guidance. It should be noted, however, that this guidance is most relevant to traditional suburban environments and that an element of deviation from the targets can occur in more densely developed urban areas.

31. The Report finds that all rooms meet the recommended levels of daylight except ground floor kitchens, which achieve an Average Daylight Factor of 1.6% compared to the recommended 2.0%. This concern has been partly addressed by revising the layout of the mansion blocks to provide open plan living spaces rather than separate kitchens, and it is considered that minor localised deviations are acceptable as the main living spaces would receive the recommended levels of daylight.

Sustainability and environment

32. The application has been supported by a Sustainability Statement and an Energy Strategy in accordance with Core Strategy Policy CP19 and London Plan Policies 5.2, 5.3 and 7.4. Major residential developments are expected to achieve zero carbon standards, with any shortfall compensated for by a financial contribution to the Council's Carbon Offsetting Fund, and to make use of on-site renewable energy where feasible. The supporting text to London Plan Policy 5.7 presumes that major developments will achieve at least 20% reduction through on-site renewable energy, but this is not a policy requirement.

33. The Sustainability Statement demonstrates how the design seeks to mitigate and adapt to climate change over the lifetime of the development, such as by incorporating passive design measures to maximise daylight and sunlight, specifying low flow water fittings and fixtures to limit water use to 105 litres per person per day, sourcing materials responsibly and using recycled materials where possible, managing construction waste, and providing rooftop planting and other landscaping.

Energy and carbon emissions

34. The Energy Strategy applies the London Plan energy hierarchy in order to minimise carbon emissions from the development. Passive design measures including high performance building materials are proposed, together with heating, ventilation and internal lighting, to reduce regulated emissions by 19.5% compared to the 2013 Building Regulations baseline. Opportunities to connect to existing decentralised heat networks, to provide one on a site-wide basis or to use Combined Heat and Power, have been considered and shown to be impractical in this case. Various renewable energy technologies are appraised, and the use of PV panels is proposed on the roofs of the stairwell cores, reducing emissions by a further 15.9% and resulting in a total on-site reduction of 35.4%. The PV panel coverage appears to have been reasonably maximised, given that the roofs also provide amenity space. Further details of the PV panels would be required by condition.

35. The Energy Strategy identifies a carbon offset payment of £39,780 to compensate for the shortfall against the zero carbon standard. However this relates to the original proposal for a 24-unit scheme. The carbon emissions calculations and offset payment have been recalculated following the reduction in the number of units to 20, with the percentage reductions remaining the same but the amount of carbon reduced on a pro-rata basis and consequently the carbon offset payment has been reduced to £33,139. This would be secured through the s106 agreement.

Flood risk and drainage

36. Brent Policy DMP9B requires sustainable drainage measures on major residential developments. A Flood Risk Assessment and Sustainable Drainage Strategy has been submitted, and proposes attenuation within permeable paving and storage within tanks and oversized pipes. The lead local flood authority have no objection in principle, and a detailed Flood Risk Assessment is not required given that the site is in Flood Zone 1 and under a hectare in size. A condition is recommended to require detailed design of drainage measures, together with further details of maintenance arrangements.

Land contamination

37. Land contamination is anticipated due to the existing use of the site for vehicle repairs. A Phase 1 Desk Study has been submitted and concludes that the site poses a medium risk to future site users and environmental receptors, primarily due to the potential for contamination derived from the site use for vehicle repair and servicing, and the possible presence of asbestos containing materials within the existing building fabric. It recommends further action to assess the risks associated with contamination and outline specific remedial measures for the site, if required. Conditions are recommended to ensure further investigations and an appropriate remediation strategy are carried out, in order to ensure the site is suitable for its proposed residential use.

Air quality and noise

38. An Air Quality Assessment has been submitted and proposes measures to mitigate dust from the demolition and construction process. Environmental Health have raised no objections and a condition is proposed requiring these measures to be set out in a Construction Method Statement, together with frequency and routing of construction traffic, restrictions on hours of construction work and means of compliance with BS5228: Code of practice for noise and vibration control on construction and open sites. A Noise Assessment has been submitted and concludes that acceptable internal noise levels can be achieved through design, and Environmental Health have recommended a condition to secure these.

Transportation considerations

39. Parking standards are set out in Appendix 1 to the Development Management Policies 2016, and Policy DMP12 requires that any overspill parking generated by a development can be safely accommodated on-street. Cycle parking standards are set out in the London Plan, with two spaces required per 2bed or larger unit. Bin storage requirements are set out in the Brent Waste Planning Guide.

Parking provision

40. The existing workshops would be allowed four spaces for the site as a whole although if the 16 businesses were considered separately then up to 16 spaces could be allowed, in addition to servicing by 8m rigid vehicles. Ealing Road is a major London distributor road and bus route with only a narrow

frontage to the site, whilst Carlyon Close is a narrow road and already noted as being heavily parked at night. The site is poorly laid out for servicing, due to its long narrow spine road, restricted turning space and narrow access, and the current use is not considered conducive to highway safety as there is a risk that vehicles may have to reverse onto Ealing Road.

41. The redevelopment of the site for non-commercial use is welcomed in principle on transport grounds. As the site has good access to public transport services, lower parking standards apply (0.75 spaces per 2bed unit and 1.2 spaces per 3bed unit), with a total allowance of 18.6 spaces for the proposed development. The proposed provision of five spaces accords with these maximum standards. Of the parking spaces proposed, three are to be wide bays marked for disabled Blue Badge holders, thus ensuring that 10% of the units could be allocated a disabled space. However, neither Ealing Road nor Carlyon Close would be able to safely accommodate any overspill parking. In general, it is estimated that developments will generate car ownership at 75% of the maximum allowance and on this basis the proposed 20 units are estimated to generate demand for 14 spaces, giving a predicted overspill of up to nine cars from the site.
42. The site currently lies outside of any Controlled Parking Zone (CPZ) and residents who own cars would therefore be likely to overspill onto streets further afield, including Carlyon Close and Carlyon Road, which are not covered by CPZs. Given the amount of development approved and proposed in future in this Growth Area (most of which has low levels of parking), extensions to CPZs are increasingly likely to be required to address overspill parking issues. However, consultation recently undertaken with local residents on a new CPZ in residential streets around Carlyon Road and Burns Road showed the majority of residents not to be in favour of the scheme at present.
43. Any CPZ extension to address overspill parking from this and other nearby developments should therefore include funding to subsidise the cost to existing residents of parking permits, as the reason for the CPZ would be to address a parking problem that has been imposed upon them. A sum of £500 per proposed new unit (totalling £10,000) is therefore required towards this, which in combination with other development funding could be used to subsidise parking permits for existing local residents. The applicant has agreed to this contribution, which would be secured through the S106 agreement. The development would also be subject to a condition designating it as 'parking permit free', with the right of future residents to on-street parking permits withdrawn within any future CPZ that is introduced.
44. London Plan Policy 6.13 parking standards require 20% of parking spaces to provide electric vehicle charging points, with an additional 20% passive provision for future use by electric vehicles. For the proposed development, this equates to one charging point and one space with passive provision made (including the necessary underlying infrastructure and cabling to parking spaces) to enable installation and activation of a charging point at a future date. These details would be secured by condition.

Access arrangements

45. Vehicular access to the car parking spaces is proposed from Carlyon Close at the rear of the site, with the existing gated access widened to 9.1m to match the carriageway width. The footways of the Close would be extended into the site, continuing through the rear car park to provide a pedestrian link connecting Carlyon Close to the existing new development at 243 Ealing Road to the north. The western side of the parking area would be open to allow a cycle link to the estate road within the 243 Ealing Road site.
46. The S106 Agreement for the development at 243 Ealing Road (ref: 09/2116) requires the owner of that site to agree a right of way for emergency vehicles, pedestrians and cyclists, as long as it does not affect parking, which would ensure use of this proposed access. This pedestrian and cycle links are welcomed as they would improve permeability in the area by linking the eastern end of the site and Carlyon Close more directly with the Grand Union Canal towpath and cycle route, and their use as a public rights of way

(other than for up to one day per year) would be secured permanently through the s106 agreement. The cycle link would also allow for emergency vehicle access to the 243 Ealing Road site, and the installation of a retractable bollard to prevent use by other vehicular traffic will be required by condition.

47. The existing crossover onto Ealing Road would be removed and reinstated to footway, with access from Ealing Road retained for pedestrian and cyclist use only. This is welcomed on road safety grounds, given the difficulties vehicles would experience in safely turning right across two lanes of traffic to enter and leave the site on this busy four-lane road. The cost of removing the crossover and repaving the site frontage would be met by the developer, with the works secured through the s106 agreement. The London Plan standards require 40 cycle spaces, and a secure store for 46 cycles on a two-tier rack system is proposed to meet this requirement.
48. Concerns have been raised by objectors regarding the use of Carlyon Close as an access for the proposed development. However, this is an existing access and the proposal is expected to reduce the volume of traffic generated by the site, compared to the existing use. The noise, air pollution, visual disamenity and instances of nuisance parking associated with vehicle repair workshops would no longer occur. The proposal would also allow for vehicles, including refuse and delivery vehicles, to turn at the end of Carlyon Close. Furthermore, whilst the site currently provides a through route from Ealing Road to Carlyon Close along the spine road, the proposal would result in vehicular access being restricted to the parking area, therefore reinstating the Close as a closed road.

Servicing and fire access

49. Two bin stores accommodating six Eurobins and two 240L bins in total are proposed alongside the footpath through the site, with a larger bin store for the same number of bins shown within the car parking area. Based on the Council's required storage provision of 60L per bedroom for both mixed recyclables and residual waste and 23L per household for organic food waste, a total of six Eurobins and two 240L bins would be sufficient, and this would be provided by the bin stores situated alongside the footpath to allow residents to access their bins from within a 30m carrying distance. The management company would be responsible for transferring bins to the bin store in the parking area for collection days, and for returning them following collection, and details of this arrangement would be secured by condition. The bin store in the parking area would be within 10m of the highway, which is acceptable for larger bins,
50. Refuse vehicles would be able to enter the rear of the site from Carlyon Close and turn within the car park aisle. Tracking diagrams have been provided showing a five-point manoeuvre by a refuse vehicle. The ability to turn at the end of Carlyon Close, albeit with difficulty, does not exist at present and the proposal would represent an improvement for existing residents in this respect. Other delivery vehicles would also be able to make use of this area.
51. Blocks A and B would be beyond the maximum 45m reach of a fire hose from either end of the development. Compliance with fire safety requirements is addressed in the Building Regulations and is not normally considered in the determination of planning applications. However, the new Draft London Plan is a material consideration (albeit with relatively limited weight at this point in time), of which Policy D11 Fire Safety requires development proposals to achieve the highest standards of fire safety. In order to address the requirements of this policy, the applicant has submitted a Fire Safety Report, which specifies a number of construction features including provision for smoke ventilation, specification of materials and an automatic sprinkler system, and proposes the installation of a dry riser system from the Ealing Road entrance. Amended plans have been submitted showing the installation of the dry riser system as part of the site layout. It is noted that the scheme is relatively small in scale and has two exit points from the site.
52. London Fire Brigade have been consulted. They do not object and have advised that the applicant must ensure that the plans conform with Part B of the Approved Document of the Building Regulations, and

that plans must be submitted to Building Control or an Approved Inspector, who may be required to consult the Fire Authority. They also recommend that the applicant pays particular attention to paragraph 16 ('Water Mains and Hydrants') of their Guidance note 29 on Fire Brigade Access, which provides similar guidance to the Building Regulations B5. An informative is recommended to remind the applicant of these matters. As with all proposals, formal and final approval is sought through the building regulations.

Trip generation

53. The Transport Statement submitted with the application has considered likely trip generation from the proposed residential units, based on comparisons with three other residential developments in London. This concludes that the development is likely to lead to reduced traffic, compared to the existing use, which reflects the low level of parking proposed.
54. Although the development falls well below TfL's threshold for Travel Plans, a Travel Plan has been submitted for the site. This proposes to appoint a Travel Plan Co-ordinator to manage the implementation of the Travel Plan to provide promotional information on walking, cycling and public transport through a Welcome Pack for residents. The primary aim would be to reduce car use by residents by from 35% of trips to 21% of trips within five years of first occupation, with monitoring surveys to be undertaken in years 1, 3 and 5 to assess progress.
55. As the development is below TfL's threshold and as on-site car parking is limited, a Travel Plan Statement would generally be more than sufficient, with no requirement for on-going monitoring. As such, the implementation of the Travel Plan would be welcomed, but is not required to be secured by condition.

Density of development

56. Development of the site is expected to conform to the density range set out in the London Plan of 200-700 hr/ha for urban sites (or 55-255 units/ha) with a PTAL score of 4, unless a higher density can be justified as a result of a scheme being acceptable in planning terms. The proposed density of approx. 322 hr/ha or 91 units/ha sits comfortably within the London Plan density range for urban sites with good access to public transport and is considered to be appropriate for the site.

Conclusion

The proposed development accords with relevant policies and guidance. Approval is recommended.

CIL DETAILS

This application is liable to pay **£453,112.00*** 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): 832 sq. m.

Total amount of floorspace on completion (G): 2211 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
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Dwelling houses	2211	0	1379	£200.00	£35.15	£385,381.25	£67,730.75
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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)	313	
Total chargeable amount	£385,381.25	£67,730.75

*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.



Brent

DECISION NOTICE – APPROVAL

Application No: 17/1104

I refer to your application dated **10/03/2017** proposing the following:

Demolition of the existing buildings on the site and the erection of 20 residential units comprising four 2 storey terraced houses (4 x 2bed houses) and two 4 storey residential blocks providing 16 flats (8 x 2bed and 8 x 3bed units), together with 5 associated car parking spaces, cycle storage, landscaping and access

and accompanied by plans or documents listed here:
See condition 2

at **All Units, 253A Ealing Road, Wembley, HA0 1ET**

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: 25/05/2018

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 Core Strategy 2010 (Policies CP1, CP2, CP5, CP6, CP8, CP19, CP21)
Brent Site Specific Allocations DPD 2011 (Site A3)
Brent Development Management Policies 2016 (Policies DMP1, DMP9b, DMP12, DMP14, DMP15, DMP19 and Appendix 1).

- 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):

6487 D1100 Rev 00
6487 D7100 Rev 09
6487 D7101 Rev 06
6487 D7102 Rev 06
6487 D7103 Rev 06
6487 D7104 Rev 06
6487 D7201 Rev 07
6487 D7300 Rev 03
6487 D7301 Rev 02
6487 D7500 Rev 01
6487 D7501 Rev 01
6487 D7700 Rev 01
6487 D7701 Rev 01
6487 D7702 Rev 01

Air quality assessment (Mayer Brown, March 2017)

Daylight and sunlight report (eb7, February 2017)

Design and Access Statement (Formation Architects, March 2017)

Energy Strategy (Metropolis Green, 5430, February 2017, as amended by agent email of 06/11/17)

Flood risk assessment and surface water drainage strategy (Odyssey Markides, 16-373-03C, March 2017)

Noise assessment (Mayer Brown, March 2017)

Phase 1 desk study report (GB Card & Partners, GB/378, March 2017)

Planning Statement (Savills, March 2017)

Statement of Community Engagement (Iceni, March 2017)

Sustainability Statement (Metropolis Green, ref 5430, February 2017)

Transport Statement (Odyssey Markides, 16-373, March 2017)

Travel Plan (Odyssey Markides, 16-373, March 2017)

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

- 3 No development shall be carried out until the person carrying out the works is a member of the Considerate Constructors Scheme. Details of the membership and contact details as required through the scheme shall be clearly displayed on the site throughout the duration of construction.

Reason: To limit the impact of construction upon the levels of amenity of neighbouring occupiers.

- 4 No further extensions or buildings shall be constructed within the curtilage of the dwellinghouses 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) (England) 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: To prevent an over development of the site and undue loss of amenity to adjoining occupiers.

- 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. 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 Side elevation windows above ground floor level 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 maintained in that condition thereafter unless the prior written consent of the Local Planning Authority is obtained.

Reason: To protect the privacy of neighbours in accordance with Policy DMP1.

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

Criterion	Typical situations	Design range LAeq, T
Reasonable resting conditions	Living rooms	30 – 40 dB (day: T =16 hours 07:00 – 23:00)
Reasonable sleeping conditions	Bedrooms	30 – 35 dB (night: T = 8 hours 23:00 – 07:00) LAm _{ax} 45 dB (night 23:00 – 07:00)

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

- 8 The parking spaces, cycle storage and accesses shown on the approved plans shall be provided prior to first occupation and shall be permanently retained and not used other than for purposes ancillary to the dwellings hereby approved.

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.

- 9 (a) Following the demolition of the existing buildings and prior to commencement of building works, a site investigation report shall be submitted to and approved in writing by the Local Planning Authority. The site investigation shall be carried out in accordance with BS 10175:2011 by competent persons to determine the nature and extent of any soil contamination present. The site investigation report shall include 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.

(b) Any soil contamination remediation measures identified above shall be carried out in full accordance with the approved details. A verification report shall be submitted to and approved in writing by the Local Planning Authority prior to occupation stating that remediation has been carried out in accordance with the approved remediation scheme and the site is permitted for end use (unless the Planning Authority has previously confirmed that no remediation measures are required).

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

- 10 Details of materials for all external work, including samples which shall be made available for viewing on site or in an agreed location, 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.

- 11 Notwithstanding any details of landscape works referred to in the submitted application, a scheme for the landscape works and treatment of the surroundings of the proposed development shall be submitted to and approved in writing by the Local Planning Authority within 6 months of commencement of development. 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 an implementation programme agreed in writing with the Local Planning Authority. Such a scheme shall include:-

(a) all planting including location, species, size, density and number incorporating native species of local provenance, and to include screen planting on roof terraces and defensive planting to the front of buildings

(b) areas of hard landscape works including details of materials and finishes. These shall have a permeable construction and include features to ensure safe use by visually impaired and other users

(c) the location of, details of materials and finishes of, all street furniture and signage

(d) proposed boundary treatments including gates, walls, fencing and retaining walls, indicating materials and height

(e) details of external lighting (including proposed sitting within the site and on buildings and light spillage plans showing details of lux levels across the surface of the site and at residential windows)

(f) details of cycle and bin storage areas, indicating materials and heights

(g) a detailed (minimum 5-year) landscape-management plan showing requirements for the ongoing maintenance of hard and soft landscaping.

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. All footways, parking spaces, vehicle turning area, cycle storage, bin storage and screen planting on roof terraces shall be maintained as approved thereafter.

Reason: To ensure a satisfactory standard of appearance and setting for the development, 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, to prevent overlooking onto neighbouring properties from roof terraces, and to provide tree planting in pursuance of section 197 of the Town and Country Planning Act 1990.

- 12 Prior to the commencement of the development (including any demolition works) a Construction Method Statement, which shall be in accordance with the Framework Construction Management Plan hereby approved, shall be submitted to and agreed by the Local Planning

Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall include details of:

- i. Measures that will be taken to control dust, noise and other environmental impacts of the development;
- ii. Specification of construction works at each phase of the development including the provision of car parking for existing residents;
- iii. Construction Logistics Management, including the routing of construction vehicles to the site which shall be directly from Ealing Road and not via Carlyon Close and means to prevent those vehicles accessing the site from Carlyon Close;
- iv. Erection and maintenance of security hoarding;
- v. Wheel-washing facilities;
- vi. Parking of vehicles of site operatives and visitors;
- vii. Arrangements for the loading and unloading of plant and materials;
- viii. Storage of plant and materials used in constructing the development;
- ix. Scheme for recycling/disposing of waste resulting from demolition and construction works;

Reason: To safeguard the amenity of the neighbours by minimising impacts of the development that would otherwise give rise to nuisance and in the interest of the free and safe flow of traffic on the local highway network.

- 13 Details of the proposed photovoltaic panels in accordance with the sustainability measures secured as part of this development, shall be submitted to and approved in writing by the Local Planning Authority, prior to completion of construction work and shall be installed prior to occupation of the development hereby approved.

Reason: To demonstrate these are adequate and suitable to provide the level of carbon offset sought.

- 14 Prior to development commencing, further details of an electric vehicle charging point to serve one parking space and passive provision to enable installation of a charging point in future to serve one additional parking space shall be submitted to and approved in writing by the local planning authority. Development shall thereafter be carried out in accordance with the approved details, which shall be installed and operational prior to first occupation of the development.

Reason: To ensure provision of electric vehicle charging points in accordance with London Plan Policy 6.13.

- 15 No development shall take place until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- i. a timetable for its implementation, and
- ii. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason: To help reduce surface water run-off and the potential for flooding.

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

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

- 17 Details of adequate arrangements for the storage and disposal of refuse, food waste, paper and cardboard waste and recyclable material (including litter bins inside and outside the premises) shall be submitted to and approved in writing by the Local Planning Authority and implemented prior to commencement of the use hereby approved. The details shall include a management plan to ensure that all waste and recycling containers are transferred to the collection point on collection days.

Reason: To ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties.

- 18 A parking management and allocation scheme shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development hereby approved and the parking spaces shall be allocated to occupants of the development in accordance with the approved scheme. The approved scheme shall be implemented for the life of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of highway flow and safety, having regard to the levels of parking proposed within the development.

INFORMATIVES

- 1 The Environment Agency regulates an industrial facility within 50 metres of the proposed development. In this instance, the regulated Environmental Permit (EPR/AB3301LD) is for a waste transfer station for the treatment of waste to produce soil, soil substitutes and aggregates.

Currently the waste activity is non-operational however the permit is still in place and therefore the waste treatment activity could be undertaken at any time until such time as the permit is surrendered by the operator.

All industrial facilities operations may generate noise, dust and odour and affect the surrounding areas. The Environmental Permits issued prevent or where that is not possible minimise these impacts by requiring operators to use certain techniques or install specific infrastructure, however some amenity impacts such as noise, dust and odour should be expected from this type of land use.

The applicant should be aware that it is not possible to guarantee that these potential amenity impacts will have no impact on this development proposal.

Please note, the Environment Agency's regulation of the site does not extend beyond the Environmental Permit boundary and does not take account of issues arising from traffic movements associated with the operation of the facility.

- 2 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.
- 3 Given the age of the buildings 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.
- 4 The applicant is advised to contact the Council's Head of Highways & Infrastructure to arrange for the crossover works to be undertaken, via <https://www.brent.gov.uk/services-for-residents/transport-and-streets/vehicle-crossings-and-dropped-kerbs/>, tel 020 8937 5600 or transportation@brent.gov.uk. Such works are undertaken by the Council at the applicant's expense.

- 5 The applicant is advised to notify the Council's Highways and Infrastructure Service of the intention to commence works prior to commencement and include photographs showing the condition of highway along the site boundaries. The Highways and Infrastructure Service will require that any damage to the adopted highway associated with the works is made good at the expense of the developer.
- 6 The Council recommends that the maximum standards for fire safety are achieved within the development.
- 7 Brent Council supports the payment of the London Living Wage to all employees within the Borough. The developer, constructor and end occupiers of the building are strongly encouraged to pay the London Living Wage to all employees associated with the construction and end use of development.
- 8 The applicant is reminded that the plans must conform with Part B of the Approved Document of the Building Regulations, and that plans must be submitted to Building Control or an Approved Inspector, who may be required to consult the Fire Authority. The applicant is advised to pay particular attention to paragraph 16 ('Water Mains and Hydrants') of the London Fire Brigade Guidance note 29 on Fire Brigade Access, which provides similar guidance to the Building Regulations B5. The Fire Authority Water Section can be contacted as follows:

Water Office
London Fire Brigade Headquarters
169 Union Street
London SE1 0LL
Telephone No. 0208 555 1200 ask for Water Office

Any person wishing to inspect the above papers should contact June Taylor, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 2233

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

6 June, 2018
07
18/0204

SITE INFORMATION

RECEIVED	16 January, 2018
WARD	Tokynghon
PLANNING AREA	Brent Connects Wembley
LOCATION	Parking Spaces, York House, Empire Way, Wembley
PROPOSAL	<p>Reserved matters application for the access, appearance, landscaping, layout and scale for Plot YH1, comprising the construction of a 630 place three form entry (3FE) Primary School and 60 place Nursery subject to approval under condition 1 of outline planning permission ref: 15/5550.</p> <p>This application has been submitted in pursuant to conditions 1 (Layout, Scale, Appearance, Access and Landscaping) of Outline planning permission reference 15/5550 in relation to plot YH1:</p> <p><i>Outline permission reference 15/5550 was for: Hybrid planning application, accompanied by an Environmental Impact Assessment, for the redevelopment of the site including;-</i></p> <p><i>Full planning permission for erection of a 10-storey car park to the east of the Stadium comprising 1,816 car parking spaces of which 1,642 are for non-residential purposes, up to 82 coach parking spaces and associated infrastructure, landscaping and vehicular access. And</i></p> <p><i>Outline application for the demolition of existing buildings on site and the provision of up to 420,000 sqm (gross external area) of new floorspace within a series of buildings comprising:</i></p> <ul style="list-style-type: none"> • <i>Retail/financial and professional services/food and drink (Use Class A1 to A4) up to 21,000 sqm;</i> • <i>Commercial (Use Class B1) up to 82,000 sqm;</i> • <i>Hotel (Use Class C1): up to 25,000 sqm;</i> • <i>Residential (Use Class C3): up to 350,000 sqm (up to 4,000 homes) plus up to 20,000 sqm of floorspace for internal plant, refuse, cycle stores, residential lobbies, circulation and other residential ancillary space;</i> • <i>Education, healthcare and community facilities (Use Class D1): up to 15,000 sqm;</i> • <i>Assembly and leisure (Use Class D2): 23,000 sqm;</i> • <i>Student accommodation (Sui Generis): Up to 90,000 sqm.</i> <p><i>And associated open space (including a new public park) and landscaping; car and coach parking (including up to 55,000 sqm of residential parking and 80,000 sqm non-residential parking) and cycle storage; pedestrian, cycle and vehicular accesses; associated highway works; and associated infrastructure including water attenuation tanks, an energy centre and the diversion of any utilities and services to accommodate the development. Subject to a Deed of Agreement dated 23 December 2016 under Section 106 of the Town and Country Planning Act 1990, as amended</i></p>
PLAN NO'S	Please refer to condition 1.
LINK TO DOCUMENTS	<p><u>When viewing this on an Electronic Device</u></p> <p style="text-align: right;"><small>DocRepF Ref: 18/0204 Page 1 of 17</small></p>

**ASSOCIATED WITH
THIS PLANNING
APPLICATION**

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_138138

When viewing this as an Hard Copy .

Please use the following steps

1. Please go to pa.brent.gov.uk
2. Select Planning and conduct a search tying "18/0204" (i.e. Case Reference) into the search Box
3. Click on "View Documents" tab

RECOMMENDATIONS

RECOMMENDATION That the planning committee resolve to approve the Reserved Matters pursuant to condition 1 of Outline Planning Permission in relation to the York House Car Park (Plot YH1).

That the Head of Planning is delegated authority to issue the decision and impose conditions and informatives to secure the following matters:

Conditions

1. Approved drawings/documents
2. Any [other] condition(s) considered necessary by the Head of Planning

Informatives

1. Advising of future requirements for applications.
2. Any [other] informative(s) considered necessary by the Head of Planning

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.

SITE MAP



Planning Committee Map

Site address: Parking Spaces, York House, Empire Way, Wembley

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This map is indicative only.

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PROPOSAL IN DETAIL

Reserved matters application for the access, appearance, landscaping, layout and scale for Plot YH1 comprising the construction of a 630 place three form entry (3FE) Primary School and 60 place Nursery subject to approval under condition 1 of outline planning permission ref: 15/5550.

This permission grants outline consent, as part of a wider comprehensive development, for up to 15,000 of D1 (Education, healthcare and community facilities) floorspace but the parameters material submitted with the application specifically identified the subject site (known as Development Zone YH1) for a 3FE Primary School and associated Nursery to be accommodated within a building of 2-3 storeys in addition to lower ground level.

The current proposal is for development of a 3FE Primary School and 60 Place Nursery. The school/nursery buildings are proposed to be located along the Empire Way, Stadium Way and Royal Route frontages of the site with the external play space provided within a partially screened area to the centre and rear of the site.

Pedestrian access to the school during pupil arrival and departure times will be available from Empire Way and Royal Route, linking to the remote pupil drop off point at 'Red' car park, and from Stadium Way in the north.

Vehicle servicing access will be via a service yard to the north accessed off Stadium Way. There is to be no other vehicular access to the site. In line with the Outline Planning consent, pupil drop off/staff parking is to be accommodated within Red Car Park (Condition 23) and connected to the site via enhanced pedestrian linkages (Condition 24) of the outline consent.

EXISTING

The subject site comprises the car park for the York House Building, adjacent to Wembley Hill Road / Empire Way. The site is not within a conservation area and does not affect the setting of any listed buildings.

Site is within Wembley Area Action Plan. It is situated within Wembley Major Town Centre.

The subject site is known as Development Zone YH1 and has been allocated for a school under the outline planning consent (reference: 15/5550).

SUMMARY OF KEY ISSUES

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

Outline Planning Permission: Application reference 15/5550 granted outline consent for the development of 15.9 hectares of land surrounding Wembley Stadium. This reserved matters application is considered to be in material compliance with the parameters and principles established under the outline consent.

Land Use and Nature of Application: This application seeks approval of the Reserved Matters (detailed design) together with details of layout, scale, appearance, access and landscaping pursuant to the existing Outline Planning Consent. The proposed use and building envelope accord with the Outline Consent.

Urban Design / Landscaping: The design is based on robust principles and in accordance with the Outline Planning Consent (reference: 15/5550). The proposed part 2 / part 3 storey building in addition to a lower

ground level fronts Empire Way, Royal Route and Stadium Way. The proposed 'L' shaped building has its main mass on Empire Way and steps down in scale to the Royal Route. The design responds well to the site constraints including the enclosures by surrounding tall buildings, level changes and proximity to public highway. The playground is situated between the building and York house, providing separation between the playground and the traffic on Empire Way. Separation between the York House and the playground is secured through tall trees. The external play space is defined by hedges and vegetation to create protected spaces. Pedestrian access is from Empire Way frontage Royal Route.

Highways / Transportation / Parking / Access: The parking and cycle parking standards together with service requirement accords with the Outline Planning Consent. The concerns about the drop-off and pick-up activity and potential further pressure on the local traffic issues has been mitigated by the way of diverting the traffic from the Empire Way to Royal Route and Stadium Way. Plus applicant has indicated that designated spaces would be reserved within the 'Red Car Park' in order to avoid disruption to the free-flow of traffic on the public highway and promote safety. Coach drop-off and pick-up activity associated with the School is envisaged to take place along Royal Route. To ensure queuing of waiting coaches does not block back to the junction with Empire Way, coach movement to and from the school should be managed through the Travel Plan. The above would be promoted through School Travel Plan to be discharged under condition 21 and 23.

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				3179	3179

Monitoring Residential Breakdown

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total

RELEVANT SITE HISTORY

18/0410: Details pursuant to conditions 19 (parts a, b, i and j), 20 (landscaping), 21 (parking management plan), 23 (school vehicle parking arrangements), 26 (delivery and servicing plan), 27 (construction logistics plan), 31 (counter-terrorism measures), 32 (plant and associated ancillary equipment noise assessment), 35 (ound insulation against externally generated noise), 37 (construction method statement), 38 (Air Quality Neutral Assessment), 42 (site investigation and remediation strategy), 45 (drainage strategy) and 47 (surface water drainage scheme) in relation to plot YH1 only of Outline Planning Permission reference 15/5550 dated 23 December, 2016 - under consideration.

15/5550: Hybrid planning application, accompanied by an Environmental Impact Assessment, for the redevelopment of the site including:-

Full planning permission for erection of a 10-storey car park to the east of the Stadium comprising 1,816 car parking spaces of which 1,642 are for non-residential purposes, up to 82 coach parking spaces and associated infrastructure, landscaping and vehicular access.

And

Outline application for the demolition of existing buildings on site and the provision of up to 420,000 sqm (gross external area) of new floorspace within a series of buildings comprising:
Retail/financial and professional services/food and drink (Use Class A1 to A4) up to 21,000 sqm;

Commercial (Use Class B1) up to 82,000 sqm;
 Hotel (Use Class C1): up to 25,000 sqm;
 Residential (Use Class C3): up to 350,000 sqm (up to 4,000 homes) plus up to 20,000 sqm of floorspace for internal plant, refuse, cycle stores, residential lobbies, circulation and other residential ancillary space;
 Education, healthcare and community facilities (Use Class D1): up to 15,000 sqm;
 Assembly and leisure (Use Class D2): 23,000 sqm;
 Student accommodation (Sui Generis): Up to 90,000 sqm.

And associated open space (including a new public park) and landscaping; car and coach parking (including up to 55,000 sqm of residential parking and 80,000 sqm non-residential parking) and cycle storage; pedestrian, cycle and vehicular accesses; associated highway works; and associated infrastructure including water attenuation tanks, an energy centre and the diversion of any utilities and services to accommodate the development.

Subject to a Deed of Agreement dated 23 December 2016 under Section 106 of the Town and Country Planning Act 1990, as amended

Granted, 23/12/2016.

CONSULTATIONS

Press Notice published on 08/02/2018

Site Notice displayed on 08/02/2018

The owner/occupier of 458 properties within the vicinity of the site were notified of the application 31/01/2018.

3 objections were received:

Objection	Response
Increasing the existing traffic problems	The school has been approved under the outline consent (15/5550) and subject application assesses details of the approved school. Local road and access improvements have been included within the outline consent to mitigate resultant adverse impacts. Mitigation measures has also been introduced which are to be addressed under conditions attached to the outline consent which would be dealt with subsequent to this application.
Air pollution	The outline planning consent includes an Air Quality assessment which looked at the potential effects of air quality on proposed uses and examines the potential effects of the development on air quality and the mitigation measures that are required. A package of mitigation measures are proposed during demolition and construction to and the residual effects are likely to be 'not significant'. An Air Quality Neutral Assessment which includes mitigation measures would be submitted to the Local Planning Authority prior to the commencement of works.
Noise and disturbance	The school use has been approved under the outline planning application (15/5550)

	<p>and the current application only deals with the design, scale, appearance, layout and landscaping of an approved development.</p> <p>The noise and disturbance associated with the proposed school is not expected to be at levels that are inappropriate for the area.</p>
Anti-social behaviour during evenings	The development includes a primary school and a nursery. There is no reason to believe that the use of the proposed building would result in anti-social behaviour.

Thames Water Utilities Ltd - no comments received. However, comments were made on the outline application and conditions were attached to that consent.

Transport for London – confirmation of no objection.

Community involvement

- A public consultation event was held by the applicants on 22nd November 2017 at Brent Civic Centre to permit local residents and pupils/parents the opportunity to engage with the development of the design proposals. The community was notified of the consultation event by the distribution of 2,000 leaflets to residential and commercial properties on the surrounding roads. Individual invitations were sent to Councillors, the GLA representative and the local MP.

The consultation boards presented and explored issues relating to the site, the layout and building massing, construction and site access strategy, car parking and building layout, along with floor plans and external appearances.

- A second public consultation was held on 8th February 2018 by the applicants at Brent Civic Centre. Wembley Park Resident Association were informed about the event and they passed on the information of the local residents. Brent planning officers, Council leader of Brent Borough Council and Regeneration & Growth Councillor together with members of public attended the event. The scheme was presented with detailed aspect of the development. Various concerns of local residents were discussed and explored.

POLICY CONSIDERATIONS

National Planning Policy Framework

London Plan consolidated with alterations since 2011 (March 2016)

Brent LDF Core Strategy 2010

Brent Local Plan Development Management Policies 2016

Wembley Area Action Plan 2015

Brent Supplementary Planning Guidance No. 17

DETAILED CONSIDERATIONS

1. Land Use and Nature of Application

2. This application has been submitted pursuant to conditions 1 (the reserve matter comprising details of layout, scale, appearance, access and landscaping) pursuant to outline planning permission 15/5550 in relation to plot YH1 only.
3. This permission grants outline consent, as part of a wider comprehensive development, for up to 15,000sqm of D1 floorspace but the parameters material submitted with the application specifically identified the subject site (known as Development Zone YH1) for a 3FE Primary School and associated Nursery to be accommodated within a building of 3-4 storeys in height up to a maximum datum height (excluding parapets) of +60.9m.
4. Under the area proposals section of the Wembley Area Action Plan (WAAP), the York House car park site is identified for a low rise mixed use development (Proposal W9). This proposal has however been superseded by the grant of planning permission for a Primary School and Nursery on the site under reference 15/5550. The proposed provision of the primary school with nursery places in this location is in accordance with the Outline Planning consent.
5. The current proposal is for a three form entry (3FE) Primary School and 60 place Nursery to be operated by Ark Somerville School. Ark Somerville would be a primary school for 630 pupils and includes a 60 place nursery provision.
6. The proposal includes construction of a new building of approximately 3,179m²; new hard landscaping for outdoor learning and social play areas; new multi use games court on the roof of the halls and disabled visitor parking and servicing area.
7. The envelope of the building sites within the parameter plan in terms of height, positioning and footprint. The use similarly conforms with the outline planning consent.
8. **Scale, design appearance**
9. As discussed above, parameter plans were approved under application reference 15/5550 through which a number of matters were approved, including the scale of the building, the location of the building and access points. The proposal is in accordance with those parameter plans and the scale and siting of the building has already been approved.
10. Approval is therefore sought for the detailed design of the building. The submission shows a part 2 / part 3 storey building in addition to a lower ground level fronting Empire Way, Royal Route and Stadium Way. It incorporates 20 primary school classrooms (incl. music & technology rooms) on the upper floors and five nursery/reception classrooms on the lower ground floor. Enclosed nursery and reception play space and a hard surfaced play ground are proposed to the rear, together with a rooftop games court (MUGA) and a rooftop learning space.
11. The new 'L' shaped building has its main mass on Empire Way and steps down in scale to the Royal Route. The stepped massing provides interest and rhythm to the façade, with the differing heights of the two wings disrupting the linear nature of the building.
12. The materials proposed include curtain wall glazing, brown brick, buff render, feature panelling and a metal finish is proposed for key features of the building. The North and Southern ends of the building have features which are expressed in a metal finish; the external staircase up to roof level and the external ramp down to the playground level. The same metal finish is used to frame the windows to the hall volume which helps signify this as a community asset.
13. Condition 19 (part 1) of the outline planning consent addresses the material used for all external surfaces for the plots including the subject plot at YH1. Detailed assessment of the materials to include provision of samples would be carried out in the discharge of condition 19.
14. The design and appearance of the building is considered to be acceptable, according with adopted policy.
15. **Layout**
16. Positioning of the building is influenced by the site constraints to minimise overshadowing, overlooking and mitigating against noise and air pollution. The new school is surrounded on three sides by taller

buildings. The massing of the new school responds appropriately to the context creating a sheltered courtyard behind the building, away from the main road. Air Quality and noise implications of the scheme were considered within the Environmental Statement that accompanied the outline planning application, with further details specifically relating to air quality and noise for the school secured as part of conditions 35 and 38 of the planning application reference: 15/5550.

- 17.** The site and building layouts were considered in response to the position of the existing buildings, access points and site, level changes. The applicant has specified that the site layout has been influenced by multiple factors, including arrival sequences, relationship to existing context, the educational vision, safety and security, inclusive access, parking, and maximising landscape provision. The design criteria is set by the EFA for a school of this size in the EFA's Facilities Output Specification (FOS).
18. The circulation diagram consists of simple central route connecting the vertical cores. The new buildings straightforward layout enables an intuitive understanding of how the building is organised, assisting way-finding for all building users.
19. The lower ground level has a different character from the rest of the school appropriate to the younger age group and the direct link to the external play grounds. The lower ground circulation is via a covered walkway.
20. The roof top games court (MUGA) is generally accessed by the internal circulation stair and lift, a second means of escape is provided via an external escape stair which wraps around the northern end of the building.
21. The layout is considered to respond appropriately to site constraints, relating well to the surrounding area.

22. Landscaping

23. There is limited opportunity for soft landscaping given the size of the site and need to provide a three form of entry primary school. However, the proposals provides an increase in tree and shrub planting around the site, integrated with areas of hard landscape to assist the educational needs of the site.
24. Rooftops on the north and east wings of the new school create useable external spaces while maximising useful space on the site.
25. Specimen trees is used to form a buffer between the external play space and York House. The external play space is defined by hedges and vegetation to create protected spaces, accessed directly from the reception and nursery classrooms. Planting is also proposed along the western façade of the building to create a defensible space separating pedestrians from ground floor windows.
26. The rooftop learning space on the south wing of the building incorporates raised planters and two polytunnels that will be provided by the school, creating a space for pupil interaction and learning about the environment.
27. Full details of the landscaping for the school to be secured as part of condition 20 of planning permission reference: 15/5550.

28. Pedestrian Access

29. The visitor and formal entrance from the main road provides a clear and visible welcome to visitors to the school. The reception and staff office are linked and aid supervision of visitors.
30. The main pupil access is an external route from Royal Route via an external stair or ramped access to the lower ground level playground, before and after the school day. The ramp provides direct access to the nursery classrooms for pick up and drop off at different times. There is a secure gate at the top of the ramp operated via intercom and a secure gate at lower ground to help manage use of the external route.

31. Highways / Transportation / Parking/ Servicing

32. Existing site context

- 33.** The site is currently occupied by a 128-space car park (incl. 7 disabled), accessed via a 7.3m wide entrance from the privately-maintained Stadium Way. Barriers are set 20m from Stadium Way, with

permits required to access the 119 private spaces for the York House offices beyond. Nine spaces prior to the barriers are used for privately-managed pay and display public parking. A 28-space bicycle shelter is also located within the car park.

34. Two pedestrian access routes are marked across the car park, linking the York House entrance to gated pedestrian accesses from Empire Way in the centre of the site (immediately adjoining a zebra crossing) and at the junction with Royal Route. A redundant temporary construction crossover remains in place on Empire Way.
35. On-street parking and loading are prohibited at all times along Empire Way, with zebra crossing zig-zag markings also preventing stopping along much of the frontage. The road is therefore generally lightly parked.
36. Public transport access to the site is very good (PTAL 5), with Wembley Park (Metropolitan and Jubilee lines) and Wembley Stadium (Chiltern line) stations within 960 metres (12 minutes' walk) and nine bus routes within 640 metres (8 minutes' walk).
37. *Loss of existing car park and parking arrangements for the new school*
38. The loss of the existing car park for the York House offices and of the adjoining small short-stay pay and display car park has already been accepted within the outline approval and is appropriate for this very well accessed building, helping to reduce car use in the area.
39. The main entrance to the York House offices is now located on the eastern side of the building, accessed through the London Designer Outlet Centre, so there are also no concerns with regard to the removal of the pedestrian access routes to the building across the car park. The existing bicycle shelter for York House falls outside of the application site boundary, so is not affected by this proposal.
40. Two disabled car parking spaces alongside a service yard (14.5m x 6m) are proposed to be retained at the northern end of the site, accessed via the existing entrance from Stadium Way, with gates installed at the site boundary. There are no car parking standards for schools in the Wembley Area Action Plan, so the allowances set out in Appendix 1 of the DMP 2016 for schools are applicable. These allow only operational and disabled parking to be provided, unless otherwise justified through a Transport Assessment. The provision of just two disabled spaces at the northern end of the site therefore accords with standards.
41. Policy DMP12 also requires that any overspill parking from development does not adversely affect traffic flow and road safety though. This is a key consideration for primary schools and nurseries at opening and closing times, when children are being dropped off and collected by parents. In accordance with the outline consent, the Design & Access Statement confirms that space is to be set aside within the existing 'Red' multi-storey car park on Royal Route for parents, in order to prevent them attempting to park on-street outside the school. Further details of this arrangement are secured as part of condition 23 of planning permission reference: 15/5550.
42. *Cycle parking*
43. The London Plan requires at least eight short-stay and 98 long-stay bicycle parking spaces for the school. Just 30 covered bicycle and 20 covered scooter spaces are indicated at the outset, with space identified along the eastern side of the playground for shelters for a further 50 bicycles if required. As primary school and nursery-age children are unlikely to be brought to this busy urban site by bicycle at the present time, a reduced level of provision is considered acceptable initially, subject to future monitoring of demand with a view to increasing provision as required through the annual Travel Plan.
44. *Servicing*
45. With regard to servicing, a gated service yard is to be provided at the northern end of the site to allow deliveries and refuse collection to take place clear of the public highway. This is welcomed and although sufficient space is not available for large vehicles to turn within the yard, reversing into the site from the private Stadium Way cul-de-sac is acceptable. No alterations are required to the site access, which is in

any case located on a private road.

46. *Highway works*

47. It is noted that a redundant crossover remains in place fronting the site on Empire Way though, fronting the future main pedestrian entrance to the school. This will need to be removed at the developer's expense (as required under condition 14 of planning permission reference: 15/5550). Condition 24 also secured details to be approved for a scheme of improvement works to the Royal Route footways between Wembley Hill Road and the pedestrian entrance to the Red Car Park.
48. The S106 Agreement attached to the outline consent also requires the upgrading of the zebra crossing fronting the school to a signalised crossing and the provision of a raised entry treatment across the Royal Road junction and an informative is recommended to remind the applicant of these commitments. These highway works also need to incorporate further highway measures directly associated with the school, including guard railing in front of the main entrance (given that the footway measures only 3m in width and the entrance door is set only 1.8m from the highway boundary), school advance warning signage and possible zig-zag markings (or extensions to the existing markings for the zebra crossing). This is recommended to be included as an Informative within the decision notice.

Sustainability

- 49.** The Section 106 agreement for the outline consent sets out the requirements for all plots within the outline consent area in relation to sustainability and energy. The approval of a Sustainability Assessment in relation to each plot is required prior to the commencement of works for each plot. This requires each plot to achieve where possible 35% reduction in carbon emissions beyond 35% of 2010 Building Regulations. It also seeks for non residential floorspace to achieve BREEAM Excellent. The information supporting this application advises that the scheme will achieve a 35% reduction in carbon emissions beyond 2010 Building Regulations. The details of the Sustainability Assessment, including the BREEAM assessment, will need to be approved as part of the relevant obligation within the Section 106 Agreement for the outline planning consent.

Conclusion

- 50.** The proposed development for Plots YH1 will create a high quality school that responds well to its context and setting. Overall the proposals are in material compliance with the principles established under outline planning permission (reference 15/5550) by way of layout, scale, appearance, landscape and access. The scheme accords with the relevant planning policies and guidance and it is recommended that the proposal is approved.

CIL DETAILS

Educational facilities are exempt from CIL liability.

**DECISION NOTICE – APPROVAL**

Application No: 18/0204

I refer to your application dated **16/01/2018** proposing the following:

Reserved matters application for the access, appearance, landscaping, layout and scale for Plot YH1, comprising the construction of a 630 place three form entry (3FE) Primary School and 60 place Nursery subject to approval under condition 1 of outline planning permission ref: 15/5550.

This application has been submitted in pursuant to conditions 1 (Layout, Scale, Appearance, Access and Landscaping) of Outline planning permission reference 15/5550 in relation to plot YH1:

Outline permission reference 15/5550 was for: Hybrid planning application, accompanied by an Environmental Impact Assessment, for the redevelopment of the site including;- Full planning permission for erection of a 10-storey car park to the east of the Stadium comprising 1,816 car parking spaces of which 1,642 are for non-residential purposes, up to 82 coach parking spaces and associated infrastructure, landscaping and vehicular access. And Outline application for the demolition of existing buildings on site and the provision of up to 420,000 sqm (gross external area) of new floorspace within a series of buildings comprising:

- *Retail/financial and professional services/food and drink (Use Class A1 to A4) up to 21,000 sqm;*
- *Commercial (Use Class B1) up to 82,000 sqm;*
- *Hotel (Use Class C1): up to 25,000 sqm;*
- *Residential (Use Class C3): up to 350,000 sqm (up to 4,000 homes) plus up to 20,000 sqm of floorspace for internal plant, refuse, cycle stores, residential lobbies, circulation and other residential ancillary space;*
- *Education, healthcare and community facilities (Use Class D1): up to 15,000 sqm;*
- *Assembly and leisure (Use Class D2): 23,000 sqm;*
- *Student accommodation (Sui Generis): Up to 90,000 sqm.*

And associated open space (including a new public park) and landscaping; car and coach parking (including up to 55,000 sqm of residential parking and 80,000 sqm non-residential parking) and cycle storage; pedestrian, cycle and vehicular accesses; associated highway works; and associated infrastructure including water attenuation tanks, an energy centre and the diversion of any utilities and services to accommodate the development. Subject to a Deed of Agreement dated 23 December 2016 under Section 106 of the Town and Country Planning Act 1990, as amended

and accompanied by plans or documents listed here:
Please refer to condition 1.

at **Parking Spaces, York House, Empire Way, Wembley**

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: 25/05/2018

Signature:

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 (March 2016)
Brent Local Plan Development Management Policies 2016
Brent Local Development Framework Core Strategy 2010
Wembley Area Action Plan 2015

- 1 The development hereby permitted shall be carried out and thereafter retained in accordance with the following approved drawings and documents:

Planning Statement and Statement of Community Involvement;
Design and Access Statement;
Proposed Elevations Showing Relationship to Plot Heights
(FS0387-JWA-00-EL-DR-A-3020-S2-P02);
Proposed Site Plan with Parameter Outline (FS0387-JWA-00-ZZ-DR-A-0150-S2-P02);
Proposed Ground Floor Plan (FS0387-JW-00-00-DR-A-1001 P03);
Proposed First Floor Plan (FS0387-JW-00-01-DR-A-1002 P03);
Proposed Second Floor Plan (FS0387-JW-00-02-DR-A-1003 P03);
Proposed Roof Plan (FS0387-JW-00-03-DR-A-1004 P03);
Proposed Lower Ground Floor Plan (FS0387-JW-00-L0-DR-A-1000 P03);
Existing Site Plan (FS0387-JW-00-ZZ-DR-A-0101 P08);
Existing Site Plan (FS0387-JW- -ZZ-DR-A-0102 P04);
Proposed Site Plan Lower Ground Floor (FS0387-JW-00-ZZ-DR-A-0110 P05);
Proposed Site Plan Ground Floor (FS0387-JW-00-ZZ-DR-A-0111 P05);
Proposed Elevations (FS0387-JW-00-ZZ-DR-A-3001 P04);
Proposed Elevations (FS0387-JW-00-ZZ-DR-A-3002 P04);
Proposed Site Sections (FS0387-JW-00-ZZ-DR-A-4001 P02);
Proposed Site Sections (FS0387-JW-00-ZZ-DR-A-4002 P02);
Proposed Building Sections AA & BB (FS0387-JW-00-ZZ-DR-A-4010 P03);
Proposed Building Sections CC & DD (FS0387-JW-00-ZZ-DR-A-4011 P03);
Illustrative 3D Visual – Aerial View from South-West Corner (FS0387-JW-00-ZZ-DR-A-6901 P05);
Illustrative 3D Visual – View from across Playground (FS0387-JW-00-ZZ-DR-A-6902 P04);
Illustrative 3D Visual – View from North-West Corner (FS0387-JW-00-ZZ-DR-A-6903 P04);
Illustrative 3D Visual – Main Entrance View (FS0387-JW-00-ZZ-DR-A-6904 P04);
Illustrative 3D Visual – Nursery Classroom Internal View (FS0387-JW-00-ZZ-DR-A-6905 P03);
Illustrative 3D Visual – Common's Internal View (FS0387-JW-00-ZZ-DR-A-6906 P03);
Illustrative 3D Visual – In Context, View from North (FS0387-JW-00-ZZ-DR-A-6907 P03);
Illustrative 3D Visual – Building in Context, Wembley Hill Road (FS0387-JW-00-ZZ-DR-A-6908 P03);
Illustrative Masterplan (FS0387-ALA-00-XX-DR-L-0001 S-2P03);
Landscape General Arrangement (FS0387-ALA-00-XX-DR-L-0002 S2-P03);
Fencing Arrangement (FS0387-ALA-00-XX-DR-L-0003 S2-P03);
Site Sections (FS0387-ALA-00-XX-DR-L-0004 S2-P03);
Site Location Plan (FS0387-ALA-00-XX-DR-L-0009 S2-P02);
Planting Plan (FS0387-ALA-00-XX-DR-L-0010 S2-P03).

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

INFORMATIVES

- 1 The applicant is advised that they need to agree all highway works with Brent Council's Highway & Infrastructure service through the S38/S278 Agreement for the development. The highway works needs to incorporate further highway measures directly associated with the school, including guard railing in front of the main entrance, school advance warning signage and zig-zag markings.
- 2 The redundant crossover remaining in place fronting the site on Empire Way though, fronting the future main pedestrian entrance to the school will need to be removed at the developer's expense (as required under condition 14 of the outline consent reference: 15/5550).
- 3 The S106 Agreement attached to the outline consent (reference: 15/5550) also requires the upgrading of the zebra crossing fronting the school shall be upgraded to a signalised crossing and a raised entry treatment across the Royal Road junction shall be provided in accordance with the S38/S278 Agreement for the development.

Any person wishing to inspect the above papers should contact Ellie Atefi, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5233

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COMMITTEE REPORT

Planning Committee on
Item No
Case Number

6 June, 2018
08
18/0968

SITE INFORMATION

RECEIVED	12 March, 2018
WARD	Tokyngton
PLANNING AREA	BRENT CONNECTS WEMBLEY
LOCATION	Former Palace of Arts and Industry, Engineers Way, Wembley, HA9
PROPOSAL	<p>Minor Material Amendment to vary Condition 4 (Approved Drawings) of planning permission reference 14/3054 (dated 21 October 2014) for an outline application for the demolition of existing buildings and redevelopment of the site to provide up to 160,000sqm of mixed use floorspace. (See previous application record for full description of development).</p> <p>The minor material changes sought are to create a new south facing public square fronting Engineers Way, to increase the height of the previously approved main building from 88.5m to 100m AOD, the reduction of the length of the previously approved block plan, changes to the massing of the previously approved building form, the creation of a collonaded single storey pavillion building along Olympic Way, increased basement level, and the provision of pedestrian and public realm improvements, and a bridge link to Brent Civic Centre.</p>
PLAN NO'S	Please see condition 4.
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_138991</p> <p><u>When viewing this as an Hard Copy _</u></p> <p>Please use the following steps</p> <ol style="list-style-type: none"> 1. Please go to pa.brent.gov.uk 2. Select Planning and conduct a search tying "18/0968" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab

RECOMMENDATIONS

RECOMMENDATION: That the planning committee resolve to grant permission for the proposed minor material amendments through a variation of condition 4 of Outline Planning Consent reference 14/3054 pursuant to Section 73 of the Town and Country Planning Act 1990, as amended.

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

*As the planning permission would be re-issued with the grant of planning permission through Section 73 of the Planning Act (variations of condition), the conditions and informatives from the previous consent have been replicated.

Conditions

1. Outline planning – approval of details
2. Reserved matters submissions – 15 years limit
3. Outline planning - time limit
4. Approved drawings/documents
5. Storage in open areas
6. Reinstatement of crossovers
7. Visibility splays
8. Details of materials, layout etc.
9. Noise
10. Plant
11. Plant 2
12. MSCP noise
13. Play and recreational space
14. Landscaping
15. Construction Logistics Plan
16. Site investigation
17. Verification report
18. Car park management plan
19. Delivery and servicing management plan
20. Traffic control measures
21. Energy centre
22. Energy centre plant
23. Sustainability measures
24. Drainage
25. Drainage 2
26. Flood Risk Assessment
27. Piling/foundations
28. Affordable Housing storage
29. Coach parking plan

Informatives

1. Surface water drainage scheme
2. Surface water - oil separator
3. Site wide drainage and phasing of plots
4. Supporting documents

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.

This permission, if granted, would also be bound by the Section 106 legal agreement associated with the Outline Consent, including the subsequent Deed of Variation.

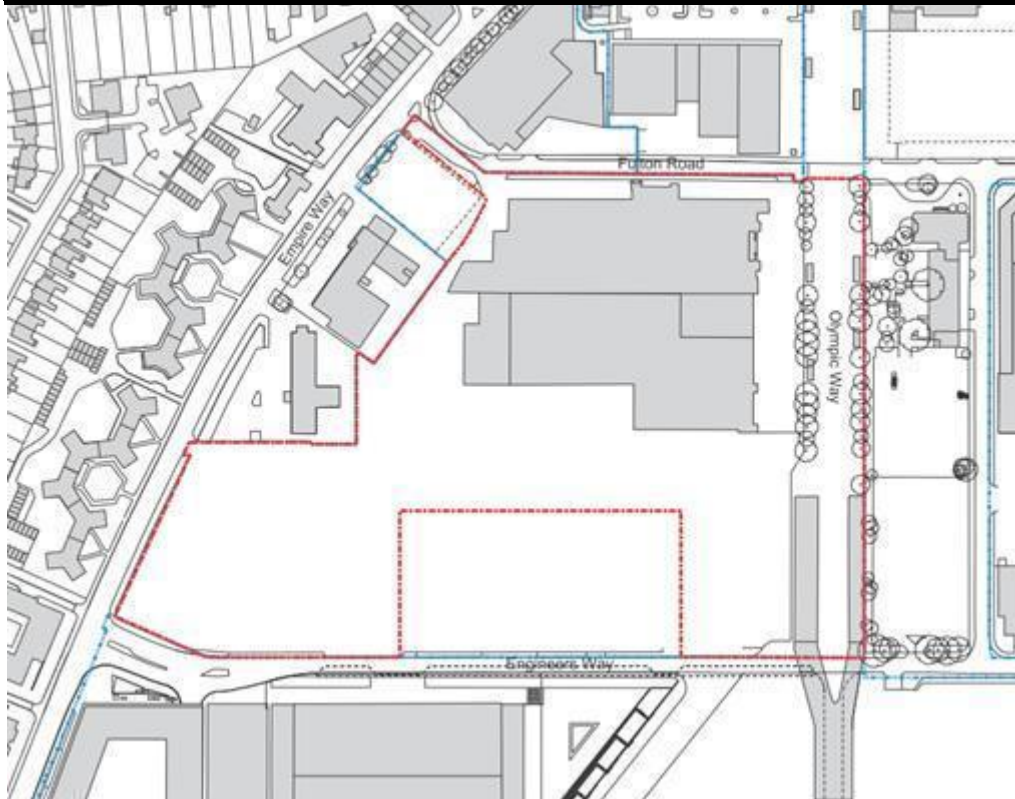
SITE MAP



Planning Committee Map

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

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This map is indicative only.

PROPOSAL IN DETAIL

This Section 73 planning application seeks approval for a Minor Material Amendment to vary the wording of Condition 4 (Plans) of planning permission reference 14/3054 (dated 21 October 2014) for an outline application for the demolition of existing buildings and redevelopment of the site to provide up to 160,000sqm of mixed use floorspace. Whilst the proposed changes to the consented development are material, they do not amount to a fundamental alteration to that granted outline planning permission.

Planning permission 14/3054 was for:

'Variation of condition 4 of outline planning permission reference 13/1323 to allow minor material amendments to the parameter plans in relation to plots NW06, NW07 and the proposed open space, namely: the siting, size and layout of plots NW06 and NW07, the heights of elements of the building within Plot N06, the siting of the open space, change to the vehicular access point for plot NW06.

Outline Planning Consent reference 13/1323 granted minor material amendments to planning consent reference 10/3032 which was for:

Demolition of existing buildings and the mixed-use redevelopment of the site to provide up to 160,000m² of floorspace (GEA, excluding infrastructure) comprising:

- Retail/financial and professional services/food and drink (Use Class A1 to A5): 17,000m² to 30,000m²
 - Business (Use Class B1): up to 25,000m²;
 - Hotel (Use Class C1): 5,000m² to 20,000m²;
 - Residential dwellings (Use Class C3): 65,000m² to 100,000m² (815 to 1,300 units);
 - Community (Use Class D1): 1,500m² to 3,000m²;
 - Leisure and Entertainment (Use Class D2): up to 5,000m²;
 - Student accommodation/serviced apartments/apart-hotels (Sui Generis): 7,500m² to 25,000m²;
- and associated infrastructure including footways, roads, parking, cycle parking, servicing, open spaces, landscaping, plant, utilities and works to Olympic Way, and subject to a Deed of Agreement dated 24 November 2011 under Section 106 of the Town and Country Planning Act 1990

The current application proposes amendments to the parameter plans in relation to Plot NW04. No changes are proposed to any of the other seven plots covered by the original outline planning permission (10/3032), nor is any change proposed to the approved Development Specification, to the description of development on the planning permission, or to any other planning condition. The changes proposed aim to provide a scheme which has a better relationship with the Olympic Steps (the subject of a separate concurrent planning application) and Olympic Way and provides a new civic square.

The key minor material changes sought within the current application are:

- to create a new south facing public square fronting Engineers Way
- to increase the height of the previously approved main building from 88.5m to 100m AOD (a physical height of around 64 metres)
- the reduction of the length of the previously approved tall building element
- changes to the massing of the previously approved building form
- the creation of a canopy/colonnade and single storey pavillion building along Olympic Way
- an increased basement level
- the provision of pedestrian and public realm improvements, including a new, pedestrianized public square (35m x 20m) on the southern section of the plot; and
- the potential provision of a bridge link to Brent Civic Centre.

An application has also been submitted for the removal of the existing Pedway (ramp) structure to the Wembley National Stadium Concourse and its replacement with steps (planning application ref. no. 18/0973). This application is currently being considered and can be determined independently.

Changes to the parameter plans

Condition 4 of planning permission 14/3054 is worded as follows:

"The development hereby permitted shall be carried out in material compliance with the following approved

drawing(s) and/or document(s):

Approved Drawings/Documents

P01	P09 Rev 00 dated 5.07.2014
P02	P10 Rev 00 dated 5.07.2014
P03 Rev 00 dated 5.07.2014	P11 Rev 00 dated 5.07.2014
P04 Rev 00 dated 5.07.2014	P12 Rev 00 dated 5.07.2014
P05 Rev 00 dated 5.07.2014	P13 Rev 00 dated 5.07.2014
P06 Rev 00 dated 5.07.2014	P14 Rev 00 dated 5.07.2014
P07 Rev 00 dated 5.07.2014	P15 Rev 00 dated 5.07.2014
P08 Rev 00 dated 5.07.2014	1382.006 D

Development Specification Final, dated 31 March 2011”

The current planning application seeks approval for a set of revised parameter plans in relation to Plot NW04 and therefore seeks a variation of condition 4 to the following:

“The development hereby permitted shall be carried out in material compliance with the following approved drawing(s) and/or document(s):

Approved Drawings/Documents

P01	P09 Rev 02 dated 25.07.2014
P02	P10 Rev 02 dated 25.07.2014
P03 Rev 02 dated 25.07.2014	P11 Rev 02 dated 25.07.2014
P04 Rev 02 dated 25.07.2014	P12 Rev 02 dated 25.07.2014
P05 Rev 02 dated 25.07.2014	P13 Rev 02 dated 25.07.2014
P06 Rev 02 dated 25.07.2014	P14 Rev 02 dated 25.07.2014
P07 Rev 02 dated 25.07.2014	P15 Rev 02 dated 25.07.2014
P08 Rev 02 dated 25.07.2014	1382.006 D

Development Specification Final, dated 31 March 2011”

The applicants state that the proposals would have no material impact on the energy and sustainability performance of the NW Lands Development.

The commitments within the approved North West Lands Development Specification 2011 will still apply to any future development on the plot, and equally the extant planning conditions attached to the North West Lands planning permission will still need to be met by any detailed scheme submitted in the future.

The Outline Planning consent was subject to a Section 106 legal agreement which secured a number of contributions and commitments. This Section 106 agreement also applies to any variations of that planning consent. The agreement is unchanged by the proposed minor material amendments and it is not necessary to enter into a new Section 106 agreement.

Massing

Previous planning permission, ref. no. 14/3054, consented a building on plot NW04 positioned within around 7 metres of Engineers Way to the south. It was 45 m x 57 m (max) at lower levels and 18 m x 57 m at upper levels. It was 5.5 m to 10 m high at lower floor level (approximately 1-2 commercial storeys) and 48 m - 52.5 m high at upper floor level (approximately 15-17 storeys). The maximum height Above Ordnance Datum (AOD) was 88.5m (plus tolerances).

Under the amended parameter plans, the scheme would have three main elements – a 100 metre tall (AOD, 11.5 m higher than the block as currently consented) block set in the north western section of the site, a single storey element on the north eastern section of the site (which would be 2 metres lower in height compared to the original plans) linked to a canopy in the south eastern section of the site, with a new ‘pavilion’ building in its south eastern corner (referred to as NW04B). The tallest element of the building would be set back around 31 metres from Engineers Way.

The building would measure 45 m x 41 m (max) at lower levels and 25 m x 41 m at upper levels. As such, the width of the building (when viewed from Olympic Way would reduce from 57 m to 41 m. However, the height of the building would increase from 88.5 to 100 m AOD. The width of the building when viewed from Engineers Way would increase from 18 m to 25 m. However, the building would be set considerably further

from Engineers Way (distance increasing from 7 m to 31 m).

This building is referred to as NW04A.

Hard and Soft Landscaping

A new pedestrianized public square (approximately 1,350sqm) would be created on the southern section of the plot adjoining Engineers Way and Exhibition Way.

A reduced size 'pocket' square (approximately 460sqm) would be retained in the northeastern corner of the site adjoining Plot NW08.

EXISTING

Plot NW04 is situated in the southeastern corner of the wider North West Lands site, within Wembley Park. To the north of the plot is the new large scale mixed use, but predominantly residential development, known as NW08. This is currently under construction. To the east is Olympic Way and the Pedway. Engineers Way lies to the south and Brent Civic Centre is to the west of the plot.

The land is currently partly public realm, consisting of 'Market Square' to the immediate east of Brent Civic Centre, which is hard landscaped with trees. To the east of this is an area currently used for welfare and office facilities in association with the redevelopment of Plot W03 to the south of the site. A narrow stretch at the far east of the site overlaps with the edge of one of the Pedway pedestrian access ramps to Wembley Stadium. The plot has a high level of prominence due to its location both on Olympic Way and at the end of Wembley Park Boulevard, which leads to the London Design Outlet and developments to the south of the Stadium.

To the south of the plot on the other side of Engineers Way is Plot W03 (currently under construction) and Arena Square. Immediately to the west of Arena Square is the Wembley Arena, which is a Grade II listed building (originally known as the Empire Pool).

The site is well served by public transport, which is reflected by its Public Transport Access Level ('PTAL') rating of 5 (very good).

The site is located within the Wembley Growth Area (Brent Core Strategy), the Wembley Regeneration Area (Wembley Area Action Plan 2015) and the Wembley Opportunity Area (London Plan).

SUMMARY OF KEY ISSUES

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

Representations Received: No representations were received from the owners/occupiers of neighbouring properties in response to the consultation.

Principle of Development: Outline planning permission was originally granted on 24 November 2011 (ref: 10/3032) for the demolition of the existing buildings and the mixed-use redevelopment of the Former Palace of Arts and Palace of Industry Site on Engineers Way, Wembley. This development is known as the "North West Lands". This outline planning permission, which has subsequently been amended by planning applications 13/1323 and 14/3054, outlined proposals relating to plot NW04. These proposals involved the provision of a building measuring 45m x 57m (max) with a maximum height Above Ordnance Datum of 88.5m (plus tolerances). The principle of development has therefore already been established. It was recognised at the time that the proposals for NW04 could not be carried out in full unless the Pedway had been removed. Controls were accordingly incorporated into that consent which restricted the ability to build the lower element of plot NW04 if the Pedway had not been removed, allowing the taller element of this plot to come forward. An application for the removal of the Pedway ramps and their replacement by steps (reference 18/0973) has also been received and is currently being considered. The variation can be considered independently of that application.

Proposed Uses: The suite of uses within the scheme do not change as a result of the proposed

amendment. The proposed uses included within the parameter plans for the lower levels are uses within classes A1-A5 (Retail), B1(Business), C1(Hotel) and/or D2(Leisure). This includes both the lower levels of the main building (NW04A) and the pavilion building (NW04B). These uses are the same as those approved under the original parameter plans as uses at lower levels. The upper levels would be used for uses within classes A3-A4 (A3 is food and drink and A4 is drinking establishments), B1(Business), C1(Hotel), D2(Leisure) and/or Sui Generis (student accommodation, serviced apartments and/or Apart Hotels).

Scale, Layout and Appearance: The scale and layout of the proposed scheme is considered to be acceptable within the context of the surrounding area which comprises relatively tall buildings in a dense urban context. It is considered that the layout of the building and the site would work successfully in providing a design which responds well to its context and offers public realm improvements. The illustrative images indicate a development which is considered to be acceptable in design terms and in keeping with the surrounding area.

Highways: No parking is proposed within plot NW04, in accordance with the outline consent, but access will be allowed for service and emergency vehicles. No objections on transportation grounds have been raised to the current proposals.

Nature of proposed application: These changes are proposed as minor material amendments to the proposed outline consent. The proposal would not result in a change in the nature of uses that are consented or the amount of floorspace for each use. The proposal may potential allow an uplift in floorspace within Plot NW04. However, it does not affect the total floorspace that can be delivered. The amendment would result in an increase in the maximum height of the building within plot NW04. However, it would result in a decrease in the width of the building (when viewed from Olympic Way). The submission demonstrates that the assesemnt of impacts evaluated within the Environmental Statement for the original outline consent are not materially affected by the proposed amendments. The proposal is accordingly considered to consitute a minor material amendment to the original outline consent.

RELEVANT SITE HISTORY

Outline planning consent was granted for the comprehensive re-development of the land surrounding the Brent Civic Centre in 2010. The current application site, Plot NW04 falls within this wider development area.

10/3032 – ORIGINAL OUTLINE APPLICATION – Granted 24 November 2011

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

- a) Retail/financial and professional services/food and drink (Use Class A1 to A5): 17,000m² to 30,000m²
- b) Business (Use Class B1): up to 25,000m²;
- c) Hotel (Use Class C1): 5,000m² to 20,000m²;
- d) Residential dwellings (Use Class C3): 65,000m² to 100,000m² (815 to 1,300 units);
- e) Community (Use Class D1): 1,500m² to 3,000m²;
- f) Leisure and Entertainment (Use Class D2): up to 5,000m²;
- g) Student accommodation/serviced apartments/apart-hotels (Sui Generis): 7,500m² to 25,000m²; and associated infrastructure including footways, roads, parking, cycle parking, servicing, open spaces, landscaping, plant, utilities and works to Olympic Way, and subject to a Deed of Agreement dated 24 November 2011 under Section 106 of the Town and Country Planning Act 1990, as amended

13/1323 – VARIATION APPLICATION – Granted 18 September 2013

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

14/3054 – VARIATION APPLICATION – Granted 31 October 2014

Variation of condition 4 of outline planning permission reference 13/1323 to allow minor material amendments to the parameter plans in relation to plots NW06, NW07 and the proposed open space, namely: the siting, size and layout of plots NW06 and NW07, the heights of elements of the building within Plot N06, the siting of the open space, change to the vehicular access point for plot NW06.

14/4330 - LAND ADJACENT TO DEXION HOUSE & QUALITY HOUSE, YELLOW CAR PARK - Granted following planning committee on 16 February 2015

Proposed erection of 1- to 20-storey building comprising 370 residential units, 693 sqm of non-residential floorspace (use class A1 (retail), A2 (financial and professional), A3 (cafe/restaurant), B1(Business),

D1(communty) or D2 (assembly and leisure)) and associated residential parking spaces, private communal landscaped garden, ancillary spaces, and associated plant, landscaping, cycle storage and refuse provision. This is a Reserved Matters application pursuant to the original outline consent 10/3032.

14/4687 - TEMPORARY MARKET USE ON OLYMPIC WAY & YELLOW CAR PARK (part of) – Granted 5 March 2015

Use of land comprising the "Yellow car park" and Olympic Way between Fulton Road and Engineers Way from time to time for temporary markets and as temporary event space. No permanent structures are proposed.

Consent adjoining this site:

15/5550 WEMBLEY MASTERPLAN – Granted 23 December 2016

Hybrid planning application, accompanied by an Environmental Impact Assessment, for the redevelopment of the site including:-

Full planning permission for erection of a 10-storey car park to the east of the Stadium comprising 1,816 car parking spaces of which 1,642 are for non-residential purposes, up to 82 coach parking spaces and associated infrastructure, landscaping and vehicular access.

And

Outline application for the demolition of existing buildings on site and the provision of up to 420,000 sqm (gross external area) of new floorspace within a series of buildings comprising:

- Retail/financial and professional services/food and drink (Use Class A1 to A4) up to 21,000 sqm;
- Commercial (Use Class B1) up to 82,000 sqm;
- Hotel (Use Class C1): up to 25,000 sqm;
- Residential (Use Class C3): up to 350,000 sqm (up to 4,000 homes) plus up to 20,000 sqm of floorspace for internal plant, refuse, cycle stores, residential lobbies, circulation and other residential ancillary space;
- Education, healthcare and community facilities (Use Class D1): up to 15,000 sqm;
- Assembly and leisure (Use Class D2): 23,000 sqm;
- Student accommodation (Sui Generis): Up to 90,000 sqm.

And associated open space (including a new public park) and landscaping; car and coach parking (including up to 55,000 sqm of residential parking and 80,000 sqm non-residential parking) and cycle storage; pedestrian, cycle and vehicular accesses; associated highway works; and associated infrastructure including water attenuation tanks, an energy centre and the diversion of any utilities and services to accommodate the development.

Subject to a Deed of Agreement dated 23 December 2016 under Section 106 of the Town and Country Planning Act 1990, as amended

CONSULTATIONS

Site Notice: 29/03/2018

Press Notice: 29/03/2018

The owners/occupiers of 374 nearby and neighbouring properties were notified of the proposed development on 23/03/2018. No representations were received from these owners/occupiers in response to the consultation.

Internal Consultees:

Transportation

No objections on transportation grounds to these proposed minor material amendments to the original parameter plans for Plot NW04.

Heritage Officer

No objections as the new building, porte-cochère (pavilion building) and landscaping are too far away from the heritage asset to have any impact on its setting.

Public Safety Manager

The Public Safety Team does not have any comments on the application.

Lead Local Flood Authority

Note that this application relates to minor material amendments. No comments to make at this stage.

Environmental Health

No comments received.

External Consultees:

The Greater London Authority (GLA)

Given the scale and nature of the proposals, conclude that the amendments do not raise any new strategic planning issues. The Council may, therefore, proceed to determine the application without further reference to the GLA.

Historic England

Historic England have considered the information received and do not wish to offer any comments on this occasion. The application should be determined in accordance with national and local policy guidance, and on the basis of the Council's specialist conservation advice.

Transport for London

No objections. TfL notes the improvements to the pedestrian environment such as the bridge link and public realm. This is welcomed by TfL and in line with the draft London Plan policy T2.

Wembley National Stadium Limited

No comments received.

Thames Water

No comments received.

POLICY CONSIDERATIONS

The Development Plan in force comprises:

Brent LDF Core Strategy 2010

Brent Development Management Policies Document 2016

Wembley Area Action Plan 2015

London Plan (Consolidated with Alterations since 2011) March 2016

The following are also relevant material considerations in the determination of the current application:

National Planning Policy Framework 2012 (NPPF)

Revised Draft National Planning Policy Framework 2018

Technical Guidance to the National Planning Policy Framework

National Planning Practice Guidance (NPPG)

London Mayor's Town Centres Supplementary Planning Guidance (SPG) (2014)

Brent Supplementary Planning Guidance 17 Design Guide for New Development

Draft New London Plan (published for consultation December 2017)

In addition, the emerging Draft Brent Design Guide SPD1 (July 2017) has been subject to public consultation and once adopted will supersede SPG17. This document is afforded weight in the determination of planning applications as it has been subject to public consultation.

DETAILED CONSIDERATIONS

1. Context

2. Plot NW04 is situated in the southeastern corner of the wider North West Lands application site, in

Wembley Park. The North West Lands site is situated between Empire Way, Engineers Way, Olympic Way and Fulton Road within the Wembley Growth Area and Wembley Opportunity Area and covers 5.7 hectares of land.

3. To the north of plot NW04 are the new large scale residential developments, currently under construction, known as NW07 and NW08. To the east is Olympic Way and the Pedway, which would need to be removed prior to plot NW04 being developed. Engineers Way lies to the south and Brent Civic Centre is to the west of the plot.
4. The plot has a high level of prominence due to its location both on Olympic Way and at the end of Wembley Park Boulevard, which leads to the London Design Outlet and developments to the south of the Stadium.
5. The site is well served by public transport, which is reflected by its Public Transport Access Level ('PTAL') rating of 5 (very good).
6. The site is located within the Wembley Growth Area (Brent Core Strategy) and the Wembley Opportunity Area (London Plan) and within the Wembley Regeneration Area (Wembley Area Action Plan).
7. In December 2016, outline planning permission was granted for the 'Wembley Masterplan' (LPA ref: 15/5550) comprising around 5,000 homes, commercial and community floorspace, a school and new open space including a public park. Given the scale of development that has been approved, the completion of this regeneration is phased to take place over a number of years. The land covered by the Wembley Masterplan includes the Pedway and therefore includes a narrow stretch of land along the eastern edge of the NW04 plot.
8. The full implementation of either the previous or the amended plans for Plot NW04 would require the removal of the Pedway, that is, the ramps and raised walkways which lead to the Stadium Concourse from Olympic Way. However, the consent allows for the construction of the taller elements of NW04 should the Pedway remain in place, with restrictions preventing the lower projecting element of NW04 coming forward in this instance. The removal of the Pedway is an aspiration that is supported by your officers as discussed in the Wembley Masterplan Supplementary Planning Document 2009. This would require the implementation of alternative access arrangements to the Stadium concourse. The Council is currently considering a planning application for a scheme involving the removal of the existing Pedway structure and its replacement with steps (planning application ref. no. 18/0973).

9. Land Use

10. Outline planning permission was originally granted on 24 November 2011 (ref: 10/3032) for the demolition of the existing buildings and the mixed-use redevelopment of the Former Palace of Arts and Palace of Industry Site on Engineers Way, Wembley, known as the "North West Lands". This outline planning permission, which has subsequently been amended by planning applications 13/1323 and 14/3054, outlined proposals relating to plot NW04. The outline planning permission 10/3032 sets out maximum levels of floorspace in square metres which may be used for a specified range of uses. The range of land uses proposed for the current scheme is the same as those originally consented.
11. The proposed development would be likely to attract a range of commercial and retail uses and also provide a new public square, which would add diversity and interest to this town centre site and make a positive contribution to the vitality and viability of this area of Wembley Park.
12. There is no change to the uses do not change as a result of this proposal. The current proposal would contribute towards the delivery of the wider aims and objectives of the Wembley AAP (the area OAPF) and the delivery of the London Plan OAPF Wembley policy target for 11,000 jobs and a minimum 11,500 new homes across the Opportunity Area (although the consented and proposed uses for plot NW04 do not include housing). The range of land uses proposed within each section of the current scheme are discussed within the 'Layout and uses of the building' section at paragraph 26 below.

13. Key proposed amendments to parameter plans

14. The plans approved under the previous planning permission, ref. no. 14/3054, show a building with two main elements – a 88.5 metre tall (AOD) block on its western side and a single storey element on its eastern side. The proposed building was positioned within around 7 metres from Engineers Way to the south and the length of the tallest block along the Olympic Way elevation was shown to be around 50

metres.

15. The amended parameter plans show a building with three main elements – a 100 metre tall (AOD) block set in the north western section of the site (11.5 m taller than the existing consent), a single storey element on the north eastern section of the site (which would be 2 metres lower in height compared to the original plans) linked to a canopy in the south eastern section of the site, with a new 'pavilion' building in its south eastern corner. The tallest element of the building would be set back around 31 metres from Engineers Way, compared to 7 m within the existing consent. The floorplate upper floors of the building would change from 18 m x 57 m to 25 m x 41 m, with the width of this block when viewed from Olympic Way therefore reducing by 16 m.
16. The new siting of the main NW04 building would reduce the gap between NW04 and NW08 to its north from 21 metres to 12 metres at lower and upper levels.
17. The previous parameter plans included a 'Pocket' space - that is a small area of publicly accessible open space. The Pocket space to the north of the NW04 building was designed to perform both a commercial function (café seating) and to provide usable space for shoppers and residents, including seating and landscaping. Under the current proposals, this pocket square would be retained but would be reduced in size.
18. The revised scheme would create a new public square, a canopy/colonnade and pavilion and potentially a new bridge link to the Civic Centre. A new, south facing public square would be created on the south western section of the site fronting on to Engineers Way. This new square would be defined and enclosed by a new canopy/colonnade to its north and east which would also serve as a covered route from Olympic Way towards the new square and the Civic Centre. This element of the scheme would also include a new single storey pavilion building in its south eastern corner, referred to as NW04B.
19. The introduction of a bridge link at an upper level, to link Brent Civic Centre to NW04, is also put forward as a potential change, although this would be dependent on factors including the use of NW04.
20. In addition, the depth of the basement below the plot would be increased.

21. Policy Considerations

22. The principle of the land use has already been established through the original planning consent. However, the compliance of the current amendments must be assessed in relation to the Development Plan currently in force comprising Brent LDF Core Strategy, Brent Development Management Policies Document 2016 and the Wembley Area Action Plan 2015 along with the London Plan (Consolidated with Alterations since 2011) March 2016.
23. In addition, regard must be had to current national policy, the Draft New London Plan (published for consultation December 2017) relevant Supplementary Planning Guidance such as the London Mayor's Town Centres Supplementary Planning Guidance (SPG) (2014), Brent Supplementary Planning Guidance 17 Design Guide for New Development and the emerging Draft Brent Design Guide SPD1 (July 2017) which has been subject to public consultation and which once adopted will supersede SPG17.
24. The proposed amended scheme has been assessed in relation to the relevant planning policies and guidance and it is considered to be in keeping with these policies and guidance and the vision for how development in the Wembley regeneration area is to take place.

25. Layout and uses, Landscaping and Trees, Scale and Appearance

26. Layout and uses of the building

27. Basement

28. Whilst the approved parameter plans do not include a basement, the proposed amended plans include a basement for uses within classes A1-A5 (Retail), B1(Business), C1(Hotel) and/or D2(Leisure). This is the same range of uses as those proposed for the lower levels of the both the main building (NW04A) and the pavilion building (NW04B). These uses are also the same as those approved under the original parameter plans as uses at lower levels.

29. Lower Levels

30. The lower levels would be used for uses within classes A1-A5 (Retail), B1(Business), C1(Hotel) and/or D2(Leisure). This includes both the lower levels of the main building (NW04A) and the pavilion building (NW04B). These uses are the same as those approved under the original parameter plans as uses at lower levels. The North West Lands Development Specification (2010), which was an approved document of the 10/3032 outline consent, states that the developer commits that the eastern and western frontages to NW04 having active retail use at ground floor level. This is in line with policy WEM7 of the Wembley Area Action Plan 2015 which relates to the character of Olympic Way and seeks active ground floor uses either side of Olympic Way.

31. *Upper Levels*

32. The upper levels would be used for uses within classes A3-A4 (A3 is food and drink and A4 is drinking establishments), B1(Business), C1(Hotel), D2(Leisure) and/or Sui Generis (student accommodation, serviced apartments and/or Apart Hotels). These uses are the same as those approved under the original parameter plans as uses at upper levels. Under the proposed scheme there would be around 15 storeys in total.

33. *Roof*

34. The parameter plans show the lower stretch of roof as an area for the provision of private and communal open space (predominantly soft landscaped). The roof of the taller block would be an area for the provision of brown roofing, private terraces, photovoltaic panels and/or plant.

35. *Relationship to outline consent for North West Lands site*

36. Taking into account the new footprint of the proposed development, the overall building heights and typical floor to ceiling heights, if the proposed parameter plans would allow for an increase in useable floorspace within Plot NW04 compared to the development which could take place in line with the originally approved parameter plans. However, the overall floorspace that can be provided within the Outline Consent as a whole would not increase as a result of the proposal. Furthermore, the amended scheme would have an acceptable impact on the environment, the local area and the amenities of neighbouring residents. The detailed design of the scheme would be considered through a Reserved Matters application and fully assessed at that stage.

37. It should also be noted that the outline planning permission 10/3032 sets out maximum levels of floorspace in square metres which may be used for a specified range of uses. These floorspace limits apply to the wider North West Lands development site as a whole and are unchanged by the current application. If a Reserved Matters application is submitted, the compliance of the scheme with those floorspace limits will be fully assessed at that stage.

38. *Siting*

39. The new siting of the main NW04 building would reduce the gap between NW04 and NW08 to its north from 21 metres to 12 metres at lower and upper levels. This degree of separation is comparable to the 13 metre separation distance between the Civic Centre and NW07 to the west and is considered acceptable within this densely developed urban setting.

40. Public spaces

41. The new proposals would involve the provision of a new public square to the north of Engineers Way and also a small 'pocket' square between NW04 and NW08, next to Olympic Way. These would contribute to a range of 'public gathering' places in the area including Arena Square, Olympic Way, the Civic Centre atrium, the proposed Olympic Steps and the proposed open area beneath the bridge landing associated with the Olympic Steps.

42. Landscaping and Trees

43. Olympic Way runs along the eastern edge of the site. Improvements to the public realm for the adjoining element of Olympic Way have been included within planning application 18/0973, which also includes the proposed Stadium Steps. These include a continuation of the tree planting scheme which has already been introduced further north along Olympic Way, featuring pairs of trees planted on opposite sides of Olympic Way forming an avenue of tree species from around the world. Trees would also be planted close to the west elevation of the NW04A opposite the Civic Centre. One tree is shown within the now smaller pocket square.

44. In addition, the development site is only around 50 metres from Elvin Square Gardens, the public open space positioned between buildings NW06 and NW07/08, largely residential schemes on land to the

north west of plot NW04. In these circumstances, the lack of landscaping indicated on the submitted plans is considered acceptable.

45. Scale

46. The approved parameter plans indicate that the main block within the proposed scheme would be a maximum of 88.5 metres AOD (above ordnance datum). The amended scheme proposes an increase to a maximum of 100 metres AOD, accommodating around 15 storeys of floor space. However, although the main building would be increased in height compared to the original parameter plans, its length would be reduced from around 50 to around 41 metres. The building's impact on the immediate streetscene would therefore be similar in comparison to the previously approved scheme. In addition, the provision of a substantially sized public space to the immediate south of the building would provide an appropriate setting for this higher building, which would be set much further back from the adjacent highway (Engineers Way) compared to the previously approved scheme.
47. The nearest residential building to the NW04 plot is the predominantly residential NW08. This is 15 storeys high at its southern section, adjacent to plot NW04 and it was built in accordance with the parameter plans approved under the outline consent which allowed for a maximum AOD of 87.5 metres.
48. Plot W03 is situated to the south of NW04 and is 15 storeys high at its northern section opposite the NW04 site. Approval for this plot was on the basis that it would be maximum height of 85 metres AOD at its tallest section adjacent to Olympic Way. The building, which is currently under construction, is positioned between NW04 and Wembley Stadium.
49. In views towards NW04 from the north, whilst approaching the stadium along Olympic Way, NW04 would be seen behind NW08 and in front of W03. The main building of NW04 would be up to 12.5 metres taller than NW08, but within this emerging, densely developed urban context which is characterised by buildings of a comparable height, it is not considered that the main building of NW04 would appear unduly tall or incongruous. The main bulk of the building would be set back from Olympic Way behind the canopy/colonnade structure, in a similar way to the main bulk of NW08 being set back behind the lower level street frontage section of that building.

50. Appearance

51. Illustrative views have been submitted with the application showing a fairly simple architectural design with significant amounts of glazing, framed with pale-coloured materials. There would be two colonnaded areas - one linking NW04B to the main NW04A building, and another along the frontage to the elevation of NW04A facing onto the proposed new public square. These would have high ceiling heights resulting in a spacious and open feel to the area, but they would also serve to define and frame the square and offer some protection from the weather.
52. The proposed square would be hardsurfaced and open plan but with a range of seating opportunities and other street furniture to add interest and functionality.
53. The height and length of the main NW04 building would be comparable to that of other developments in the vicinity, so it is not considered that the development would appear unduly bulky or incongruous in views from the surrounding area. The development would be constructed just to the west of a row of six trees which would form part of the new avenue of trees due to be planted along Olympic Way. These trees would help soften the impact of the development in street level views.
54. Full details of the appearance of the building, the canopy/colonnade and the public realm areas would need to be submitted for approval at Reserved Matters stage and the materials proposed would need to be approved through a condition discharge planning application.

55. Potential impact on setting of the Wembley Arena (Grade II listed building)

56. The public square and the NW04B building and colonnade would be within sight of the Grade II listed Wembley Arena. Historic England have considered the application and confirmed that they do not wish to offer any comments on this occasion. They state that the application should be determined in accordance with national and local policy guidance, and on the basis of the Council's specialist conservation advice. Section 12 of the NPPF relates to conserving and enhancing the historic environment.

57. The Council's Heritage Officer has confirmed that he has no objections considers that the proposal will not have a harmful impact on the setting to the listed building. The siting of the proposed new building, porte-cochère (pavilion building) and landscaping are such that the proposal will not result in harm to the setting of the listed building. Providing the quality of the final design and materials (to be determined at Reserved Matters and conditions approval stages) are appropriate, it is considered that the current proposals would make a positive contribution to the area in the vicinity of the Arena.

58. Views, including protected views

59. Policy WEM 5 of the Wembley Area Action Plan 2015 states that tall buildings will be acceptable where they can demonstrate the highest architectural quality, and that where they are proposed, the submission of a key views assessment will need to accompany planning applications. Map 4.4 identifies areas as 'appropriate' for and 'sensitive' to tall buildings. The Application Site is within the area defined as being appropriate for tall buildings. Policy WEM 6 defines protected views of the Stadium, relevant for the consideration of tall building proposals. Policy WEM7 states that development on Olympic Way must be carefully designed and scaled to respect the predominance of Wembley Stadium and its arch.

60. A series of images has been submitted with the application which indicate the impact on views to the Stadium from the protected and other viewpoints, including those along Olympic Way. The top of the new tall building would obscure an additional small part of the stadium arch in the AAP views along this route (AAP View 6 /Wembley Park Station, AAP View 7/Bobby Moore Bridge and AAP View 8/Olympic Way north of Fulton Road) and would infill an additional small proportion of the space between the roof of the stadium and its arch, compared to the existing situation.

61. However, in the cumulative versions of View 6 and View 7, which include the outlines of previously consented building forms, the previously consented NW11 would obscure much of the main NW04 building. At the closest, most southerly position (AAP View 8), the banners which line the route would largely obscure NW04 and would define the viewing frame for the stadium. In all of the generated views submitted, the visible part of the Arch would retain its broadly symmetrical appearance and the formal and balanced composition of this approach would be maintained.

62. Whilst the current proposals would slightly reduce the amount of the arch that is visible at present, this is not significantly more than the degree to which the Barratt and Unite housing schemes on the eastern side of Olympic Way infringe on the view of the arch from Olympic Way and it is considered that the proportion of arch and space that would still be visible would maintain an acceptable level of prominence for the National Stadium.

63. With regard to distant views, the increased height of the taller element would not be noticeable in the distant AAP View 1 from Barn Hill. In AAP View 2 from Elmwood Park, Sudbury, the proposed NW04 would rise slightly above the horizon, however, due to its distance and the scale of development in its foreground, it is unlikely to be noticed. The overall character of the view and the prominence of the landmark Stadium and arch would remain the same. It is therefore considered that in relation to the amended scheme, there would be no significant difference in effects on distant views compared to the consented development.

64. Daylight and Sunlight considerations

65. A Daylight and Sunlight report has been submitted which assesses the impact of the proposed new massing to Block NW04 on the amenity enjoyed by existing and future neighbouring residents using the targets and standards set out in the Building Research Establishment (BRE) Guidelines.

66. Four separate nearby predominantly residential developments were assessed in relation to the impact of the proposed amended scheme on daylight. The analysis assessed compliance with Average Daylight Factors (ADF) for habitable rooms as set down in the agreed development specification which is in line with the BRE guidance. A level of 95% compliance by room was agreed to be the benchmark.

67. With regard to Olympic Way Block B (the Unite Students building), to the north east of plot NW04 on the other side of Olympic Way, for those windows facing NW04 the analysis shows that there are no instances where the VSC or indeed the Sunlight availability is reduced by more than 20% and the building is therefore fully BRE compliant.

68. For Olympic Way Block C (the Barratt Wembley Park Gate Building) to the east of plot NW04 on the other side of Olympic Way, an analysis of the results of this building for those windows facing NW04

shows that there are no instances where the VSC or indeed the Sunlight availability is reduced by more than 20%. Indeed in some instances the daylight increases as compared to the consented scenario. The building is therefore fully BRE compliant.

69. Blocks NW07 and NW08 are currently under construction to the north of plot NW04. When assessed in relation to the previously consented scheme, the block achieved an ADF pass rate of 98.5% whereas the new pass rate for rooms is 95.25%. Whilst this is a reduction compared to the Masterplan consent, the pass rate is still above the Development specification levels agreed and these buildings still comply with the BRE guidelines.
70. Block W03 is located to the south of plot NW04 and is currently under construction. The pass rate for the windows facing towards NW04 is 100% and this is therefore fully compliant with the BRE guidance and the development specification.
71. In addition, the amenity spaces for NW07 and NW08 were analysed in relation to time in sun measures. The total area of amenity space in the sun for at least 2 hours on 21st March is in excess of 50% of the area, which is compliant with the BRE guidelines.
72. In view of the findings of the Daylight and Sunlight report submitted with this application, it is considered that the revised scheme based on the amended parameter plans would have an acceptable impact on the amenity of existing and future residents of nearby residential properties in terms of daylight and sunlight measures.

73. Noise

74. The impact of the proposed amended scheme on existing and future neighbouring residents would be assessed at Reserved Matters stage and through the discharge of planning conditions attached to the original outline planning consent (10/3032).

75. Wind Microclimate

76. A qualitative analysis has been carried out to assess the pedestrian wind environment resulting from the proposed changes to the consented development. The study has given consideration to likely wind effects relevant to key pedestrian areas in and around the proposed development based on regional wind meteorology statistics, terrain analysis of the immediate surroundings, and architectural information.
77. The assessment concludes that there are no material differences between the effects of the consented development and proposed development as a result of the proposed changes to the parameters for Plot NW04.
78. Condition 8 of Outline Planning Permission 10/3032 requires the details of the micro-climate mitigation measures to be submitted to and approved by the Council. Once submitted, the Council would therefore be provided with sufficient comfort to ensure that the appropriate mitigation details are incorporated into the proposed development.

79. Accessibility

80. The new Civic Square would be a hard-landscaped pedestrian environment incorporating seating, and covered with a canopy at its eastern side. The provision of this square would enhance routes between Engineers Way and Olympic Way South, and to the north through to the other NW plots. These routes would be pedestrianised walkways, with vehicular access being maintained for servicing and emergency vehicles only. Street furniture would be kept to the sides of the areas of highest pedestrian flow to minimise conflicts, particularly for people with visual impairments. Gradients across the site would be gentle and a ramp would be provided on the eastern side of the Square to facilitate access by the less mobile. Colour and tonal contrast is proposed to be incorporated within the design of the Civic Square to help identify the main pedestrian route and assist people with visual impairment to avoid obstacles that they might walk into or trip over. The applicants confirm that the NW04 plot would be compliant with relevant design guidance promoting accessibility for all including AD Part M (2015) standards as a minimum, which cover aspects such as approach to buildings, vertical and horizontal circulation and WC facilities.

81. Highways and Transportation

82. The site currently has a PTAL of 5 and is highly accessible by a range of transport modes. Local bus stops on Engineers Way, Empire Way, Rutherford Way and Wembley Park Drive provide access to a wide range of bus services and three railway/London Underground stations can be accessed easily from these (Wembley Stadium, Wembley Central and Wembley Park). The PTAL is predicted to remain at 5 in future forecast years of 2021 and 2031 (according to TfL WebCAT Planning Tool).
83. The Council's Transportation Officer has reviewed the proposals. He comments that the creation of a covered pedestrian route through the building connecting Olympic Way and the new square (following the removal of the pedway) will improve pedestrian permeability through the plot compared with the original outline parameter plans for the site. Furthermore, the Design & Access Statement submitted indicates that street furniture (signs, bins, bollards, seating etc.) will be kept to a minimum and generally sited around the edge of the new square to reduce clutter, which is welcomed. He raises no objections on transportation grounds to these proposed minor material amendments to the original parameter plans for Plot NW04.

84. Car and Cycle Parking

85. No car parking is proposed within the plot. Levels of cycle parking at Plot NW04 will be allocated in accordance with the minimum standards outlined in Table 6.3 of the addendum to Chapter 6 of the current London Plan (2016).

86. Environmental Impact Assessment

87. The original consented outline development 10/3032 was the subject of an Environmental Impact Assessment (EIA) under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 (SI 1999/293) as amended. These regulations have now been replaced by the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (the 'EIA Regulations').
88. A Supplementary Environmental Statement has been submitted with the current applications in which the proposed changes to the Parameter Plans are reviewed and audited against the findings of the original ES to establish whether further environmental information is required under the EIA Regulations.
89. In respect of construction related effects, the review has concluded that the assessment of these impacts is completely unaffected by the minor revisions to Plot NW04. Moreover, all the measures related to the mitigation of construction impacts remain a suitable and appropriate basis for securing the mitigation measures identified in the 2010 Environmental Statement and 2011 Reassessment.
90. With regard to the impacts of the completed development, the effects related to ground conditions and contamination, water resources, ecology, archaeology, transport, socio-economics, air quality and noise are not influenced by detailed design matters of the nature proposed. Visual effects, wind effects and daylight and sunlight effects are related to massing and form. However, the assessment of the proposed development concludes that the scale of the proposed changes would not materially affect the assessments carried out or the mitigation measures laid out in the 2010 Environmental Statement and 2011 Reassessment.
91. For these reasons, it is concluded that the mitigation measures secured by planning conditions and/or S106 obligations remain robust and no changes are required to any of the conditions attached to outline planning permission 13/1323 or 14/3054 in order to secure further mitigation measures.

92. Sustainability issues

93. The sustainability proposals were approved within application 10/3032 and are captured within the decision notice, section 106 agreement and Development Specification.

94. Other matters

95. The implications of the proposal in relation to matters such as groundwater, soils and contamination, water resources, flood risk, archaeology, ecology, acoustics, demolition and construction, safety and security considerations and local employment opportunities would all be assessed at Reserved Matters stage, through the discharge of planning conditions attached to the original outline planning consent (10/3032) and by assessment in relation to S106 obligations, and amendments would be sought as necessary.

96. Conclusion

97. The proposed minor material amendments to the previously approved parameters plans would enable a revised scheme to be delivered which would provide a number of benefits over the originally approved outline plans. The scheme would contribute to the facilities on offer for Brent's residents and visitors, and offer a range of public realm improvements which would improve pedestrian circulation in the vicinity. The proposed amended scheme is considered to be in keeping with the vision for how development in the Wembley regeneration area is to take place, and would introduce activity and vitality in this area that responds appropriately to the vision for Olympic Way, the Olympic Steps area and the wider surrounding area. Based on the illustrative images, the building design would deliver an interesting and contemporary scheme to this prominent site, the final quality of which would be secured through the submission of detailed plans at Reserved Matters stage and the approval of appropriate materials through condition. The revised scheme accords with the relevant planning policies and guidance and it is therefore recommended that the proposed minor material amendments set out within this Section 73 planning application are approved.

CIL DETAILS

Outline Planning Consent was approved prior to the adoption of the Mayoral and Local charging schedules. As such, this development is not CIL liable and continues to be within the previous Section 106 regime for contributions towards infrastructure.

CIL Liable?

Yes/No: No



DECISION NOTICE – APPROVAL

Application No: 18/0968

I refer to your application dated **12/03/2018** proposing the following:

Minor Material Amendment to vary Condition 4 (Approved Drawings) of planning permission reference 14/3054 (dated 21 October 2014) for an outline application for the demolition of existing buildings and redevelopment of the site to provide up to 160,000sqm of mixed use floorspace. (See previous application record for full description of development).

The minor material changes sought are to create a new south facing public square fronting Engineers Way, to increase the height of the previously approved main building from 88.5m to 100m AOD, the reduction of the length of the previously approved block plan, changes to the massing of the previously approved building form, the creation of a colonnaded single storey pavillion building along Olympic Way, increased basement level, and the provision of pedestrian and public realm improvements, and a bridge link to Brent Civic Centre.

and accompanied by plans or documents listed here:
Please see condition 4.

at **Former Palace of Arts and Industry, Engineers Way, Wembley, HA9**

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: 25/05/2018

Signature:

A handwritten signature in blue 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 (March 2016)
 Brent Local Plan Development Management Policies 2016
 Brent Local Development Framework Core Strategy 2010
 Wembley Area Action Plan 2015

- 1 The relevant part of the development as hereby permitted shall not commence until the Reserved Matters of the relevant part of the proposed development have been submitted to and approved in writing by the Local Planning Authority and that part of the development shall be carried out and completed in all respects in accordance with the details so approved before the building(s) are occupied. Such details shall include:-
- i) Layout;
 - ii) Scale;
 - iii) Appearance;
 - iv) Access;
 - v) Landscaping.

Reason: These details are required to ensure that a satisfactory development is achieved. For the avoidance of doubt, the definitions of Reserved Matters are contained within Circular 01/2006 and other conditions may require further information concerning details required.

- 2 All applications for Reserved Matters pursuant to Condition No. 1 shall be made to the Local Planning Authority, before the expiration of 15 years from the date of outline planning consent reference 10/3032 (24 November 2011).

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 and since a period of 15 years is considered to be a reasonable time limit in view of the extent and timescale of the proposal.

- 3 The development to which this permission relates shall begin not later than whichever is the later of the following dates: (a) the expiration of 5 years from the date of outline planning permission reference 10/3032 (24 November 2011) or (b) the expiration of two years from the date of approval for the final approval of reserved matters, or in the case of different dates, the final approval of the last such matter to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

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

Approved Drawings/Documents

P01*	P09 Rev 02 dated 25.07.2014
P02*	P10 Rev 02 dated 25.07.2014
P03 Rev 02 dated 25.07.2014	P11 Rev 02 dated 25.07.2014
P04 Rev 02 dated 25.07.2014	P12 Rev 02 dated 25.07.2014
P05 Rev 02 dated 25.07.2014	P13 Rev 0 dated 25.07.2014
P06 Rev 02 dated 25.07.2014	P14 Rev 02 dated 25.07.2014
P07 Rev 02 dated 25.07.2014	P15 Rev 02 dated 25.07.2014
P08 Rev 02 dated 25.07.2014	1382.006 D*

* these drawings and documents are as approved through outline planning consent reference 10/3032.

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

- 5 No goods, equipment, waste products, pallets or materials shall be stored in any open area within the site and the loading areas indicated on the approved plans shall be maintained free from obstruction and not used for storage purposes (whether temporary or permanent) unless prior written approval has been obtained from the Local Planning Authority.

Reason: To ensure a satisfactory environment for future users.

- 6 All existing crossovers rendered redundant by this proposal shall be reinstated to footway at the applicant's own expense and to the satisfaction of the Council's Head of Transportation, or other duly authorised person, prior to the occupation of the relevant part of the development.

Reason: In the interests of traffic and pedestrian safety.

- 7 Other than those buildings and details approved pursuant to this Outline Planning Consent, the subsequent Reserved Matters applications or subsequent approvals pursuant to planning conditions or the Section 106 agreement, there shall be no obstruction over 1.05 m in height within splays whose areas are defined by a line 2.4m long on the centre line of the minor roads hereby approved measured from the continuation of the nearer kerb line of the major road; and lines of length 90m measured along the nearer kerb line of the major road from its intersection with the centre line of the minor road in both directions unless alternative dimensions are submitted to and approved in writing by the Local Planning Authority. After any such approval, there shall be no further obstruction over the approved height within the approved splays.

Reason: In the interest of highway and pedestrian safety.

- 8 The relevant part of the development as hereby permitted shall not commence until details of the following as they relate to that part of the development have been submitted to and approved in writing by the Local Planning Authority unless otherwise agreed in writing by the Local Planning Authority:

- An indicative phasing plan, including projections for the commencement and completion of the elements of the development that have not already been completed;
- Details of materials for all external surfaces, including samples where appropriate;
- The internal layout of buildings and layout and detailed design of roof terraces or other areas of external space, including internal circulation areas, refuse-storage areas, any plant room(s), any other internal area and any areas of external space.
- Highway, footpath and cycle way layout, within the relevant part of the development including connections and traffic management measures, sub-surface details, surfacing materials and street furniture;
- Details of cycle storage, including structures, layout, equipment, access, security and weather proofing appropriate to the type of cycle storage;
- Details of motorcycle and car parking provision, including layouts, allocation, cumulative (site-wide) parking provision and projected future provision;
- Details of CCTV
- Means of access for vehicles, pedestrians and cyclists to and from the relevant part of the development;
- Details of external artificial lighting, including associated fixtures, infrastructure, lighting levels.
- Details of the levels of daylight received for Habitable Room windows of any Residential Dwellings within the relevant part of the Development.
- Measures incorporated to mitigate the impacts of wind within the development.
- Details of the on plot connections to the site wide heat network and relative to the indicative or actual routing of the site wide network.
- The location of services, including the grouping of services where feasible;
- Details of the provision of private external amenity space for residential units, including

the size, location of private balconies, terraces and gardens and access between the dwellings and their associated space(s).

The approved details shall be implemented in full prior to first occupation or use of the relevant part of the development.

Reason: To ensure a satisfactory development.

- 9 The relevant Residential and Student Accommodation within each (Use Class C3 or Sui Generis) relevant part of the development hereby approved shall not commence unless details are submitted to and approved in writing by the Local Planning Authority demonstrating that the aforementioned units will be in accordance with the noise criteria for residential accommodation specified within part 3.4 of the Development Specification hereby approved. The approved details shall demonstrate how compliance with these criteria will be achieved.

Reason: To safeguard the amenities of residents and other occupiers around the site.

- 10 The relevant part of the development hereby approved shall not commence until details of the locations, external appearance and any proposed screening of any plant systems are submitted to and approved in writing by the Local Planning Authority and the approved details shall be implemented in full.

Reason: In the interests of the amenities of neighbouring properties and the area generally.

- 11 Details of the proposed odour-control measures, fan location, duct-discharge positions and supplementary ventilation systems, and noise levels and noise attenuation measures for any plant systems that are required to achieve the criteria set out within part 3.8 of the Development Specification shall be submitted to and approved in writing by the Local Planning Authority prior to installation. The approved details shall be implemented in full prior to use of the equipment and the system(s) shall thereafter be maintained in accordance with manufacturers' specifications.

Reason: In the interests of the amenities of neighbouring properties and the area generally.

- 12 The relevant parts of the development hereby approved shall not commence unless details of the measures to mitigate against the transfer of noise from the Multi-storey car park, the on-street servicing areas and the servicing area within NW09 have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall demonstrate how the measures will mitigate against the impacts of noise on sensitive receptors, having regard to the potential or approved location of sensitive uses, the potential or approved mitigation measures incorporated into those units required by condition 9 and the associated design criteria for noise for those units.

Reason: In the interests of the amenities of neighbouring properties and the area generally.

- 13 Within 12 months of the commencement of the relevant part of the development as hereby permitted, details for the provision of play and recreational space, equipment and associated facilities and infrastructure within the relevant part of the development and indicative details of the draw down of the cumulative provision of play and recreational space and facilities across the whole site and the residual remaining shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full prior to first residential occupation of the relevant part of the development, or in the case of submissions that do not include residential dwellings, prior to first occupation or use of the relevant part of the development, and shall thereafter be maintained (with the exception of the indicative details).

Reason: In order to ensure the appropriate provision of play and recreational facilities.

- 14 The relevant part of the development hereby approved shall not commence unless a scheme for the landscape works and treatment has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented prior to first occupation of the relevant part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. Such a scheme shall include:-

- a) a planting plan, (including species, plant sizes and planting densities);
- b) subsurface treatments, including details of root management systems for all trees;

- c) proposed walls and fences, indicating siting, materials and heights;
- d) any proposed contours and ground levels;
- e) areas of hard landscape works and external furniture, and proposed materials;
- f) the detailing and provision of green/brown roof(s);
- g) measures to enhance the ecological value of the site;
- h) details of the proposed arrangements for the maintenance of the landscape works.

Any planting that is part of the approved scheme that, within a period of five years after planting, is removed, dies or becomes seriously damaged or diseased, shall be replaced in the next planting season 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, to ensure that it enhances the visual amenity of the area and to ensure a satisfactory environment for future residents, occupiers and other users.

- 15 The development shall be carried out in accordance with the details within the "Construction Logistics Plan" (Appendix 11 Chapter 18 of the Environmental Statement) and the "Proposed Demolition and Construction Commitments" (Chapter 6 Section 6.4 of the Environmental Statement) hereby approved unless alternative details are submitted to and approved in writing by the Local Planning Authority and the approved details shall thereafter be implemented in full.

Reason: In the interests of highway free-flow and safety and the amenities of neighbouring and nearby properties, and the ongoing operation of adjoining and nearby businesses and organisations.

- 16 The relevant part of the development hereby approved shall not commence unless a site investigation is carried out and remediation strategy is prepared by an appropriate person to determine the nature and extent of any contamination present. The investigation and strategy shall be carried out in accordance with a scheme, which shall be submitted to and approved by the Local Planning Authority in consultation with the Environment Agency, that includes the results of any research and analysis undertaken as well as details of remediation measures required to contain, treat or remove any contamination found. Any proposed remediation must be sustained for the life of the development and this must be justified by the applicant. If during works new areas of contamination are encountered, which have not previously been identified, then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the Local Planning Authority;

Reason: To ensure the safe development and secure occupancy of the site proposed for use in accordance with UDP policy EP6.

- 17 The relevant part of the development hereby approved shall not be occupied or the use of the relevant part shall not commence unless a verification report shall be provided to the Local Planning Authority by a competent person stating that remediation has been carried out in accordance with the remediation scheme approved pursuant to condition 16 and the site is permitted for end use.

Reason: To ensure the safe development and secure occupancy of the site proposed for use in accordance with UDP policy EP6.

- 18 The relevant part of the development hereby approved shall not be occupied unless a detailed car park management plan for non-residential and mobility impaired parking has been submitted to and approved in writing by the Local Planning Authority. The management plan shall be in accordance with the Development Specification hereby approved, and shall include the means by which the spaces shall be allocated and enforced, and the mechanisms to prevent the use of the parking spaces for Wembley Stadium Event day parking. The approved plan shall be implemented in full for the life of the development, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure a satisfactory development that does not result in overspill parking within the surrounding area or conditions prejudicial to the free and safe flow of traffic on the highway network.

- 19 The non-residential floorspace in plots NW04, NW07, NW08, NW10 and NW11 shall not be

occupied unless a Delivery and Servicing Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall include the location and management of servicing areas and routes through the site, the maximum size of service vehicles and any exceptional servicing arrangements and the measures to enforce the servicing arrangements (including access). The approved plan shall be fully implemented for the life of the development, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure a satisfactory development that minimises any potential impacts on the road network.

- 20 The relevant part of the development shall not commence (for the purposes of this condition only “relevant part” includes the junction of Olympic Way and Fulton Road or Engineers Way; West Olympic Way and Fulton Road or Engineers Way; the south west corner of the Square or the vehicular access route situated between NW01 and NW06), unless details of the measures to control vehicular traffic, including any physical, management and enforcement measures, have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be fully implemented for the life of the development at the expense of the developer unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the safe and free flow of traffic and pedestrians, and an adequate environment for future users.

- 21 Works shall not commence in relation to plot NW09 until details of the Energy Centre, including the siting, size, noise attenuation measures and associated infrastructure such as flues and flue termination points have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full.

Reason: To ensure a satisfactory and sustainability development, having regard to visual amenity, environmental sustainability, air quality and the amenities of adjoining and nearby occupiers.

- 22 Details of plant within or associated with the Energy Centre including the CHP Engine (including full specification and fuel) and any other boilers, shall be submitted to and approved in writing by the Local Planning Authority prior to installation. The occupation of more than 780 residential dwellings shall not occur unless the approved details have been implemented in full and the Energy Centre shall thereafter be retained and maintained in accordance with the manufacturer's specifications unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory and sustainability development, having regard to visual amenity, environmental sustainability, air quality and the amenities of adjoining and nearby occupiers.

- 23 The relevant part of the development hereby approved shall not commence until an implementation strategy for the Sustainability measures set out within the Development Specification hereby approved, or equivalent alternative measures as agreed in writing by the Local Planning Authority, will be incorporated into the relevant part of the development, where applicable, together with details of how the provision of On-Site Renewables will be incorporated into the remainder of the development in accordance with the Development Specification. For the avoidance of doubt, the implementation strategy may be submitted with the Reserved Matters application for the relevant part of the development. The approved details shall be implemented in full unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a sustainable development.

- 24 The relevant part of the development hereby approved shall not commence within 3 years of the date of outline planning consent reference 10/3032 (24 November 2011) unless a drainage strategy, detailing on and/or off site drainage requirements, including details of the drainage required to serve the relevant part of the development, site-wide drainage works, phasing of plots, buildings and drainage works, and a plan detailing the extent of the “relevant part of the development” has been submitted to and approved in writing by the Local Planning Authority in consultation with the sewerage undertaker.

The approved works shall thereafter be implemented in full within the timeframes set out within

the Strategy, save those works that are superseded by further or revised details that are subsequently approved pursuant to conditions 24 or 25 of this consent and thereafter implemented.

Reason – to prevent the development from leading to foul water sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community.

- 25 The relevant part of the development hereby approved shall not commence 3 or more years from the date of outline planning consent reference 10/3032 (24 November 2011) unless a site wide drainage strategy detailing on and/or off site drainage requirements for the entire application site area, including phasing of plots, buildings and drainage, has been submitted to and approved in writing by the Local Planning Authority in consultation with the sewerage undertaker, or details have been approved for the relevant part of the development pursuant to condition 24.

The approved works (or those works previously approved pursuant to condition 24) shall thereafter be implemented in full within the timeframes set out within the Strategy, save those works that are superseded by further or revised details that are subsequently approved pursuant to conditions 25 of this consent and thereafter implemented.

Reason – to prevent the development from leading to foul water sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community.

- 26 The relevant part of the development hereby permitted shall not be commenced until such time as a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority in consultation with the Environment Agency. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also include, as detailed in the Wembley North West Lands Flood Risk Assessment (FRA) (Rev 04), dated November 2010 compiled by Buro Happold:

1. Restricting the surface water run off to the green field rate and attenuation of the 1:100 year storm event, with an allowance for climate change (FRA section 7.2.1.2, page 30).
2. Green / brown roofs on the majority of the communal external roof areas (FRA section 7.3.1, page 32).
3. Proposed permeable paving in flat lightly traffic areas such as courtyards (FRA section 7.3.5, page 34).

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

Reason: To reduce the risk of flooding to the proposed development and future occupants by ensuring the satisfactory storage and disposal of surface water from the site.

- 27 Piling or any other foundation designs using penetrative methods shall not take place unless details of the works are submitted to and approved in writing by the Local Planning Authority in consultation with the Environment Agency. The submitted details shall demonstrate that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To ensure that any piling that is undertaken does not pollute the groundwater below the site.

- 28 The internal layout of the Affordable Housing dwellings within the relevant parts of the development shall incorporate the provision of built-in general internal storage space free of hot water cylinders and other obstructions, with a minimum internal height of 2m and a minimum area of 1.5 square metres for 2 person dwellings and an additional 0.5 square metres of additional storage space for each additional occupant in addition to storage provided by furniture in habitable rooms unless alternative height(s) and/or quanta are submitted to and approved in writing by the Local Planning Authority. After any such approval, the storage space shall be provided in accordance with the approved height and/or quanta. The provision of such storage

space shall be detailed within the Reserved Matters Application for the relevant plot.

Reason: To ensure a satisfactory standard of residential accommodation.

- 29 The hotel or apart-hotel floorspace that is constructed pursuant to this consent shall not be occupied unless a Coach Parking Plan has been submitted to and approved in writing by the Local Planning Authority in consultation with TfL, detailing the level of hotel floorspace and number of rooms to be constructed within the application site and details of the provision of on-site coach drop-off and off-site coach parking. The approved Plan shall be implemented in full.

Reason: To ensure a satisfactory development that is not prejudicial to highway free flow or safety or to residential amenity.

INFORMATIVES

- 1 For the surface water drainage scheme to be considered acceptable, the Environment Agency will require that the following information be provided:
1. A clearly labelled drainage layout plan showing pipe networks and any attenuation systems. This plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.
 2. Where on site attenuation is provided calculations showing the volume of these are also required.
 3. Where an outfall discharge control device is to be used such as a vortex flow control device, this should be shown on the plan with the rate of discharge stated.
 4. Calculations should demonstrate how the system operates during a 1 in 100 year critical duration storm event. If overland flooding occurs in this event, a plan should also be submitted detailing the location of overland flow paths.

- 2 The Environment Agency advises that only surface water from roofs and paved areas not accessible to vehicles, should be discharged to any soakaway, watercourse or surface water sewer. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hard standings susceptible to oil contamination shall be passed through an oil separator designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.

- 3 For the avoidance of doubt, it is acknowledged that the details of Site-Wide drainage and the phasing of plots and buildings to be submitted pursuant to condition 24 will be based on assumptions that may be superseded within subsequent submissions pursuant to conditions 24 and 25.

- 4 For the avoidance of doubt, the Supporting Documents for this application that are not listed within condition 4 of this consent are:

"Daylight and Sunlight Report", dated March 2018, prepared by GVA Schatunowski Brooks
"Design and Access Statement "dated March 2018, prepared by Flanagan Lawrence
"Supplementary Environmental Statement and appendices", dated March 2018, prepared by WYG Planning Limited

The supporting documents for Section 73 approval reference 14/3054 are:

"Design and Access Statement prepared in support of S73 application" dated 25 July 2014
"Supplementary Environmental Statement" reference HG2609 dated July 2014
"Wind microclimate study" dated 23 July 2014

The supporting documents for Section 73 approval reference 13/1323 are:

"Supplementary Environmental Statement" reference HG 2191 dated 26 June 2013
"Design and Access Statement prepared in support of s73 application" dated 26 June 2013

The supporting documents for outline planning consent reference 10/3032 are:

1.01 Environmental Statement Volume 1 (Part 1) Core Document, dated November 2010
1.02 Environmental Statement Volume 1 (Part 2) Appendices, dated November 2010
1.03 Environmental Statement Volume 1 (Part 3) Appendices, dated November 2010

1.04 Environmental Statement Volume 2 (Part 1) Transport Assessment Report and Appendices, dated November 2010
1.05 Environmental Statement Volume 2 (Part 2) Transport Assessment Report Appendices, dated November 2010
2.01 Design and Access Statement, dated November 2010
3.01 Supporting Reports (Part 1) Core Documents and Appendices, dated November 2010
3.02 Supporting Reports (Part 2) Appendices, dated November 2010
4.01 Applications Plans and Supplementary Materials
Environmental Statement Non-Technical Summary, dated November 2010
Volume 1: Response Report Changes to Scheme, dated 31 March 2011
Volume 2: Response Report Matters Relating to Supporting Reports, dated 31 March 2011
Volume 3: Response Report Environmental Statement November 2010: Further Information, dated 31 March 2011
Volume 4: Response Report Environmental Statement November 2010: Re-assessment, dated 31 March 2011

Any person wishing to inspect the above papers should contact Colin Leadbeater, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 2232

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COMMITTEE REPORT

Planning Committee on
Item No
Case Number

6 June, 2018
03
17/4203

SITE INFORMATION

RECEIVED	29 September, 2017
WARD	Stonebridge
PLANNING AREA	Brent Connects Harlesden
LOCATION	Land rear of 25 to 30, Stonebridge Park, London
PROPOSAL	Development to provide 2 x 2 bedroom houses and 3 x 3 bedroom houses, with car parking, cycle storage, refuse storage, amenity space and landscaping
PLAN NO'S	See condition 2
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_136510</p> <p><u>When viewing this as an Hard Copy .</u></p> <p>Please use the following steps</p> <ol style="list-style-type: none"> 1. Please go to pa.brent.gov.uk 2. Select Planning and conduct a search tying "17/4203" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab

RECOMMENDATIONS

RECOMMENDATION Resolve to grant planning permission subject to conditions.

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. Standard 3 year permission
2. Approved plan numbers / documents
3. Car parking/cycle storage
4. Ecology measures
5. Restriction of PD rights on change of use from C3 to C4
6. Obscure glazed windows
7. Restriction of PD rights for extensions and alterations
8. Accessibility
9. Further details of the roof terraces
10. Details of materials
11. Landscaping
12. Tree protection
13. Refuse storage
14. Water usage


Informatives

1. CIL Liable
2. Sprinkler systems
3. Party Wall Act
4. Notify highways before works commence
5. Fire safety
7. London Living Wage

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.

SITE MAP

	<p>Planning Committee Map</p> <p>Site address: Land rear of 25 to 30, Stonebridge Park, London</p> <p>© Crown copyright and database rights 2011 Ordnance Survey 100025260</p>
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This map is indicative only.

PROPOSAL IN DETAIL

The application proposes the erection of five houses, 2 x 2 beds and 3 x 3 beds in the north and south sides of the Orchard on areas of existing hardstanding. The units in the south would consist of a three, three storey terraced properties each with a private rear garden and a number of roof terraces. The two units in the north would consist of two semi-detached two storey properties with private gardens and roof terraces. The application also proposes car parking, cycle storage, refuse storage, amenity space and landscaping for each unit.

EXISTING

The application site concerns an area known as the Orchard that is located between Gloucester Close and a number of properties in Stonebridge Park and Beech Way. The site is a Site of Nature Conservation Importance (Grade II), and is Flood Risk Zone 1 (low risk of flooding). The Orchard consists of a green area and two areas of hard standing found to the north and south of the site. There are a large number of mature trees located in various parts of the site. Access to the site is via the north, south-east and south-west. The north and south-east consist of vehicular access points that are currently blocked by barriers. The entrance on the south-west of the site is a narrow pedestrian access way accessed via Gloucester Close. There are a variety of buildings on the edge of the site boundary that include two storey terraced properties on Beech Way to the north; two storey Victorian properties on Stonebridge Park to the east and an L shaped three storey block on flats on Gloucester Close. The south of the site consists of a boundary wall with a row of single storey garages on the other side flanked by two semi-detached properties. The site is not located within a conservation area and does not contain any listed buildings.

SUMMARY OF KEY ISSUES

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

Principle: There is no objection in principle to the erection of five units on the areas of hardstanding within the site. The proposal would introduce five affordable units to the boroughs housing stock, three of which would be family sized units. The subject site is within a designated Grade II Site of Importance to Nature Conservation (SINC). However, the houses and associated accesses are situated on areas currently covered by hardstanding and ecological justification and mitigation measures for existing wildlife in the area are proposed. The area does not have an open space designation. The principle of development is therefore considered to be acceptable.

Representations received: Four objections have been received from local residents as well as a 29 signature petition. The objections are based on the number of affordable units; parking, impact on greenspace, wildlife and trees; neighbouring amenity; and character and design. The content of the objections has been assessed and it has been found that all of the units would be affordable; mitigation measures and improvements are proposed to the green space; there would be material harm to existing parking conditions, the amenity of neighbouring residents or the character and design of the area.

Layout, scale, design and appearance: The proposal is considered to have a high quality design that has regard to the character of its surroundings and to not inappropriately challenge or dominate surrounding development. It will result in additional natural surveillance of the accesses to the vegetated areas within the site.

Standard of accommodation: The proposal would provide a good standard of accommodation for prospective residents, meeting or exceeding relevant standards.

Impact on Neighbouring Amenity: The development has been assessed against overlooking, loss of light and sense of enclosure on all neighbouring properties. It has been found that the relationship between the proposed development and all surrounding properties is considered to be acceptable, according with relevant standards.

Parking: It is considered that the amount of parking proposed is in acceptable and at a level that is sufficient

to address potential overspill parking in the area.

RELEVANT SITE HISTORY

93/0657 – REF

Use of site for Stonebridge Community Nursery

CONSULTATIONS

Neighbour consultation letters were sent to 161 neighbouring properties on the 12/10/2017. Neighbours were re-consulted on the 15/02/2018 due to the submission of revised plans. To date seven objections have been received from five properties and a 29 signature petition have been received. The objections have raised the following concerns:

Objections	Response
How many units will be affordable	All of the units are proposed to be affordable. Please see paragraph 1 of report
Pressure on Parking	Please see paragraph 17 of the report
Impact on greenspace, wildlife and trees	Please see paragraph 2 and 21 of the report regarding greenspace and wildlife. Following amendments no trees are now proposed to be removed as part of the application
Overlooking and impact on privacy	Please see paragraph 9 of the report
There was a written promise from the Council between 2000 and 2002 not to develop the land	This planning application must be considered having regard to the merit of the proposal and planning policy and guidance. We are not aware of any written promise not to develop the land. However, if any such promise does exist, this cannot affect the outcome of a planning application which must be considered against adopted policies and guidance.
Disturbance during construction	This is not a planning consideration as noise disturbance from construction works is covered under environmental legislation
The houses would increase crime in the area	The new houses would provide more natural surveillance to the open space. Guidance suggests that this has the potential result in a reduction in levels of crime.
The proposal would remove the tarmac paths which are used by walkers and by children to play.	This is assumed to be the hardstanding areas to the north and south of the site. The proposal would involve the construction of dwellings on parts of the areas occupied by existing hardstandings. The merit of this has been discussed in this report. The hard standings are not designated as open space.
The new buildings would be an eyesore	Please see paragraphs 14 and 15 of the report
New residents would not appreciate the green space	This is not a planning consideration.

The developer is only interested in making money	This is not a material planning consideration for this application. However, it is noted that the applicant is the Council and the proposal is for Affordable Housing.
Loud parties; rowdy anti-social behaviour would disrupt/disturb the peace in the area	Noise and disturbance are covered under environmental legislation. Notwithstanding that, the proposal would introduce residential units into a residential area, and so are considered compatible.
Excess rubbish and unwanted appliances would be dumped on the green	Sufficient refuse storage is proposed as part of the application
Reduction in sunlight	Please see paragraph 11 of the report
The green is currently used as a shortcut and people would have longer distances to walk	Access through the green would be maintained as existing. The pedestrian entrance on the south-west of the site would also be increased in width to give better access
Loss of picturesque / scenic view which changes through out the tea,	Please see paragraph 25 of the report

POLICY CONSIDERATIONS

Development Plan:

London Plan consolidated with alterations since 2011 (March 2016)

Development Management Policies, London Borough of Brent (2016)

London Borough of Brent LDF Core Strategy 2010

Other material planning considerations:

NPPF (2012)

Supplementary Planning Guidance 17 'Design Guide for New Development' (2002)

Mayor's Housing SPG

SPD1 – Brent Design Guide (Draft)

Waste planning guide

DETAILED CONSIDERATIONS

Amendments since submission

A number of minor amendments have been made the proposal since it was originally submitted. These amendments have been based on officer feedback and include the following:

- North block re-positioned to make better use of space and footpath amended to provide better access
- Additional soft landscaping added to entrances to improve appearance
- Roof design of south block amended to improve appearance
- South-western footpath widened to provide better pedestrian access to the open space
- Additional Velux windows added to House 1 of the southern houses
- Amendments to materials proposed to both blocks in terms of windows, terraces and cladding to improve appearance
- Trees that were proposed to be removed would now be retained
- Relocation of cycle/refuse storage to provide better access

Neighbours were re-consulted on the amendments and given the opportunity to provide further comments.

Principle

1. A total of five homes are proposed in two separate locations within the site consisting of two 2 bed 4 person units on the northern side of the site and three 3 bed 5 person units on the southern side of the site. The Council's Core strategy 2010 policy CP21 seeks to safeguard and promote housing in line with the Boroughs identified need of which family sized accommodation is the identified housing type in the Borough. In terms of the proposed mix, London Plan policy 3.8 Housing Choice, sets out that new developments should offer a range of housing types across the private, social and intermediate sector whilst the Council's Core Strategy, objective 7 and policy CP2 sets out that 25% of units in schemes capable of providing 10 or more units, should be family sized (3 bedroom) units and that 50% are affordable. The proposal to include all units as affordable exceeds the target of 50% affordable housing as per policy CP2 and the inclusion of three family sized units is also welcomed and exceeds the 25% outlined in policy.

2. The application site is located within an area of open space that consists of a Site of Importance for Nature Conservation (SINC) and as such London Plan policy 7.19 is relevant. Policy 7.19 states that SINC should be given a level of protection commensurate with their importance, and that adverse impacts on biodiversity interest should be avoided. The Brent SINC Study (2014) identified that The Old Orchard has ecological benefits as a wildlife corridor for mobile species, including the House Sparrow. The study recommended the areas of hard standing forming the application site be removed from the SINC boundary, indicating they do not support the function of the SINC. The hardstanding areas are the areas that are proposed to be developed within the site. The study recommends the creation of an area of naturalised grassland and consideration of a community garden project.

3. The application is accompanied by a Preliminary Ecological Appraisal, which identifies the potential for detrimental impacts to the SINC during construction and sets out a series of mitigation measures required to ensure compliance with wildlife legislation and policy. The proposal would result in the loss of a small area of open space to accommodate a private garden for one of the residential units in the northern part of the site. However this would be offset by the creation of green space in the south of the site in an area that is currently hardstanding. A number of objectors have raised concerns about the loss of the hardstanding area. Whilst it is acknowledged that the hardstanding areas would be lost as a result of the development the applicant has provided ecological justification for the proposal as well as mitigation measures in an Enhancement and Management Plan where they have proposed retaining the majority of the existing orchard area, the creation of a hedgerow, a habitat for invertebrates and a habitat for bats and birds. Therefore on balance, and in light of the recommendations of the Brent SINC Study (2014) and mitigation measures and additional wildlife features proposed that are in line with the recommendations of the Study and Preliminary Risk Assessment that would be secured by condition, the loss of the hard standing area and small portion of open space is considered acceptable.

4. The principle of development is therefore considered to be acceptable.

Standard of accommodation

5. All residential units proposed comply with DMP18 and are consistent with London Plan Policy 3.5 Table 3.3 in terms of internal space standards. The bedrooms and living areas also all comply with minimum internal size standards and are well laid out with sufficient widths and depths. Sufficient storage would also be provided for residents.

6. With regard to private amenity space DMP19 requires all dwellings to have external private amenity space of a sufficient size and type to satisfy its proposed residents' needs. This is normally expected to be 20sqm per flat and 50sqm for family housing (including ground floor flats). The 3B units in the south of the site would all have private gardens exceeding 50 sqm. The three units would also have access to a 5sqm terrace at first floor level whilst two of the units would also have 17 sqm terraces at second floor level. The 2B units in the north of the site would benefit from generous private gardens that exceed the 20sqm target as well as 4 sqm terraces at first floor level.

7. All units would be well served by windows with good outlook and access to natural light. The three units in the southern part of the site would have their primary living areas facing in a southerly direction to achieve maximum sunlight.

8. Overall it is considered that the proposal would result in a good standard of accommodation for prospective

residents.

Impact on neighbouring amenity

9. Residential properties are located to the north, east and west of the site on Beech Way, Stonebridge Park and Gloucester Close. The applicant has provided a block plan showing the distances between habitable room windows in the existing residential properties and the proposed dwellings. Most of the habitable windows that are directly facing maintain an acceptable distance of at least 20 metres thus complying with the guidance in SPG17. Some windows at first floor level on the eastern and western sides of the 2B block in the north of the site could slightly overlook the properties and their rear amenity space to the east and west of the site. In addition to this some windows are also proposed in the southern block on the eastern and western sides of the building that could also potentially result in overlooking to neighbouring properties. A condition is therefore recommended that would require these particular windows at first and second floor levels to be obscure glazed to avoid any potential overlooking and to maintain acceptable levels of privacy.

10. Terraces are proposed at first floor level on the front elevation for both of the units on the northern part of the site. Both of the terraces have the potential to result in overlooking to the east and west of the site. Terraces are also proposed at first and second floor level in the units in the south of the site. The terraces on the eastern side of the site also have the potential to result in overlooking to the east. Therefore a condition is recommended requiring further details of obscure glazing to prevent overlooking. The intention of this is to ensure that

11. The applicant has provided sectioned drawings showing the relationship between the units in the north and south of the site and the existing residential properties. These drawings have included the 30 and 45 degree lines taken from habitable room windows and amenity space respectively. Although there would be an increase in mass from what is currently experienced, all of the proposed buildings would be within the 30 and 45 degree lines as per SPG17, and draft SPD1.

12. Consideration has also been given to any potential loss of light that existing residents may face. However due to the separation distances that would be maintained between the proposed and existing buildings it is considered that there would be no material loss of light.

13. Consideration has also been given to the fact that the existing open space is used by local residents. However the vast majority of the area with the exception of the hardstanding would be retained as existing. A small section of the north-western part of the site would be lost however this would be offset by additional open space in the south-western corner of the site. In addition to this the entrances to the open space would be improved with the pedestrian entrance in the south-west of the site widened. The applicant has also proposed a number of additional ecological benefits such as hedgerows and habitats for invertebrates, bats and birds which would contribute to wildlife in the area.

14. A number of objectors have also raised concerns with security and the potential for crime. However the proposed units would provide more natural surveillance to the area and the various entry points to the open space. During the site visit carried out by officers it was noted that there was evidence of some rubbish dumping in the area of open space and in particular the hardstanding. However the siting of residential properties within the site may discourage this activity. Residents have also raised concerns with potential noise and disturbance from future residents. However it is unlikely that future residents would create excessive noise, over and above the noise common to any residential unit. The proposal is for the introduction of residential units into a predominantly residential area and it is therefore considered that the uses are compatible and would not lead to increased disturbance.

15. A number of residents have also raised concerns with the loss of the hardstanding areas as they have stated that these areas are used for picnics and BBQs. It should be noted that the application site does not contain designated open space. Nevertheless, Picnics and BBQs could still take place in the grassed areas of the site which is commonly seen in parks and areas of open space throughout London. Measures could also be taken by residents to ensure that the grassed areas are not affected by BBQs or additional activity by using stones under grills or by using BBQs on stands. As discussed in paragraph 3 of the report it is acknowledged that there would be a loss of the existing hardstanding areas however a number of mitigation measures are proposed as well as additional wildlife features which should benefit the area of open space and in turn local residents.

16. A number of objectors have raised concerns with potential noise disturbance from construction works. Although this is covered under environmental legislation consideration has been given to the site context and

any likely impact on neighbours. Due to the relatively minor scale of development proposed it is not considered that measures such as a Construction Management Plan would be necessary in this case.

Character and Design

17. The character of the area in terms of the existing residential properties is quite varied in nature. The properties include two storey terraced properties on Beech Way to the north; two storey Victorian properties on Stonebridge Park to the east and an L shaped three storey block on flats on Gloucester Close. The south of the site consists of a boundary wall with a row of single storey garages on the other side is flanked by two semi-detached properties.

18. The three units in the south of the site would consist of a three storey contemporary terrace. The buildings would be broken up well by the use of two contrasting materials, projecting elements at the front and the fact that the second floor would project upwards, leaving a gap between each building. The use of green roofs would fit in well with the existing character of the open space. The two units in the north of the site would consist of a more rectangular block. However the front would project slightly to give a good sense of legibility to the front. The choice of materials would again be two contrasting materials including a dark tile and light brickwork. Green roofs are also proposed which is again considered to be positive in terms of the existing character of the open space.

19. The scale of the proposed buildings at two/three storeys and the mass which is broken up by utilising varying roof heights is considered to fit in well with the surrounding area and its existing character. Overall it is considered that the buildings are well designed and would not materially harm the character and appearance of the area. Further details of materials, boundary treatments and landscaping would be secured by condition to ensure a satisfactory finish to each building and the site.

20. The proposal would also provide more natural surveillance in the area and improve the existing access to the open space which is considered to be a benefit to the area. Objections note that people can now walk and play in the area, but it is not considered that this proposal would prejudice this as most of the space would remain unbuilt on.

Parking, Access and Refuse

Parking

21. As the site does not have good access to public transport services, the higher residential parking allowance set out in Appendix 1 of the adopted DMP applies. Up to one space per 2-bed house and 1.5 spaces per 3-bed house is therefore permitted, giving a total allowance of 6.5 spaces. The proposed provision of five spaces in total therefore does not exceed the maximum standards. Provision is also close enough to the maximum allowance to minimise any concerns regarding overspill parking in this heavily parked street, particularly as the houses are for social rented accommodation and would tend to therefore have lower levels of car ownership. Therefore the level of parking provided is considered to be acceptable and also sufficient to address the potential risk of overspill parking in the area. All five houses are shown with secure bicycle storage for two bikes, in accordance with London Plan standards.

Access

22. Access to the site is proposed to be via the existing single-width driveways, which do not provide sufficient width for cars to pass one another. With only two and three houses proposed on each site respectively, the volume of vehicle and pedestrian movement likely along the driveways is low enough for this to be considered acceptable. Both driveways are shown repaved in block paving to provide a suitable shared surface and provide adequate space for cars to turn on site. Revised plans have been submitted that has reduced the size of the hardstanding area for the southern car park to retain additional soft landscaping and a demarcated pedestrian footpath to the new houses. This reduces the available space for cars to turn, but a 6m aisle width is still provided and tracking diagrams have been submitted to demonstrate that cars can still turn within the site and leave in a forward gear. Therefore access to the site is considered to be acceptable from a pedestrian and vehicle safety perspective.

Refuse

23. For the northern site, a bin store is proposed within 20m of Stonebridge Park, thus complying with maximum wheeling distances for staff. Bin stores are also proposed for the southern site within 20m of the highway boundary, at the point where the driveway widens into the site. A plan has been submitted which

shows that at least a 3 metre gap would be maintained in both locations to allow vehicles to pass. The applicant has also submitted a waste management strategy that takes into account the distances between the houses and road. The siting of the bin stores are therefore considered to be acceptable as they are within sufficient distances of the residential units and the road from where refuse collection will take place. In addition to this the applicant has provided information on the number and type of bins provided which accords with Brent Waste Planning Guidance. However a condition is recommended that further details of the stores are submitted to ensure that stores are acceptable in design terms.

Fire safety

24. The residential properties are located more than 45 metres from the main road. Therefore a sprinkler system is proposed for the houses to address the poor access by fire appliances. An informative is therefore recommended to remind the applicant that the sprinkler system should comply with Building Control regulations concerning fire safety.

Environment and Trees

25. Originally the applicant proposed the removal of two trees within the site. However revised plans have been submitted and all trees within the site are now proposed to be retained. The Council's Tree Officer has assessed the proposal and is satisfied with the information submitted. Conditions securing a tree protection plan, arboricultural method statement and the Landscape Ecological and Management Plan are however recommended to protect the existing trees and wildlife. Concerns have been raised about the loss of the view, which changes throughout the years. Now that no trees are proposed to be removed this is considered to be maintained, and even though there would be some buildings inserted into this the overall green area would be maintained. It is considered that the existing outlook from nearby properties across this green space would remain.

Conclusion

26. Overall the proposal would result in the addition of five affordable units to the boroughs housing stock, three of which would be family sized units. The units would all be of a high standard of accommodation, are well designed and would not materially harm the amenity of neighbouring residents. Although the hardstanding areas would be lost the majority of the open space would be retained which is a valuable area of open space used by local people. The proposal would also include improvements to the access to the open space and incorporate additional wildlife features. The units would also provide increased natural surveillance to the open space and area. Taking these benefits into consideration the application is recommended for approval.

CIL DETAILS

This application is liable to pay **£167,247.29*** 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): 509 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	509		509	£200.00	£35.15	£142,247.32	£24,999.97

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)	313	
Total chargeable amount	£142,247.32	£24,999.97

*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: 17/4203

I refer to your application dated **29/09/2017** proposing the following:

Development to provide 2 x 2 bedroom houses and 3 x 3 bedroom houses, with car parking, cycle storage, refuse storage, amenity space and landscaping

and accompanied by plans or documents listed here:
See condition 2

at **Land rear of 25 to 30, Stonebridge Park, 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: 25/05/2018

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:-

Development Management Policies (2016)
Core Strategy (2010)

- 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):

2604_OS

2604_PA100 REV C

2604_PA101 REV B

2604_PA102 REV B

2604_PA103 REV B

2604_PA104 REV B

2604_PA105 REV B

2604_PA106 REV B

2604_PA107 REV B

2604_PA108 REV B

2604_PA200 REV A

2604_PA201 REV B

2604_PA202 REV B

2604_PA203 REV B

2604_PA204 REV A

2604_PA205 REV A

2604_PA206 REV A

2604_PA207 REV A

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

- 3 Prior to the occupation of the approved development the following shall be provided:-

- car parking spaces as shown on the approved plans (constructed and marked out)
- cycle storage for the new flats as shown on the approved plans
- amenity space laid out as shown on the approved plans.

They shall be made available to the residents of the approved units and maintained as such thereafter.

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

- 4 The ecology measures proposed within the site shall be carried out fully in accordance with the Outline Biodiversity Enhancement and Management Plan RT-MME-126379-02 (dated February 2018) and the Construction Ecological Management Plan RT-MME-126379-01 (dated January & February 2018) unless otherwise agreed in writing by the Local Planning Authority.

Reason: To comply with the requirements of London Plan policy 7.19

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

Reason: To ensure that an adequate standard of accommodation is maintained in all of the residential units

- 6 Notwithstanding the approved plans, the windows at first floor level on the eastern and western side of the second bedrooms in the north of site, and the window facing east at first floor level serving the main bedroom and the window at second floor level serving the bedroom of the eastern most unit in the south of site shall be obscure glazed and shall remain as such for the lifetime of the development.

Reason: In the interest of neighbouring amenity

- 7 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, C, D & E of Part 1 Schedule 2 of the Town & Country Planning (General Permitted Development) Order 1995, 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: 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.

- 8 Not less than 10% of residential units shall be constructed to wheelchair accessible requirements (Building Regulations M4(3)) or shall 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 3.8.

- 9 Notwithstanding the hereby approved plans, prior to the occupation of the development further details of the roof terraces, including physical measures and/or planting, to ensure that potential overlooking of neighbouring properties is minimised shall be submitted to and approved in writing by the Local Planning Authority. Once approved the details must be fully implemented and permanently maintained.

Reason: To ensure that the proposed development does not prejudice the amenity of neighbouring residents

- 10 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.

- 11 Further details of the landscaping scheme shall be submitted to and approved in writing within 3 months of commencement of development.

Such scheme shall include:

- a) Walls and fences
- b) Planting - species, height and density
- c) Hard surfacing materials

The works shall be completed in full accordance with the approved details prior to occupation of the development.

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.

- 12 Prior to the commencement of development further details of a tree protection plan and arboricultural method statement shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full and maintained throughout the construction period.

Reason: To minimise the impacts of the development on existing trees.

- 13 Prior to the occupation of the development further details of the refuse storage proposed including heights, widths, dimensions and materials shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full prior to occupation of the units.

Reason: To ensure a satisfactory standard of appearance

- 14 Prior to first occupation of the Residential Development ('the Development') confirmation from the Building Control body to demonstrate that the relevant building has been designed so that mains water consumption should 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 (as amended) shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to protect and conserve water supplies and resources in order to secure London's needs in a sustainable manner.

INFORMATIVES

- 1 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at www.brent.gov.uk/CIL.

- 2 The applicant is advised that the proposed sprinkler system must comply with BS 9991:2015 50.1.2 of the Building Regulations.
- 3 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
- 4 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, and include photographs showing the condition of highway along the site boundaries.
- 5 The Council recommends that the maximum standards for fire safety are achieved within the development.
- 6 Brent Council supports the payment of the London Living Wage to all employees within the Borough. The developer, constructor and end occupiers of the building are strongly encouraged to pay the London Living Wage to all employees associated with the construction and end use of development.

Any person wishing to inspect the above papers should contact Barry Henn, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5232

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