



Planning Committee

Wednesday 15 August 2018 at 6.00 pm

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

Membership:

Members

Councillors:

Denselow (Chair)
Johnson (Vice-Chair)
Elliot
Colacicco
Hylton
Lo
Maurice
Sangani

Substitute Members

Councillors:

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

Councillors

Colwill and Kansagra

For further information contact: Joe Kwateng, Governance Officer
0208 937 1354; joe.kwateng@brent.gov.uk

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

democracy.brent.gov.uk

The press and public are welcome to attend this meeting

Members' briefing will take place at 5.00pm in Boardrooms 7 and 8

Please note this meeting will be recorded/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 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 (To follow)	
APPLICATIONS FOR DECISION		
3.	Transputec House, 19 Heather Park Drive, Wembley, HA0 1SS (Ref. 18/0284)	Alperton 5 - 32
4.	All Units at Afrex House, Beresford Avenue, Wembley, HA0 1NX (Ref.18/0752)	Alperton 33 - 68
5.	1-7, 9, 11 & 11A Elm Road, Wembley, HA9 7JA (Ref. 18/1592)	Wembley Central 69 - 96
6.	Olympic Way and land between Fulton Road and South Way incl. Green Car Park, Wembley Retail Park, 1-11 Rutherford Way, 20-28 Fulton Road, Land south of Fulton Road opp. Stadium Retail Park, land opp. Wembley Hilton, land opp. London Design Outlet (Ref. 18/2214)	Tokington 97 - 128
7.	1A Dyne Road, London, NW6 7XG (Ref. 17/2068)	Kilburn 129-148
8.	Thanet Lodge, Mapesbury Road, London, NW2 4JA (Ref. 18/0236)	Brondesbury Park 149-162
9.	74 Park Parade, London, NW10 4JB (Ref.18/1636)	Kensal Green 163-176

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 12 September 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.

This page is intentionally left blank

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).

This page is intentionally left blank

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

15 August, 2018
03
18/0284

SITE INFORMATION

RECEIVED	22 January, 2018
WARD	Alperton
PLANNING AREA	Brent Connects Wembley
LOCATION	Transputec House, 19 Heather Park Drive, Wembley, HA0 1SS
PROPOSAL	Demolition of office building and erection of 2 five storey residential blocks comprising 36 self-contained flats with provision for cycle and refuse storage (14 x 1 bed, 14 x 2 bed and 8 x 3 bed), lower ground floor car parking, associated amenity space, landscaping and installation of new vehicular access
PLAN NO'S	Please see Condition 2.
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_138226</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 "18/0284" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab

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:

1. Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance
2. Notification of material start 28 days prior to commencement
3. Affordable Housing – A minimum 50% affordable housing, comprising the following mix: 13 Social or Affordable Rent Units at rents of no more than 80% market rents for 1bed and 2bed units and no more than 60% of market rents for 3bed units (inclusive of any service charge) and capped at Local Housing Allowance rates; and 5 Shared Ownership Units. Provision to be made for a minimum 125 year leasehold disposal of the affordable housing to a Registered Provider, and for Brent Council to have 100% nomination rights
4. Training and employment of Brent residents - Prior to a material start to inform in writing Brent Works of the projected amount of construction jobs, training opportunities and provide a copy of the Schedule of Works. And, prior to a Material Start to prepare and submit for the Council's approval an Employment Training Plan for the provision of training, skills and employment initiatives for residents of the Borough relating to the construction phase of the Development and in relation to the operational phase of the Development
5. Carbon offsetting - Contribution of £44,478 towards a local carbon off-setting scheme to achieve a zero carbon development based on the carbon reduction measures set out in the Energy & Sustainability Statement by Energy Rating Services.com Ltd, 10/4/18). Submission of Energy Assessment Review identifying actual carbon reduction achieved and any additional contribution towards carbon off-setting

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:

Conditions:

1. Three year planning rule
2. Approved plans
3. Materials samples
4. Landscaping scheme
5. Construction Environmental Management Plan
6. Inclusive design
7. Connection to future district heating network
8. Contaminated land risk assessment, remediation scheme and verification
9. Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan
10. Communal TV and satellite system
11. Details of car park including electric vehicle charging points
12. Revised air quality assessment
13. Sustainable drainage scheme
14. Third floor obscured balustrade screening
15. Further details of cycle storage
16. Restricted outlook of specified windows
17. Noise and vibration mitigation measures
18. Provision and retention of parking and bin storage
19. Restrict permitted development rights for conversion to C4

Informatives:

1. Network Rail miscellaneous informatives


2. Network Rail informative re scaffolding
3. Network Rail informative re drainage
4. Network Rail informative re high voltage lines
5. Network Rail informative re tower cranes
6. Network Rail informative re demolition
7. Network Rail informative re Basic Asset Protection Agreement
8. Network Rail informative re Risk Assessment Method Statement
9. Network Rail informative re vibro-compaction and piling
10. CIL liability
11. Asbestos removal
12. Notify highways prior to commencement
13. Vehicle crossover works
14. London Living Wage
15. Fire Safety
16. Legal protection for birds and their nests.

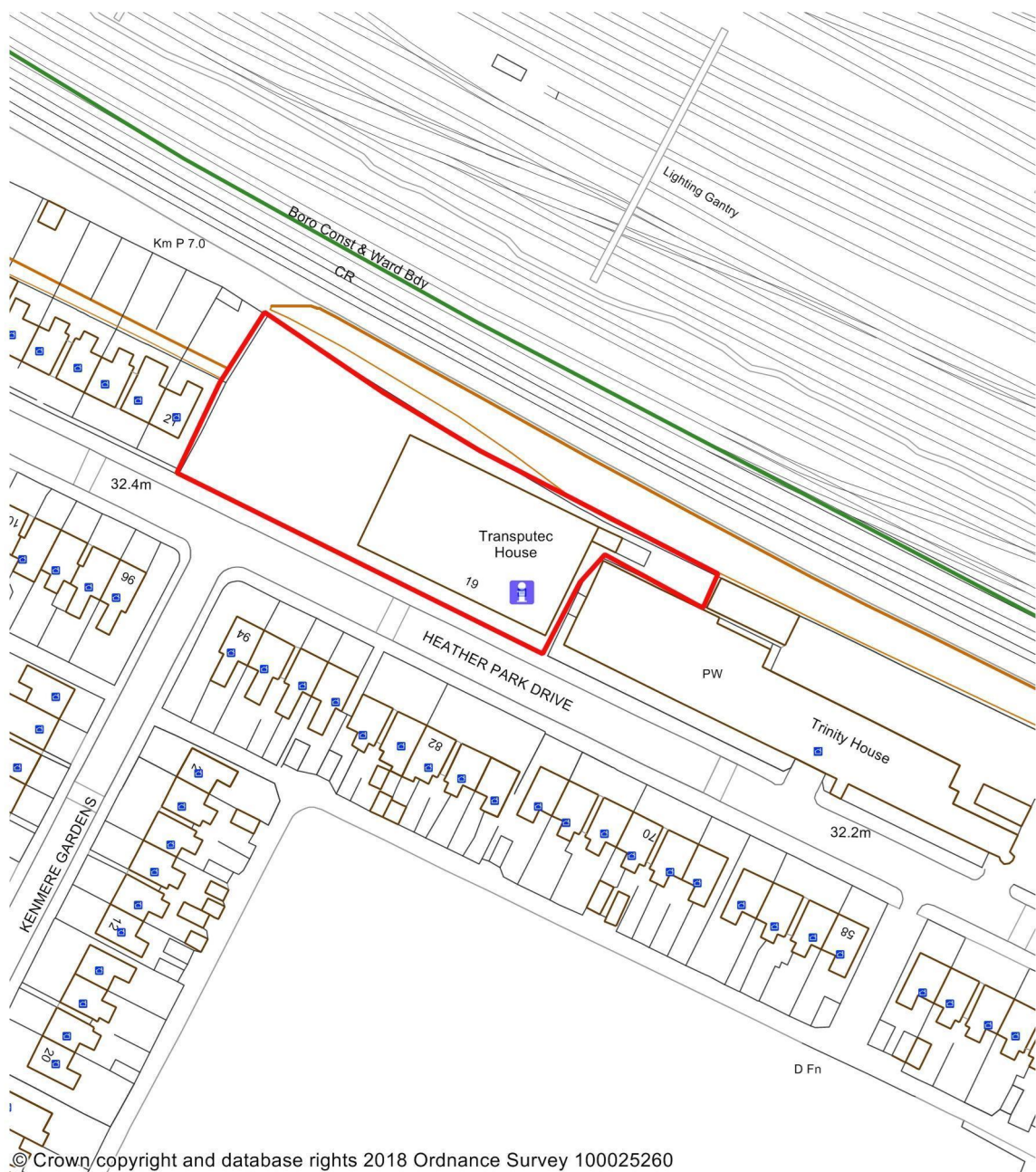
That the Head of Planning is delegated authority to make changes to the wording of the committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied 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

	<p>Planning Committee Map</p> <p>Site address: Transputec House, 19 Heather Park Drive, Wembley, HA0 1SS</p> <p>© Crown copyright and database rights 2011 Ordnance Survey 100025260</p>
---	---



This map is indicative only.

PROPOSAL IN DETAIL

The proposal is to demolish the existing building and construct two five-storey buildings comprising 36 flats (14 x 1bed, 14 x 2bed and 8 x 3bed units), on either side of a central raised terrace amenity space above a basement parking area.

EXISTING

The existing site consists of a two-storey building, currently in B1 office use but originally constructed as a light industrial unit, which extends across just over half of the site frontage and the full depth of the site, together with a hard surfaced area providing off-street parking for the building.

The site is located on the northeastern side of Heather Park Drive. The surrounding area has a mixed character and the site is at a transition point between the similarly large scale industrial and office buildings to the southeast and the traditional residential areas to the south, west and north. The site is bounded to the rear by railway lines, beyond which are further industrial units and Wembley Brook. The site is not in a conservation area and does not contain any listed buildings.

AMENDMENTS SINCE SUBMISSION

Revised plans were received on 10 April 2018 to address officer concerns relating to design and the layout of the basement parking area, and neighbouring residents were reconsulted. Further revisions were received on 22 June 2018 and 23 July 2018, however these were minor in nature and did not materially affect the proposal, consequently further reconsultation was not necessary.

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:

Representations received: A total of 248 neighbouring properties were consulted. Two objections were received raising concerns regarding the design and scale of the building, impact on neighbouring amenity and parking pressures.

Principle of development: The site is currently in employment use, however it is not a designated employment site and the submission has demonstrated that the re-use or redevelopment of the site for employment purposes would not be viable. The proposed residential redevelopment would be appropriate to the character of the area and would facilitate the relocation and growth of a business that offers high quality jobs in a growth sector and intends to relocate within the Borough. To be fully compliant with Policy DMP14 the proposal would need to reprovide employment floorspace on site, preferably as managed affordable workspace. However, the proposal does include 50% on-site affordable housing and your officers consider this to be a very significant benefit in planning terms that should carry considerable weight in the determination of the application. A requirement to provide employment floorspace would detract from the viability of the scheme and potentially reduce the amount of affordable housing provided. On balance therefore officers support the loss of employment floorspace and residential redevelopment of this site.

Affordable housing provision and housing mix: A total of 18 affordable units are proposed, including 13 for social / affordable rent and five for intermediate housing. This represents 50% of the development and a tenure mix of 72:28, and is fully compliant with Policy DMP15. The housing mix includes 22% family-sized 3bed units, half of which would be on the ground floor with direct access to private amenity space.

Design: The proposal is considered to be of a good standard of design, providing a successful relationship with the traditional two-storey housing in the surrounding area whilst making good use of the railway line setting to develop to a greater height towards the centre of the site. The arrangement of the two blocks around the central podium space would create a legible layout and the combination of recessed and projecting elements would provide a vertical emphasis and break up the mass and bulk of the buildings.

Relationship with neighbouring properties: The proposal would have an acceptable impact on neighbouring properties in terms of light and outlook and would not lead to any overlooking or loss of privacy

to neighbours, in accordance with standards set out in SPG17 and draft SPD1.

Residential living standards: The development would provide a good standard of accommodation for future residents. All but two of the units would comply with minimum floorspace standards and a combination of private and communal amenity space would be provided in excess of the required standard. All but six of the units would be dual aspect, and the single aspect units would all be south-facing with partially recessed balconies to maximise light received while minimising overheating.

Environment and sustainability: The application has demonstrated that regulated carbon emissions would be reduced by 38% compared to the 2013 Building Regulations baseline, including 35% by the use of PV panels. A carbon offset payment of £44,478 is required to compensate for the shortfall against the London Plan zero carbon target. Measures to mitigate and adapt to climate change are proposed, including green roofs, rainwater harvesting and sustainable drainage measures. Future connection to a nearby district heating network can be secured by condition. Noise and vibration, air quality and contaminated land impacts have been assessed and can be controlled through conditions.

Trees, landscape and ecology: The impact on trees and ecology in and near the site has been assessed, and no significant trees or habitats have been identified. New trees and landscaping are proposed.

Transportation considerations: Sufficient parking would be available within the site and along the site frontage, and traffic generation is predicted to be minimal.

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)
Assembly and leisure	0		0	0	
Businesses / research and development	0		0	0	
Businesses and light industry	0		0	0	
Businesses and offices	1326		1326	0	0
Drinking establishments (2004)	0		0	0	
Financial and professional services	0		0	0	
General industrial	0		0	0	
Hot food take away (2004)	0		0	0	
Hotels	0		0	0	
Non-residential institutions	0		0	0	
Residential institutions	0		0	0	
Restaurants and cafes	0		0	0	
Shops	0		0	0	
Storage and distribution	0		0	0	

Monitoring Residential Breakdown

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
EXISTING (Flats û Market)										
EXISTING (Flats û Social Rented)										
EXISTING (Flats û Intermediate)										
PROPOSED (Flats û Market)									18	18
PROPOSED (Flats û Social Rented)									13	13
PROPOSED (Flats û Intermediate)									5	5

RELEVANT SITE HISTORY

Relevant planning history

87/1916: Full Planning Permission sought for modifications of conditions 9 and 10 of planning permission reference: 84/0585 (use of business purposes) - Granted, 09/05/1989.

84/0585: Full Planning Permission sought for demolition of 2 storey office building and erection of 2 storey building for light industrial and ancillary office use, access, car parking area and landscaping - Granted 06/06/1984.

Neighbouring sites

21A Heather Park Drive

06/3524 : Erection of first floor side and part rear extension and external alterations to the rear part of the first floor flat - Withdrawn 17/04/2007.

[Officer note: reference was made to this application to determine the internal layout of this property].

Trinity House

15/5564: Full Planning Permission sought to demolish the existing office building and build in its place a housing scheme consisting of 53 flats of 1, 2, 3 bedrooms and studio flats together with underground car parking for 37 cars and 84 bicycles spaces and offices at ground level and basement - under consideration.

[Officer note: reference was made to this application to determine the relationship with the proposed residential development on this site].

CONSULTATIONS

Public Consultation

A total of 248 neighbouring properties were consulted by letter on 13 February 2018 for a period of more than 21 days and again on 20 April 2018 for a further period of more than 21 days.

A press notice was published on 26 April 2018 and a site notice posted on 27 April 2018.

Two objections were received and are summarised below:

Comment	Officer response
Five storey buildings will block light from properties opposite	See paragraph 20, 'Relationship with neighbouring properties'
Tower blocks will make essentially residential street ugly, redevelopment should take same form as existing housing nearby	See paragraphs 14-17, 'Design, scale and appearance'
Parking provision is inadequate as national statistics suggest a 28% increase in car ownership between 2011 and 2016, with the average number of cars being 1.2 per household.	See paragraph 48, 'Transportation'

Internal/statutory consultees

Network Rail: No objection subject to conditions and informatives

London Underground: No objection

Local Lead Flood Authority: No objection subject to conditions

Environmental Health: No objection subject to conditions

Document Imaged

DocRepF
Ref: 18/0284 Page 3 of 27

POLICY CONSIDERATIONS

National Planning Policy Framework (July 2018)

Paragraph 11 of the NPPF states that planning decisions should apply a presumption in favour of sustainable development, whereby development proposals should be approved that accord with an up-to-date development plan without delay. Paragraph 117 encourages Local Planning Authorities to promote an effective use of land in meeting the needs for homes and other uses, whilst safeguarding and improving the environment and ensuring safe and healthy living conditions. It goes on to require Local Planning Authorities to ensure that developments make optimal use of the potential of each site.

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

London Plan Consolidated with amendments since 2011 (March 2016)

Policy 3.3 - Increasing housing supply
Policy 3.4 - Optimising housing potential
Policy 3.5 - Quality and design of housing developments
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
Policy 3.13 - Affordable housing thresholds
Policy 5.1 - Climate change mitigation
Policy 5.2 - Minimising carbon dioxide emissions
Policy 5.3 - Sustainable design and construction
Policy 5.5 - Decentralised energy networks
Policy 5.6 - Decentralised energy in development proposals
Policy 5.7 - Renewable energy
Policy 5.9 - Overheating and cooling
Policy 5.13 - Sustainable drainage
Policy 5.21 - Contaminated land
Policy 6.9 - Cycling
Policy 6.10 - Walking
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 and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes
Policy 7.19 - Biodiversity and access to nature
Policy 8.2 - Planning obligations
Policy 8.3 - Community infrastructure levy
Policy 8.4 - Monitoring and review

London Borough of Brent Core Strategy 2010

CP 1 - Spatial Development Strategy
CP 2 - Population and Housing Growth
CP 6 - Design & Density in Place Shaping
CP 17 - Protecting and Enhancing the Suburban Character of Brent
CP 18 - Protection and Enhancement of Open Space, Sports and Biodiversity

London Borough of Brent Development Management Policies 2016

DMP 1 Development Management General Policy
DMP 9A Managing Flood Risk
DMP 11 Forming an Access on to a Road
DMP 12 Parking
DMP 13 Movement of Goods and Materials
DMP 14 Employment Sites
DMP 15 Affordable Housing
DMP 18 Dwelling Size and Residential Outbuildings
DMP 19 Residential Amenity Space

The following are also relevant material considerations:

The National Planning Policy Framework 2018
SPG 17 Design Guide for New Development 2002
Basement SPD 2017
Brent Waste Planning Guide 2013
Mayor of London's Housing SPG 2016
Mayor of London's Sustainable Design and Construction SPG 2014

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 is currently undergoing a second period of public consultation and once adopted will supersede SPG17. This document would also carry some weight in the assessment of planning applications, according to its status at the time of the application. The Draft New London Plan has recently been subject to public consultation and would also carry some weight as an emerging document, depending on its status at the time of determining the application.

DETAILED CONSIDERATIONS

Principle of development

1. The NPPF expects the planning system to boost significantly the supply of new homes, and Core Strategy Policy CP2 sets out a target for delivering 22,000 new homes over the 2007-2026 period. 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.
2. The site is currently in B1 office use (permission was granted in 1989 for this change from the original industrial use) and is one of a number of employment sites adjoining the Strategic Industrial Location that extends to the junction of Heather Park Drive and Beresford Avenue to the southeast. Policy DMP14 provides two detailed criteria for the release of local employment sites, that continued wholly employment use is unviable or that significant benefits consistent with wider development plan objectives would be achieved. The site does not have any formal designation as an employment site and consequently the proposal has been assessed against the two DMP14 criteria in the following paragraphs in order to address the loss of the employment floorspace.
3. The application has been supported by a commercial report providing evidence that the applicant has invested in the fabric of the building to make it attractive to other sub-tenants for the parts not occupied by Transputec, and that extensive marketing over a sustained period of four years has resulted in only very limited success in finding sub-tenants. This evidence is reinforced by a commercial analysis related to marketing of the existing premises as a whole and the redevelopment of the site for business or industrial purposes, which reviews the current and projected availability of higher quality office space in more accessible areas of Alpertown and other relevant market signals. Taking account of comparable reports on other sites, officers consider that these conclusions are robust and that the applicant has adequately demonstrated that continued employment use is not viable on this site.
4. It should also be noted that a fallback position exists, whereby the existing building could be converted to residential use without planning permission under the prior approval process, as it is not covered by the Article 4 direction applying to the nearby Strategic Industrial Land. An example of such a conversion

exists at the nearby Mercury House and in general officers consider that these can result in poor developments in terms of the efficient use of land, compliance with residential living standards and the overall quality of individual units and the residential environment provided. It is considered that the proposed development is likely to provide a significantly larger number of dwellings of higher quality than could be achieved through conversion of the existing building, and that this is consistent with development plan objectives.

5. Policy DMP14 also seeks the maximum amount of employment floorspace to be reprovided on site as part of a mixed use development. However in this case the commercial report in any case indicates that office floorspace on this site is unlikely to be attractive to commercial tenants, whilst returning the site to industrial use could have adverse impacts on the residential amenities of neighbours. The proposed residential development is intended to support the relocation and expansion of the business, which is established in the area and provides high quality jobs in a growth sector of the economy, whereas the quality and location of the existing building restricts this growth. Officers' previous discussions with the applicant have indicated that they do wish to relocate within Brent and to retain the existing workforce, although there is no certainty that this will happen as it depends on the availability of an appropriate site.
6. Policy DMP14 could be satisfied by requiring a financial contribution towards the provision of managed affordable workspace in another location, however the proposal provides 50% of the units as affordable housing, which fully complies with Policy DMP15 and is considered to be a significant benefit in terms of achieving the objectives of the development plan. Requiring a contribution to affordable workspace would affect the viability of the scheme and could potentially therefore reduce the quantum of affordable housing provided. Policy DMP14 indicates, in relation to allocated sites, that where there is a requirement to make a choice due to viability, affordable housing provision takes priority, and it is considered that this approach is appropriate in this case.
7. Overall, it is considered that the provision of higher quality employment floorspace either on site or via a financial contribution would not be achievable without compromising other development plan objectives. Consequently, on balance officers consider that the principle of the development should be supported, subject to the provision of 50% affordable housing being secured.

Affordable housing and housing mix

1. 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.
2. The application proposes 14 x 1bed, 14 x 2bed and 8 x 3bed units, the latter representing 22% of the total number of units. This is considered to be an acceptable mix given that four of the 3bed flats would be on the ground floor with direct access to private amenity space, and as the size of the development is relatively small and it also includes a significant number of 2bed units.
3. As noted above, the Planning Statement confirms that the application proposes 50% affordable housing including 13 x affordable rented units (5 x 1bed, 4 x 2bed and 4 x 3bed) and 5 x intermediate shared ownership units (2 x 1bed and 3 x 2bed), representing a tenure mix of 72: 28, which is considered to be acceptable in terms of the requirements of Policy DMP15. The location of the affordable units has been confirmed as being the whole of Block B, which would enable separate management arrangements for the affordable units, and these would include four family-sized units for affordable rent. This is fully compliant with policy and a viability assessment is not required. Affordable housing provision would be secured via an s106 agreement.

Design, scale and appearance

4. 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.
5. The existing building is two stories in height, with a shallow gable roof and maximum overall height of

12.5m, located on the southeast part of the site with the remainder of the site being open for parking. It is not of any architectural merit and there are no objections in design terms to its demolition. The site is at a transition point between other large scale commercial buildings to the southeast and traditional two-storey housing with pitched roofs to the north and west, while to the east a network of railway lines and associated infrastructure rises above the site and forms a backdrop to the street scene.

6. The proposal is for two five-storey flat-roofed buildings, ranging in height from three-storey elements at 9.4m to five-storey elements at 15.7m, flanking a central raised podium area with a height of 1m, and set back from the footway by 6.3m. Street scene drawings have been provided, indicating that the adjacent houses have a maximum height of 10m. The buildings would be set in from the side boundaries by 5m - 7m, with this space landscaped to provide private and communal gardens, and from one another by 20m including the width of the central podium, about which they would be arranged symmetrically. The fourth and fifth stories would be progressively set in from the main bulk of the building on the front and side boundaries of the site, while projecting out further towards the opposing building towards the rear of the site.
7. The greater height of the proposed buildings in comparison to the existing housing is considered appropriate given the setting of the raised railway lines to the rear, and setting back the fourth and fifth stories would considerably reduce the visual impact of the additional height, whereas the lower stories would be of the same overall height as the adjacent properties. The buildings would retain a significant separation distance to the sides and would continue the generous setback from the street established by the adjacent houses, and therefore would not appear oppressive or overbearing in relation to existing housing or to passersby. In terms of overall bulk, the width of the buildings would be significantly less than that of the terraces of houses that characterise the surrounding area, and also less than that of the neighbouring commercial buildings.
8. The elevational treatment features a combination of recessed and projecting elements including two central bays that would establish a strong vertical rhythm and pick up on the repeating bay windows on the adjacent houses. The facades would be mainly of brick with areas of brick detailing to add visual interest, and the alignment and shape of windows would add a further vertical emphasis. Together with the set back fourth and fifth stories, these features would successfully modulate the bulk and mass of the proposal.
9. The residential entrances would be centrally located between the two bays, providing a legible layout and creating a sense of arrival for residents. Cycle storage and bin storage would be conveniently located within the central cores.
10. Overall the proposal is considered to provide a high standard of design that would be appropriate to the character of the area, adding variety and visual interest to the street scene. Although objections have been raised on the basis that the proposal does not follow the existing pattern of residential development in the area (two-storey maisonettes), the NPPF advises that local authorities should not impose particular architectural styles and it is recognised that the character of established residential areas continues to evolve as new developments come forward. Conditions are recommended, to require further details of materials and a landscaping scheme, in order to ensure a high quality development that makes a positive contribution to the character and visual amenity of the area.

Relationship with neighbouring properties

11. Any development will need to maintain adequate levels of light and outlook, privacy and amenity for existing residential properties. To assist in assessing the impact of the proposal upon neighbouring amenity SPG17 seeks developments to comply with the following guidance:
 - Building envelope to be set below a line of 30 degrees from the nearest rear habitable room windows of adjoining existing property, measured from height of 2m above floor level
 - Where a proposed development adjoins private amenity/garden areas then the height of the new development should be set below a line of 45 degrees, measured from height of 2m above neighbouring garden level
 - 20m between directly facing rear habitable room windows
 - 10m from habitable room windows to the boundary with private amenity spaces of adjoining properties
12. The site is bounded to the rear by railway embankments and to the southeast by a building in commercial use. The only residential properties potentially affected by the proposal are those on the northwest

boundary (principally the adjacent property No 21, which is divided into two flats with the upper flat being No 21A) and on the opposite side of Heather Park Drive (Nos 78 to 96). However the potential impact upon future residents at Trinity House to the southeast has also been considered. That site is the subject of a planning application currently under consideration (reference 15/5564), however this development would not feature any side elevation windows or amenity spaces facing onto the application site and consequently the current proposal would not affect the ability of that site to come forward.

13. In terms of light and outlook, ground floor windows at No 21 are already affected by the side boundary hedging to that property. The houses and their gardens sit approximately 1m higher than the ground level on the road and the boundary hedging can be seen to rise correspondingly. Consequently the potential impact on these windows is not considered to be of material significance. The upper flat, No 21A has side windows serving a hallway and a kitchen and the proposed Building A would sit within a 30degree line from these windows. The buildings would also sit within a 30degree line from the front elevations of Nos 78 to 96.
14. Furthermore the applicant has submitted a Daylight Sunlight Report analysing the impact upon these properties. This follows the methodology and recommended standards set out by the Building Research Establishment (BRE), that the Visible Sky Component (VSC) available for existing windows should remain above 27% to give good levels of daylight, and that occupants are likely to notice the loss of daylight if the VSC is both below 27% and less than 0.8 times its previous value. In this case the front elevation windows to Nos 78 to 96 would retain VSCs of above 27% and more than 0.8 times their previous value. Although the two side windows to No 21A would retain a VSC slightly below 0.8 times their previous value, they would still be well above 27% and are considered to comply with the BRE's standards. It is also noted that the hallway is not considered a habitable room and that the kitchen also receives light from an attached utility room with full glazing to both side and rear.
15. In terms of sunlight, the front elevation windows to Nos 78 to 96 face almost directly north and so receive very little sunlight at present and would not be unduly affected by the development, whilst the two side-facing windows at No 21A would continue to receive sunlight levels well above those recommended by the BRE standards and the development would not cause any significant increase in overshadowing to the rear garden.
16. The proposed Building A would be progressively set in from the side boundary and consequently the 2:1 guidance would also be complied with in respect of the rear facing habitable room windows at No 21/21A. The only affected existing window would be a ground floor kitchen window, all other habitable room windows being already affected by the two-storey return on the property. Building A would mostly be within a 45degree line from the shared boundary with No 21/21A and although the fourth storey would cause a slight breach of this line the impact would be minimal given that this storey would be at a distance of 10m from the boundary, and on balance it is considered that this very slight impact upon Nos 21/21A would be acceptable.
17. Privacy distances for existing and proposed residents have also been considered. The northwest side elevation of the proposed Building A would feature side elevation windows to habitable rooms at ground floor level which are not considered to cause concerns about overlooking onto Nos 21/21A due to the existing and proposed boundary screening, whilst upper floor windows on this elevation would be either secondary windows to living rooms or windows to non-habitable rooms, and a condition is recommended that these be obscure glazed and fixed shut below 1.8m above floor level. The front elevations of the buildings would be over 20m distant from the front elevations of Nos 78 to 96, and the rear elevation windows would face onto the railway lines. The inner side elevations of the two buildings would face one another at a distance of 20m, providing adequate levels of privacy, and all balconies and terraces would be either on these internal elevations or on the front and rear elevations.
18. One third floor side facing bedroom window in Building A could cause concerns regarding overlooking onto No21A. To address these concerns, Drawing P10-120 proposes screening the window with a 1.8m high opaque glaze balustrade. The balustrade would be located at a 1.7m distance from the window, across a non-demised and non-accessible area of roof, and it is considered that this would be adequate to prevent overlooking from the window whilst providing an acceptable standard of light and outlook to it. However, the balustrade has not been shown in plan view and consequently further details of its extent are required by condition.
19. All developments are required to comply with standards set out in the Mayor's Housing SPG (including minimum internal space standards based on Technical Housing Standards – Nationally Described Space Standard 2015), and with Brent Policy DMP19, which requires private amenity space of 20sqm per 1bed

or 2bed flat and 50sqm for family housing including ground floor and 3bed or 4bed flats. 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.

20. 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. M4(3) compliant layouts have been shown for four of the units, and further details to demonstrate compliance with the M4(2) standard would be required by condition.
21. The proposed units would all comply with minimum internal space standards other than units A0.2 and B0.2 which, at 85.1sqm would be marginally below the minimum 86sqm required for units of this type. This is not considered to represent a reason for refusal, given that the units are only marginally undersized and the development as a whole provides a good standard of accommodation. Most units would be dual aspect with only six being south-facing single aspect units (17% of the total) and this is welcomed as a feature of high quality design. All units would be grouped around central cores serving three or four flats on each floor, and internal layouts would be well designed to minimise wasted space.
22. All units would be provided with private amenity space, either at ground level for ground floor units or as balconies or terraces for upper floors. In addition, communal amenity space would be provided at ground floor level to the rear and side of each building, and a communal amenity space on a raised terrace between the two. The south-facing balconies would be partially recessed and this would provide shade and help to prevent overheating. The balconies and terraces all comply with London Plan requirements (minimum 1.5m depth and 5sqm area) and in total the scheme would provide 1,025sqm of external amenity space, compared to the minimum 960sqm required to comply with Policy DMP19 for a scheme of this size. It is considered that the combination of private and communal spaces would suitably enhance the living standards of residents. Further details would be required in a landscaping scheme as noted above, and these would need to include details of access onto the raised podium including level access and defensible planting to ensure an adequate level of privacy in ground floor habitable rooms.

Environment and sustainability

23. Major planning applications are required to be supported by a Sustainability Statement in accordance with Policy CP19, demonstrating at the design stage how sustainable design and construction measures will mitigate and adapt to climate change over the lifetime of the development, including limiting water use to 105 litres per person per day. Major residential developments are expected to achieve zero carbon standards in accordance with London Plan Policy 5.2, which requires an Energy Assessment setting out how these standards are to be achieved. Any shortfall in achieving zero carbon emissions would need to be compensated for by a financial contribution to the Council's Carbon Offsetting Fund, based on the notional price per tonne of carbon of £60. London Plan Policy 5.5 requires the prioritising of connection to existing or planned decentralised energy networks where feasible, and the Sustainable Design and Construction SDP also requires major developments located within 500m of an existing decentralised energy network to aim to connect to the network. Brent Policy DMP9B also requires sustainable drainage measures, and Policy DMP1 requires proposals not to unacceptably increase exposure to noise, dust, contamination and other pollutants..

Energy and sustainability

24. The Design & Access Statement includes details of how the development has been designed to take account of these policies, and further detail on its expected performance in terms of carbon reduction targets has been provided in an Energy & Sustainability Statement. The proposal includes rooftop solar photovoltaic panels, high performance insulation materials, green roofs, rainwater harvesting and passive solar design. The inclusion of green roofs, a high proportion of soft landscaping within the site and permeable hard surfaces is considered to provide sustainable drainage in accordance with Policy DMP9B.
25. The Energy & Sustainability Statement identifies that carbon emissions will be reduced by 38% from the Building Regulations 2013 baseline, based on a combination of building efficiency measures and renewable energy, to a total of 21.18 tonnes of carbon per year. Based on the notional price per tonne of £60 over a period of 35 years as required by Policy 5.2, a carbon offsetting contribution of £44,478 in order to achieve a zero carbon development. This sum will be secured by the s106 agreement, together with a requirement for a post-completion assessment to demonstrate that the development has met the predicted targets and securing an additional contribution if it is unable to do so.

26. The Energy & Sustainability Statement finds that there are no decentralised energy networks within 500m, with the nearest being 4.55km distant. Officers accept that this is not a viable option, however it is noted that the forthcoming redevelopment of the Northfields Industrial Estate (currently under consideration, reference 18/0321) will include a large site wide heat network within 500m of this site. Consequently it is considered that a condition should be attached, requiring the development to incorporate the ability to connect to a district wide heat network should one be delivered at some point in the future.

Air quality

27. The application has been supported by an Air Quality Assessment as the site is within an Air Quality Management Area and the proposed residential use is considered to be sensitive in terms of the impact of poor air quality. Officers in Environmental Health have reviewed the assessment. They have queried a number of matters within the report which are set out below:
- There was no building emission calculation undertaken as part of the air quality neutral assessment however each unit will have a gas boiler where there will be emissions of NOx. I would therefore request that an air quality neutral assessment for building emissions is undertaken.
 - The assessment undertaken for operational use and subsequent levels of PM10 and NOx has not been undertaken using specific receptors and dispersion modelling. I would have expected this as part of the air quality assessment.
28. Officers in Environmental Health have advised that the air quality report should therefore be revised to take account of this additional work. It is recommended that a revised air quality assessment is conditioned as part of any forthcoming consent which such details to be submitted to and approved by the LPA prior to any works commencing on site (including demolition of existing buildings).
29. Officers in Environmental Health have also advised that construction has the potential to contribute to background air pollution levels and cause nuisance to neighbours. They have recommended that a condition is secured for a Construction Method Statement shall be submitted to and agreed by the Local Planning Authority outlining measures that will be taken to control dust, noise and other environmental impacts of the development.

Noise and vibration

30. A Noise Assessment and a Vibration Assessment have also been submitted, in view of the site's location adjacent to railway lines and other sites in industrial use. The Noise Assessment concludes that windows will have to remain closed to achieve acceptable noise levels and that alternative ventilation methods will be required, and materials providing adequate noise attenuation are specified. The reports have been reviewed by officers in Environmental Health who have confirmed that they agree with the methodology of these reports and the conclusions. A condition requiring compliance with these measures is therefore recommended.

Contaminated land

31. Due to the previous industrial use of the site, a Phase 1 Contaminated Land Desk Study was carried out, which reviewed existing and historic uses on the site and in the surrounding area, together with other relevant data sources, and concluded that a Phase II Investigation should be carried out, and appropriate remediation measures if necessary. The information has been reviewed by officers in Environmental Health and considered to be acceptable. These matters will be secured by condition.

Trees, landscape and ecology

32. The rear site boundary adjoins a railway embankment which has extensive vegetation and tree growth, is designated as a Wildlife Corridor and as such is protected by London Plan Policy 7.19 and Brent Policy DMP8. To comply with these policies development proposals should seek to avoid, minimise or mitigate any adverse impact on biodiversity. The proposal has been supported by an Arboricultural Survey Report and Ecological Appraisal, which identify no notable trees on or near the site and no habitats of significance on the site, other than possible bird nesting in existing trees.
33. The Council's ecology and tree officers have agreed with these conclusions. However, conditions are recommended, requiring an Arboricultural Impact Assessment, Arboricultural Method Statement and

Tree Protection Plan, together with an informative to advise the applicant to avoid site clearance during the bird nesting season (March to August). As birds and their nests are protected by law, it is not necessary to condition this.

34. The plans indicate new tree planting and areas of communal and private amenity space. A detailed landscaping scheme would be required by condition, including proposed hard surfacing materials, proposed trees and other plant species, and boundary treatments. The retained eastern boundary is a 2.4m palisade railing, which is not considered to be suitable to a domestic residential garden setting. To enhance the quality of amenity space, the landscaping scheme would be required to propose screening to this boundary such as a narrow hedge or climbing plants to grow up trellis screens, using plants of moderate growth habit.
35. There are no objections on these grounds, subject to conditions as detailed above.

Relationship with railway land

36. The site adjoins land owned by Network Rail and they have requested that the development complies with a number of criteria.
37. A minimum 3m gap should be retained between the structures on site and the railway boundary. The plans indicate that this will be achieved, with the minimum distance to the site boundary being 3.7m. A suitable trespass proof fence of a minimum height of 1.8m will be required, to be set back at least 0.5m from the railway boundary to the boundary with the railway land. This will be included in the condition requiring a landscaping scheme.
38. Network Rail would need to review and agree all excavation and earthworks within 10m of the railway boundary, including alterations to ground levels, de-watering works and ground stabilisation works, to determine if the works impact upon the support zone of their land and infrastructure and to determine relative levels in relation to the railway. Methods of construction works on site will also need to be reviewed and agreed by Network Rail to ensure there is no impact on critical railway infrastructure, and no excavation works are to commence without their agreement. These matters can be secured by condition. A method statement would also be required to be submitted to Network Rail for any vibro-compaction or piling works.
39. The developer is also required to submit directly to Network Rail, a Risk Assessment and Method Statement (RAMS) for all works to be undertaken within 10m of the operational railway under Construction (Design and Management) Regulations, in addition to any planning consent. Additional requirements apply in respect of scaffolding, demolition, tower crane usage, drainage measures. Alterations in loading within 15m of the railway boundary would also need to be agreed with Network Rail. A Basic Asset Protection Agreement would also be required. Informatives are recommended to deal with these matters.

Transportation considerations

40. 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. Policy DMP11 provides criteria for new road accesses. Cycle parking standards are set out in the London Plan, with one space required per 1bed unit and two spaces per 2bed or larger unit. Bin storage requirements are set out in the Brent Waste Planning Guide.

Parking provision

41. The existing site has access via a vehicle crossover towards the northwestern side boundary, into a hard surfaced area providing 27 parking spaces. As the site is situated to the northwest of the Dudding Hill railway line, the higher parking standards for employment uses apply (one space per 200sqm gross floorspace). The existing office building is therefore permitted up to six off-street parking spaces, and the existing provision therefore significantly exceeds standards.
42. The site does not have good access to public transport (PTAL Level 3), and therefore the higher residential parking standards apply. The 36 proposed flats would be permitted up to 40 parking spaces, and the proposal for 18 spaces is in accordance with the maximum standards. Heather Park Drive is not noted as being heavily parked at night, with surveys undertaken by Brent Council and the applicant suggesting spare capacity for 40-50 further cars in the street. The road has sufficient width to

accommodate about 12 parked cars along the front of this site (allowing for the re-located car park access), thus taking total on- and off-site provision to 30 spaces (about 75% of the total allowance). On this basis, the development is considered able to safely accommodate likely future residential demand within and along the frontage of the site.

43. To confirm this, Census data from 2011 has been examined for car ownership amongst residents of flats in this local area. This shows average car ownership of 0.65 cars per flat, equating to 24 cars for 36 flats. Although neighbour objections have referred to statistics showing an increase in car ownership nationally, highway officers consider that local data are more representative of the conditions in the surrounding area and therefore more robust. Four of the proposed spaces are shown as widened disabled parking spaces at ground floor level, thus providing a disabled space for 10% of the units, in line with lifetime homes wheelchair adaptable housing standards. In addition, at least eight spaces should be provided with electric vehicle charging points (four active and four passive) and a condition is recommended to this end.

Access

44. The proposed crossover onto Heather Park Drive is shown with 3m radius kerbs, which can be reduced to 2m to minimise width and maximise on-street parking space. Heather Park Drive is a straight road and sightlines for both vehicles and pedestrians are acceptable, with the road being subject to a 20mph speed limit and associated traffic-calming measures. It is noted that there are speed cushions immediately east of the proposed access point, but these appear just far enough clear of the access not to need adjustment to accommodate the new crossover.
45. The access would lead to a sub-basement parking area, with 14 spaces provided in a double stacking system. Highway officers initially raised concerns regarding the layout, including restricted turning space, ramp width, lack of a delineated pedestrian route into and out of the car park, and the gradient of the access ramp (1:7 or 14%). Amended plans were submitted and have addressed these concerns. The ramp width has been increased to 5.1m, allowing two cars or a car and a pedestrian to pass one another, and transition ramps have been incorporated at either end of the ramp. The stacker system has been repositioned against the rear wall to provide 12 spaces, with one space provided on either side of the access ramp, and this would improve the ability of cars to manoeuvre in and out of the spaces. Highway officers have asked that the gradient of the transition length is kept to a maximum of 1:20 (5%), and have requested further details of the operation of the car stacker system to demonstrate that both upper and lower spaces could be accessed independently. These details would be required by condition, together with a lighting scheme for the car park and details of a means to control access at the top of the ramp.
46. The existing crossover would become redundant and would need to be reinstated to footway with full height kerbs, together with works to create the new crossover, at the applicant's expense. An informative is recommended to this effect.

Cycle parking

47. The total cycle parking requirement for this development is 58 spaces. The proposal includes two internal storage areas, each with capacity for 16 cycles on a double-height system, plus two external sets of Sheffield stands with a capacity for 20 bicycles each and indicated as being for visitors. These would provide more than sufficient cycle parking, however there is no requirement in the London Plan for visitor cycle parking for a development of this size whereas a minimum of 16 external spaces would need to be provided for residents in a secure weatherproof store. These could be provided either in the location identified for the Sheffield stands or in another suitable location within the site, and further details would be required by condition.

Servicing

48. Bin storage would be provided in an integral bin store at the front of each of the two buildings, comprising four x 1,100L bins and two x 240L bins per building, which would be sufficient to provide dry recycling, residual waste and organic (food) waste recycling for the 36 units. The stores would be conveniently located for collection from the highway within a 10m collection distance, and within a 30m carrying distance from individual units.

Trip generation

49. The application is accompanied by a Transport Statement, which considers likely future predicted trips to and from the development, based upon comparisons with seven similar residential developments within other areas of London. The sites chosen are considered to offer an appropriate comparison. The estimated movements to and from the development total four arrivals and 18 departures in the morning peak hour (8-9am) and eleven arrivals and five departures in the evening peak hour (5-6pm).
50. Of these trips, two arrivals and three departures in the am peak hour and three arrivals and one departure in the pm peak hour are estimated to be by car. On this basis, the actual impact of the development on the local road network is not considered likely to be significant enough to warrant further junction analysis, particularly as comparisons with typical vehicular movements for the existing offices suggest that a reduction in traffic to and from the site is likely, particularly in peak hours. In terms of public transport trips, the development is estimated to generate eight journeys in the am peak hour and six journeys in the pm peak hour. This represents less than one additional passenger per bus/train serving the local area, so is not considered significant enough to have any adverse impact on capacity. Future walking and cycling trips to and from the site have been estimated at five trips by foot in the am peak hour and eight trips in the pm peak hour (in addition to the public transport trips which need to travel by foot between the site and the station/stop), whilst two and no trips by bicycle are anticipated in each peak hour. These are again lower than for the existing office use and are not considered sufficient to warrant any further analysis of impact on the local road network.
51. Personal injury accident statistics have been examined for the surrounding area for the five-year period 2012-2016. Although the Transport Statement does not provide a detailed accident analysis, it is noted that only two slight injury accidents have been recorded in Heather Park Drive over the five-year period. It is not considered likely that this development would give rise to any road safety issues in this already traffic-calmed street.

Density of development

52. Development of the site is expected to conform to the density range set out in the London Plan of 200-450hr/ha for urban sites (or 70-170units/ha) with a PTAL score of 3, unless a higher density can be justified as a result of a scheme being acceptable in planning terms. The proposed density of approx. 425hr/ha or 150units/ha sits within the London Plan density range for urban sites with medium access to public transport and is considered to be appropriate for the site.

Conclusion

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

CIL DETAILS

This application is liable to pay **£577,118.15*** under the Community Infrastructure Levy (CIL).

We calculated this figure from the following information:

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

Total amount of floorspace on completion (G): 3178.4 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	3178.4	1422	1756.4	£200.00	£35.15	£490,851.07	£86,267.08

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	£490,851.07	£86,267.08

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

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

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

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 18/0284

I refer to your application dated **22/01/2018** proposing the following:

Demolition of office building and erection of 2 five storey residential blocks comprising 36 self-contained flats with provision for cycle and refuse storage (14 x 1 bed, 14 x 2 bed and 8 x 3 bed), lower ground floor car parking, associated amenity space, landscaping and installation of new vehicular access

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

at **Transputec House, 19 Heather Park Drive, Wembley, HA0 1SS**

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: 03/08/2018

Signature:

Alice Lester
Head of Planning, Transport and Licensing

Notes

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

DnStdG

SUMMARY OF REASONS FOR APPROVAL

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

NPPF 2018
 London Plan 2016
 Brent Core Strategy 2010
 Brent Development Management Policies 2016

- 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):

2017/074 01 Site survey
 2017/074 02 Elevations
 P_10_101 Site Location Plan
 P_10_102 Rev A Proposed Site Plan
 P_10_103 Rev A Lower Ground Floor Level
 P_10_104 Rev B Ground Floor Level
 P_10_105 Rev B First Floor Level
 P_10_106 Rev B Second Floor Level
 P_10_107 Rev B Third Floor Level
 P_10_108 Rev B Fourth Floor Level
 P_10_109 Rev A Roof Level
 P_10_110 Rev A South Elevation
 P_10_111 Rev A North Elevation
 P_10_112 Rev A East & West Elevations
 P_10_113 Rev A Section A-A
 P_10_114 Rev A Sections B-B and C-C
 P_10_115 Rev A Section D-D
 P_10_116 Rev A Apartment Layouts
 P_10_117 Rev A Streetscene
 P_10_120 GA detail section_ Unit A3.4

Supporting documents:

Air Quality Assessment (Phlorum, October 2017)
 Arboricultural Survey Report (Phlorum, August 2017)
 Commercial Market Report, Analysis and Report on Marketing Campaign (Hicks Baker, December 2017)
 Daylight, Sunlight and Overshadowing Report (Delta Green, 29 September 2017)
 Design and Access Statement (2 November 2017)
 Noise Assessment (Phlorum, September 2017)
 Phase 1 Contaminated Land Desk Study Assessment (Phlorum, August 2017)
 Planning Statement (Pegasus Group, December 2017)
 Preliminary Ecological Appraisal (Phlorum, July 2017)
 Transport Statement (Conisbee, ref 161109/H Jenkins, 22 October 2017)
 Vibration Assessment (Phlorum, September 2017)

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

- 3 The development shall be carried out in accordance with the noise and vibration mitigation

measures recommended in paragraph 5.16 and Tables 5.4 and 5.5 of the Noise Assessment (Phlorum, September 2017) and paragraph 6.4 of the Vibration Assessment (Phlorum, September 2017). Any works which form part of the scheme shall be completed in accordance with the approved details before any of the permitted dwelling unit(s) are occupied.

Reason: To safeguard the amenities of the occupiers.

- 4 The removal of redundant crossovers, construction of new vehicle crossover, parking spaces, cycle storage and refuse storage as shown on the approved plans or as otherwise approved in writing by the Local Planning Authority shall be provided in full prior to first occupation of the dwellings and shall be permanently retained and used solely in connection with the dwellings hereby approved.

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

- 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 and in view of the restricted space within the site to accommodate additional bin or cycle storage.

- 6 The windows on the first, second and third floors of the northwestern face of Building A 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 retained and maintained in that condition thereafter unless the prior written consent of the Local Planning Authority is obtained.

Reason: To minimise interference with the privacy of the adjoining occupier(s).

- 7 Prior to any works commencing on site (including demolition of existing buildings) a Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority outlining measures that will be taken to control dust, noise and other environmental impacts of the development. The construction works 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.

- 8 Prior to commencement of any works on site (including demolition works) a revised Air Quality Assessment shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include:

- (i) Details of an air quality neutral assessment for building emissions.
- (ii) Assessment to include operational use and subsequent levels of PM10 and NOx using specific receptors and dispersion modelling

The revised Air Quality Assessment and any mitigation measures shall thereafter be carried out in accordance with the approved details.

Reasons: In the interests of local air quality.

- 9 No development (including demolition works) shall commence until an arboricultural impact assessment, arboricultural method statement and tree protection plan, appropriate and specific to the approved scheme, to include details of all works within the root protection area of any

retained tree (as per Arboricultural Survey Report, Phlorum, August 2017) has been submitted to and agreed in writing by the local planning authority; details shall include specification, construction methodology and sequencing of works for no-dig surfacing, methodology for demolition and removal of existing buildings, and manual/mechanical excavation within root protection areas including the protection/treatment of any roots encountered. Thereafter, all works shall be carried out and constructed in accordance with the approved details and shall not be varied without the written consent of the Local Planning Authority.

Reason: To ensure adequate protection for retained trees.

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

(b) Any soil remediation required by the Local Planning Authority shall be carried out in full. The development shall not be occupied until a verification report shall be submitted to and approved in writing by 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

- 11 Prior to development (other than site clearance and demolition of existing buildings) commencing, further details of sustainable drainage measures to comply with the requirements of London Plan Policy 5.13 shall be submitted to and approved in writing by the Local Planning Authority. If connection to a soakaway is proposed, results of permeability testing should be submitted to demonstrate that this method would be suitable for the soil conditions on the site. The development shall thereafter be implemented in full accordance with the approved details.

Reason: To ensure that the site can be adequately drained.

- 12 Prior to development (except demolition and site clearance) commencing, further details of the proposed parking provision shall be submitted to and approved by the local planning authority. Such details shall include:

- active provision of electric vehicle charging points to serve four parking spaces, and passive provision of the necessary infrastructure to facilitate charging points to serve an additional four spaces;
- details of the operation of the vehicle stacking system to demonstrate that sufficient headroom would be provided to allow the upper and lower levels to be accessed independently;
- details of the gradients of transition ramps;
- details of a lighting scheme for the car park including lighting fixtures, luminance levels/spillage diagrams and details of any automatic timers or sensors
- details of a means to control access at the top of the ramp.

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

Reason: To ensure adequate safe parking provision and to facilitate the use of low emission vehicles.

- 13 Prior to the commencement of construction works (excluding demolition and site clearance), details of how the development is designed to allow future connection to a district heating network should one become available, shall be submitted to and approved in writing by the local planning authority. The development shall be completed in accordance with the approved details.

Reason: To ensure the development is in accordance with the principles of London Plan Policy 5.6.

- 14 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 will achieve Building Regulations requirement M4(2) – ‘accessible and adaptable dwellings’ and that the remaining 10% of the residential units will be easily adaptable to achieve Building Regulations requirement M4(3) – ‘wheelchair user dwellings’ shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full accordance with the approved details.

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

- 15 Prior to any works commencing above ground level, details of materials for all external work, (including samples to be prearranged to be viewed on site), shall be submitted to and approved in writing by the Local Planning Authority. 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.

- 16 Within three months of commencement of development above ground level, further details of landscaping works within the application site as indicated on the approved plans shall be submitted to and approved in writing by the Local Planning Authority. The landscaped works shall be completed prior to first occupation of the residential units hereby approved, or other timescales to be agreed in writing by the Local Planning Authority.

Such details shall include:-

(i) Boundary treatments

Proposed walls and fencing and other boundary treatments, indicating materials and heights, including a trespass-proof fence of a minimum height of 1.8m and set back by at least 0.5m from the northeastern boundary with the railway land, use of low boundary hedging along the private external amenity spaces fronting Heather Park Drive and screen planting along the northwestern and northeastern boundaries, such as hedging or climbing plants of moderate growth habits.

(ii) Paving and seating

Other appropriate matters within the context of a landscaping scheme, such as details of external furniture, areas of hard landscape works including footways, stepped and level access to the raised podium and other paved pedestrian and vehicle parking areas, 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.

(iii) Soft Landscaping

Proposed species, location and densities of soft landscaping including the use of native species.

(iii) Defensible planting strips of 1.5m depth outside any habitable room windows on the ground floor that look out onto communal areas including communal amenity space.

(iii) Maintenance details. Details of the proposed arrangements for maintenance of the landscaping.

(iv) Tree pit designs

(v) Proposed soil depths and composition on raised podium

(vi) Details of external lighting (including proposed lighting 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.

(vii) Details of Bird and Bat Boxes including their location within 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. All footways, parking spaces, vehicle turning areas, cycle storage, bin storage and screen planting shall be

maintained as approved thereafter.

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.

- 17 Within three months of commencement of works, further details of the obscure balustrade on the third floor northwestern elevation, as shown on Drawing No P10-120, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To prevent any overlooking onto neighbouring properties from habitable room windows on the third floor northwestern elevation.

- 18 In order to mitigate against the possibility of numerous satellite dishes being installed on the buildings hereby approved, a communal television system/satellite dish shall be provided. The equipment shall be located so as to have the least impact on the external appearance of the development. Such details shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the residential units.

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

- 19 Prior to first occupation of the residential units hereby approved, and notwithstanding the details shown on Drawings P10-104 Rev B to P10-108 Rev B, further details of cycle storage for 58 cycles to be provided in secure, weatherproof and accessible locations, 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 adequate provision of cycle storage in accordance with London Plan policy.

INFORMATIVES

- 1 Alterations in loading within 15m of the railway boundary must be agreed with Network Rail. Network Rail will not allow any maintenance works for proposal fencing or proposal boundary treatments to take place on its land. Any fencing over 1.8m in height will require agreement from Network Rail with details of foundations and wind loading calculations submitted for review.
- 2 Any scaffolding which is to be constructed within 10 metres of the Network Rail / railway boundary must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffolding must be installed. The applicant / applicant's contractor must consider if they can undertake the works and associated scaffolding / access for working at height within the footprint of their land ownership boundary. The applicant is reminded that when pole(s) are erected for construction or maintenance works, must have at least a 3m failsafe zone between the maximum height of the pole(s) and the railway boundary.
- 3 The applicant must ensure that the proposal drainage does not increase Network Rail's liability, or cause flooding pollution or soil slippage, vegetation or boundary issues on railway land. Therefore the proposal drainage on site will ensure that:
 - All surface waters and foul waters drain away from the direction of the railway boundary.
 - Any soakaways for the proposal must be placed at least 30m from the railway boundary.
 - Any drainage proposals for less than 30m from the railway boundary must ensure that surface and foul waters are carried from site in closed sealed pipe systems.
 - Suitable drainage or other works must be provided and maintained by the developer to prevent surface water flows or run-off onto Network Rail's property.
 - Proper provision must be made to accept and continue drainage discharging from Network Rail's property.
 - Drainage works must not impact upon culverts on developers land including

culverts/brooks etc that drain under the railway.

The applicant must ensure that there is no surface or sub-surface flow of water towards the operational railway.

- 4 The developer should also be aware of the implications for their workers / contractors as there are 25kv overhead lines and there is the risk of induced voltages up to 20-30m from the overhead lines impacting the site.
- 5 With a development of a certain height that may/will require use of a tower crane, the developer must bear in mind the following. Tower crane usage adjacent to railway infrastructure is subject to stipulations on size, capacity etc. which needs to be agreed by Network Rail s Asset Protection prior to implementation. Tower cranes have the potential to topple over onto the railway; the arms of the cranes could over-sail onto Network Rail air-space and potentially impact any over-head lines, or drop materials accidentally onto the existing infrastructure. Crane working diagrams, specification and method of working must be submitted for review and agreement prior to work(s) commencing on site.
- 6 The demolition works on site must be carried out so that they do not endanger the safe operation of the railway, or the stability of the adjoining Network Rail structures and land. The demolition of the existing building(s), due to its close proximity to the Network Rail boundary, must be carried out in accordance with an agreed method statement. Review of the method statement will be undertaken by the Network Rail Asset Protection Engineer before the development and any demolition works on site can commence. Network Rail would like to add that the applicant is strongly recommended to employ companies to demolish buildings / structures belonging to the National Federation of Demolition Contractors. This will ensure that all demolition works are carried out to professional standards and the company itself will also include liability insurance as part of its service and that demolition works on site do not impact the safety and performance of the railway.
- 7 As the proposal includes works which are within 10m of the railway boundary and which could impact the existing operational railway and in order to facilitate the above, a BAPA (Basic Asset Protection Agreement) will need to be agreed between the developer and Network Rail. The developer will be liable for all costs incurred by Network Rail in facilitating this proposal, including any railway site safety costs, possession costs, asset protection costs / presence, site visits, review and agreement of proposal documents and any buried services searches. The BAPA will be in addition to any planning consent. The applicant / developer should liaise directly with Asset Protection to set up the BAPA.

AssetProtectionLNWSouth@networkrail.co.uk

- 8 The developer is to submit directly to Network Rail, a Risk Assessment and Method Statement (RAMS) for all works to be undertaken within 10m of the operational railway under Construction (Design and Management) Regulations, and this is in addition to any planning consent. Network Rail would need to be re-assured the works on site follow safe methods of working and have also taken into consideration any potential impact on Network Rail land and the existing operational railway infrastructure. Review and agreement of the RAMS will be undertaken between Network Rail and the applicant/developer. The applicant /developer should submit the RAMs directly to:

AssetProtectionLNWSouth@networkrail.co.uk

- 9 Prior to the commencement of any works involving vibro-compaction machinery / piling machinery or piling and ground treatment works as part of the development, details of the use of such machinery and a method statement must be submitted to the Network Rail Asset Protection Engineer for agreement.

All works shall only be carried out in accordance with the method statement and the works will be reviewed by Network Rail. The Network Rail Asset Protection Engineer will need to review such works in order to determine the type of soil (e.g. sand, rock) that the works are being carried out upon and also to determine the level of vibration that will occur as a result of the piling.

The impact upon the railway is dependent upon the distance from the railway boundary of the piling equipment, the type of soil the development is being constructed upon and the level of

vibration. Each proposal is therefore different and thence the need for Network Rail to review the piling details / method statement.

Maximum allowable levels of vibration - CFA piling is preferred as this tends to give rise to less vibration.

Excessive vibration caused by piling can damage railway structures and cause movement to the railway track as a result of the consolidation of track ballast. The developer must demonstrate that the vibration does not exceed a peak particle velocity of 5mm/s at any structure or with respect to the rail track.

- 10 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.
- 11 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.
- 12 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.
- 13 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.
- 14 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.
- 15 The Council recommends that the maximum standards for fire safety are achieved within the development.
- 16 The applicant is reminded that birds and their nests are protected by law, and is advised to carry out vegetation and site clearance outside of the nesting season (May to October) unless in the presence of a suitably qualified ecologist.

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

This page is intentionally left blank

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

15 August, 2018
04
18/0752

SITE INFORMATION

RECEIVED	23 February, 2018
WARD	Alperton
PLANNING AREA	Brent Connects Wembley
LOCATION	All Units at Afrex House, Beresford Avenue, Wembley, HA0 1NX
PROPOSAL	Demolition of existing buildings at Afrex House, and redevelopment to provide a residential development of 3-5 storeys for 31 residential units (9 x 1bed, 18 x 2 bed, 4 x 3 bed), creation of public realm and alterations, landscaped amenity space, car and cycle parking and all associated works.
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_138747</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 "18/0752" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab

RECOMMENDATIONS

Resolve to grant planning permission subject to conditions and the completion of a satisfactory Section 106 or other legal agreement

Section 106 Heads of Terms

1. Payment of Council's legal and other professional costs in preparing and completing agreement, and monitoring and enforcing its performance
2. Securing 5 affordable rental units (*The unit size mix is detailed in the affordable housing section below*), and a post implementation review.
3. A detailed 'Sustainability Implementation Strategy'
4. Carbon offset payment of £44,404.
5. a Section 278 Agreement to include highway works to resurface the Mount Pleasant footway and Grand Union Walk footpath along the site frontage in block paving, including the formation of a new site access, construction of a 3m wide loading bay in the footway separated from the site access, reinstatement of the redundant vehicular crossover at the western end of the site to footway, provision of all associated street furniture and tree planting and all associated changes to lining, signing, lighting and drainage to be undertaken at the applicant's expense prior to occupation of the development;
6. a financial contribution of £15,500 towards the extension of Controlled Parking Zones in the vicinity of the site, including the subsidisation of parking permits for existing local residents in the area;
7. a 'car-free' agreement for the development, removing the right of any future occupiers to on-street parking permits within any CPZ introduced in the area in the future; and
8. establishment of a public right of way to and along the canalside of the development,
9. a financial contribution of £49,426 towards affordable workspace elsewhere in the Borough.

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. List of all approved plan numbers/documents
3. Sound insulation
4. Tree protection
5. Private and communal amenity space
6. Delivery bay area
7. Accessible Homes
8. Satellite dishes
9. Car parking layout
10. Water Use
11. Considerate Constructors Scheme
12. Ecology
13. Residential Travel Plan
14. Restriction C3 to C4
15. Restrictions on windows
16. Refuse storage
17. Construction and Demolition Environmental Management Plan
18. Air Quality Neutral Assessment
19. Demarcation of the canal edge
20. Land contamination (investigation)
21. Canal and River Trust – Waterway wall
22. Surface water drainage
23. Canal and River Trust – Risk assessment and method statement
24. Materials
25. Drainage Strategy
26. Piling - Thames Water
27. Children's playspace
28. Landscaping
29. Car parking – electric vehicle charging points
30. Cycle parking
31. Access gate to canal side walk
32. Domestic boilers

33. External lighting

Informatives

1. CIL Liabie approval
2. Asbestos
3. Thames Water
4. Canal and River Trust
5. Highways
6. Repair damage
7. Living Wage
8. Fire Safety Advisory Note

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

That, if by 3 months of the committee date the legal agreement has not been completed, the Head of Planning is delegated authority to refuse planning permission.

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

SITE MAP

	<p>Planning Committee Map</p> <p>Site address: All Units at Afrex House, Beresford Avenue, Wembley, HA0 1NX</p> <p>© Crown copyright and database rights 2011 Ordnance Survey 100025260</p>
--	--



This map is indicative only.

PROPOSAL IN DETAIL

The proposal is to demolish the existing buildings on site, and construct a residential development. It would be between 3 and 5 storeys and contain 31 residential units. There would be associated refuse and cycle storage within the building. To the east would be 14 car parking spaces. To the west an area of open space would be created adjacent to the existing pathway leading to the canal, and a further area created adjacent to the canal.

The development would be an 'L' shape, with one leg running parallel to the canal, and the other running broadly at right angles north towards Mount Pleasant. Residential units would face the canal at ground floor level, but with an area of defensible space in front of them. Moving north would be the plant room, refuse storage and lobby for the residential units. There would be further residential units (totalling 7 at ground floor level) fronting on to the newly created open space (also with defensible space which could be used as amenity space), with the cycle storage located near to the public highway. Behind these units would be a further cycle store and 14 parking spaces, three of which would be for disabled users. To the front of the site where it meets Mount Pleasant it is intended to have further landscaping.

Above this at first floor level, would contain a further 8 residential units. These, along with the floors above, would have projecting balconies which would sit above the defensible spaces at ground floor level but would not project over the publicly accessible areas. The units nearest to the canal would be accessed from an external walkway to the rear of the site. The layout at second floor level would reflect the floor below. Above this at third floor level two sections of the building would be cut out to create communal amenity spaces, reducing the number of units to 6. Finally, there would be a fourth floor level but only at the corner of the 'L' where the building faces both towards the canal and west towards the Liberty Centre. This would contain 2 units. Above this would be a further communal roof terrace.

EXISTING

Afrex House is a site in commercial use forming an L shaped site, measuring approximately 0.27 hectares. The site includes buildings, which are single or double storey, and open land which is in use for car parking repairs, with storage of some vehicles. There is a mixture of flat and pitched roofs. To the south is the Grand Union Canal and the existing buildings extend to the canal edge. To the west is a path leading to a pedestrian bridge over the canal with the Liberty Centre beyond. To the north is public highway, where Mount Pleasant meets Beresford Avenue. Finally, to the immediate east is another commercial building which is in different ownership.

The site is within walking distance of the stations at Alperton and Stonebridge Park, and the 224 bus route runs along Mount Pleasant. The site is not within a conservation area and there are no listed or locally listed buildings on the site itself or nearby.

The site is within the Alperton Growth Area, which is designated within the Core Strategy as one of the areas within the borough where the majority of the planned growth is expected to occur. It is also part of a wider Housing Zone. Within this it is part of site allocation A7 (Mount Pleasant / Beresford Avenue). This area is also subject to an Article 4 Direction restricting a change of use using permitted development rights from B1a, B1c and B8 to residential. The Direction was made on 4 August 2017 and is scheduled to come into force on 11 August 2018.

It is Waterside Development which is a buffered area around the Grand Union Canal. The entire borough is within an Air Quality Management Area (AQMA).

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:

- **Representations Received:** A total of 3 objections and 5 letters of support have been received

principally raising concerns regarding land use, design, the impact on neighbours, and highways and transportation. There are a number of other matters which are dealt with below.

- **Land use:** The loss of the existing uses on site is considered alongside the promotion of the site as a residential development within the Housing Zone. An off site contribution towards affordable workspace is proposed.
- **Design:** – The height of the building would be taller than those immediately around it, but the Alpertor Masterplan considers the area appropriate for this form of development. Overall, the proposal is considered to be high quality design and the creation of the canalside walk and open space is a key positive to the development. .
- **Housing density:** –The density is high and the site has a relatively low Public Transport Accessibility Level (PTAL) at the moment. However, good standard of accommodation is proposed and the development is in keeping with emerging developments within the wider Site Allocation and Alpertor Growth Area
- **Quality of the resulting residential accommodation:** – The residential accommodation proposed is acceptable. The mix of units is broadly in accordance with the standards within the Alpertor Masterplan, and the flats would have good outlook. There is a reasonable amount of amenity space.
- **Affordable housing:** –The viability has been tested and it has been demonstrated that the proposal is providing the maximum reasonable amount that can be provided on site, with a tenure split that best responds to the borough's needs.
- **Neighbouring amenity:** – There would be an impact on the Liberty Centre, but there would also be an improvement in many regards. It should be noted that the Liberty Centre has been converted from an office building to residential use under permitted development and the windows of this building are situated in close proximity to the side boundary of that site. To achieve the loss of daylight in line with BRE guidance would result in the permitted development conversion significantly affecting the capacity of this allocated development site and on balance, the provision of additional housing, including affordable housing, is considered to outweigh the loss of daylight. There are also improvements in the appearance of the building (over that of the existing building) mitigates the loss to some extent. Overall, with conditions the proposal is considered acceptable.
- **Highways and transportation:** –The alterations to the public highway would be acceptable, considering the needs of pedestrians, cyclists and motorists. The scheme proposes 14 on site car parking spaces (3 will be designated for use by Blue Badge holders). Whilst the scheme does result in overspill parking in the region of 11 spaces, a CPZ contribution is sought from this development to fund the consultation and implementation of a CPZ in the surrounding area, together with removal of rights for residents within the development to apply for parking permits.
- **Trees, landscaping and public realm:** – One tree is proposed to be retained and additional trees would be provided as part of a wider landscaping along the canal, the new open space and the Mount Pleasant frontage. The canalside walk and open space created are strongly supported.
- **Environmental impact, sustainability and energy:** –The measures outlined by the applicant are considered to maximise the carbon savings. There are also other measures proposed., and these are supported

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)
-------------	----------	----------	------	-----	----------------

Monitoring Residential Breakdown

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
EXISTING (Flats @ Market)										
EXISTING (Flats @ Intermediate)										
PROPOSED (Flats @ Market)	7	12	2							21
PROPOSED (Flats @ Intermediate)	2	6	2							10

RELEVANT SITE HISTORY

Relevant planning history

November 2010: Appeal into the serving of an enforcement notice (ref: E/09/0170) **allowed** and the enforcement notice quashed. The alleged breach of planning control was “The change of use of the premises to a mixed use as highway, offices, car repair, car servicing, car sales, tyre fitting, repair, sales, mini cab and residential use”. The inspector concluded that the breach of planning control which the Council had identified had not occurred.

Permissions relating to nearby sites

December 2017: Planning permission (ref: 16/4478) **granted** at Abbey Wharf and the Delta Centre for “Demolition of existing buildings at Abbey Wharf, Delta Centre and all of 152 Mount Pleasant and redevelopment to provide a residential-led, mixed-use development of up to 6 storeys comprising 135 residential units (34 x 1bed, 79 x 2bed and 22 x 3bed) and 247sqm of commercial space (A1, A2, A3, B1, D1 and D2), landscaped amenity space, car and cycle parking and associated works”.

In addition, there have been a number of applications for the units at the eastern side of the Liberty Centre. They have been for prior approvals to change the use of them from B1 to residential, and for subsequent alterations and additions.

CONSULTATIONS

Consultation with neighbours

A press notice advertising the proposal was published on 22 March 2018, and a site notice was displayed on 9 March 2018. In addition, letters were sent to 183 neighbouring properties on 9 March 2018.

Following this, 8 representations have been received. Three are objections and five are in support. The 5 in support provide no other detail than stating that “I support the planning application for Afrex House”. They have come from a website set up by the applicant themselves, rather than having resulted directly from the Council’s own consultation. However, they are all from addresses on Mount Pleasant which were considered close enough to the site to have been consulted directly. The three objections raised the following issues:

Objection	Paragraph discussed in / response
Land use <ul style="list-style-type: none">The proposal is not in keeping with the current industrial / commercial use of the area.	See paragraphs 3 - 11.
Design, conservation and heritage <ul style="list-style-type: none">The site is currently an eyesore, but the proposed height is of concern. It should not exceed 3 storeys so as to be more sympathetic to the adjacent Liberty Centre.	See paragraphs 12 - 18.
Neighbouring amenity <ul style="list-style-type: none">The construction would have an unfavourable effect a nearby business, which may be unsympathetic to such a development and its potential residents.The height of the units would invade the privacy of neighbours.This is one of a number of developments nearby.	See paragraphs 34 - 46.
Highways and transportation <ul style="list-style-type: none">If the car park was to be heavily or overly used then it would affect the neighbouring business. The proposal is likely to increase vehicle movements in the area and is likely to attract deliveries.There would be additional pressure on parking when there is already a problem.A CPZ would not ensure that residents could park.Existing residents should not have to incur the charges of a CPZ to address this (<i>Please note that the comment actually states that residents “should incur the costs”, but this is considered to be a typo given the</i>	See paragraphs 47 - 85.

<p><i>objection as a whole).</i></p> <ul style="list-style-type: none"> Public transport nearby is inadequate, with only the single decker 224 bus route nearby, which is not frequent enough to deal with the increased passenger numbers. 	
<p>Other matters</p> <ul style="list-style-type: none"> The representation advises that they have a legal right of way across the site identified within the title deeds. The car park would interfere / block with this. There would be party wall and structural implications. The development would put pressure on an overcrowded and overpopulated area. There is not an A+E department nearby, with patients having to attend Northwick Park Hospital. There would be difficulties in obtaining an appointment to see a doctor or dentist. Schools are already overcrowded. There is currently pooling of water in front of the site, and oil floats on the water. 	<p>See paragraphs 101 - 106.</p>

Internal consultations

The following consultees were consulted, and made comments as detailed:

- Environmental Health – No comments received. However, given the similarities between this site and Abbey Wharf, a number of conditions that were secured for Abbey Wharf and recommended for this scheme in relation to noise, construction impacts, air quality, contaminated land, and odour.
- Local Lead Flood Authority – No objections raised.

External consultations

The following consultees were consulted, and made comments as detailed:

- Thames Water** - No objections, but request for a condition requiring a piling method statement to be submitted, including measures to prevent and minimise potential damage to subsurface sewerage infrastructure, in consultation with Thames Water.
- Canal and River Trust** – No objections subject to a number of conditions being secured.
- The Environment Agency** - No comments received, which the Environment Agency has previously advised indicates that there are no constraints which they are concerned with.
- Historic England (Archaeology)** - The site is not within an archaeological priority area, and there is low archaeological potential.
- Natural England** - Advised that they do not wish to make comments on the application, on the basis that the proposal is unlikely to affect any statutorily protected sites. Also, noted is that it is for the local planning authority to determine whether the proposal is consistent with national and local policies on the natural environment.
- London Fire Brigade** - Confirmed that on the basis of the layout as provided, subject to sprinkler systems within both buildings, the scheme is acceptable but needs to comply with Building Regulations

Community groups

- Alpertons Riverside Forum - No response received.
- Alpertons Area Friends - No response received.
- Heather Park Neighbourhood Watch

POLICY CONSIDERATIONS

POLICY CONSIDERATIONS

The following planning policy documents and guidance are considered to be of relevance to the determination of the current application:

- National Planning Policy Framework 2012 (NPPF)
- National Planning Practice Guidance (NPPG)

- Technical Housing Standards 2015
- London Plan Consolidated with amendments since 2011 (March 2016)
 - Policy 1.1 - Delivering the strategic vision and objectives for London
 - Policy 3.3 - Increasing housing supply
 - Policy 3.4 - Optimising housing potential
 - Policy 3.5 - Quality and design of housing developments
 - 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
 - Policy 3.13 - Affordable housing thresholds
 - Policy 5.1 - Climate change mitigation
 - Policy 5.2 - Minimising carbon dioxide emissions
 - Policy 5.3 - Sustainable design and construction
 - Policy 5.5 - Decentralised energy networks
 - Policy 5.6 - Decentralised energy in development proposals
 - Policy 5.7 - Renewable energy
 - Policy 5.9 - Overheating and cooling
 - Policy 5.10 - Urban greening
 - Policy 5.11 - Green roofs and development site environs
 - Policy 5.13 - Sustainable drainage
 - Policy 5.14 - Water quality and wastewater infrastructure
 - Policy 5.15 - Water use and supplies
 - Policy 5.17 - Waste capacity
 - Policy 5.21 - Contaminated land
 - Policy 6.1 - Strategic approach
 - Policy 6.9 - Cycling
 - Policy 6.10 - Walking
 - 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 and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes
 - Policy 7.19 - Biodiversity and access to nature
 - Policy 7.21 - Trees and woodlands
 - Policy 7.30 - London's canals and other rivers and waterspaces
 - Policy 8.2 - Planning obligations
 - Policy 8.3 - Community infrastructure levy
 - Policy 8.4 - Monitoring and review
- Mayor's Housing SPG 2016
- London Borough of Brent Core Strategy 2010
 - CP 1 - Spatial Development Strategy
 - CP 2 - Population and Housing Growth
 - CP 6 - Design & Density in Place Shaping
 - CP 8 - Alperton Growth Area
 - CP 17 - Protecting and Enhancing the Suburban Character of Brent
 - CP 18 - Protection and Enhancement of Open Space, Sports and Biodiversity
 - CP 19 - Brent Strategic Climate Change Mitigation and Adaptation Measures
 - CP 21 - A Balanced Housing Stock

- London Borough of Brent Development Management Policies 2016
 - DMP 1 Development Management General Policy
 - DMP 8 Open Space
 - DMP 9 Waterside Development
 - DMP 9A Managing Flood Risk
 - DMP 11 Forming an Access on to a Road
 - DMP 12 Parking
 - DMP 13 Movement of Goods and Materials
 - DMP 14 Employment Sites
 - DMP 15 Affordable Housing
 - DMP 18 Dwelling Size and Residential Outbuildings
 - DMP 19 Residential Amenity Space
- London Borough of Brent Site Specific Allocations 2011
 - A.7. Mount Pleasant / Beresford Avenue
- Brent's Supplementary Planning Guidance 17:- Design Guide For New Development
- Brent's draft Supplementary Planning Guidance 1 – Brent Design Guide
- Brent's 106 Supplementary Planning Document
- Brent Waste planning guide
- Alperton Masterplan 2011

DETAILED CONSIDERATIONS

Background

1. The site is an awkward shape, with the adjacent building not being within the same ownership. It is understood that this neighbouring property has a right of access over part of Afrex House which broadly corresponds with the existing open parts of the site. This complicates development of this site.
2. The Liberty Centre is to the west on the other side of the existing pedestrian route through to the canal. There have been a number of prior approvals granted to change the use of some of the units from office to residential. In addition, planning permission has been granted for alterations and extensions to create further residential units. This applies to units 6, 7, 8, and 10. However, the Council considers that the change of use has occurred unlawfully at number 10. Number 9 remains in commercial use so is less sensitive to changes.

Land use

3. Policy CP8 of the Core Strategy promotes the Alperton Growth Area as mixed use regeneration along the Grand Union Canal. It seeks a compact and sustainable waterside community, and an enterprise hub with modern light industrial units, studios and managed workspaces. Across the entire area a minimum of 1,600 new homes are to be promoted between 2010 and 2026.
4. The application site is part of a wier site allocated within the Site Specific Allocations (SSA), which was adopted in 2011. It is listed as Mount Pleasant / Beresford Avenue. The allocation is described in the document as:

Mixed use development including residential, work/live, managed affordable workspace and amenity/open space. Proposals should seek to introduce active frontages along Mount Pleasant as well as improve canal side access for pedestrians, with moorings for canal users as well as conserve and enhance the canal's Site of Metropolitan Nature Conservation Importance designation. Access to remaining industrial area to the west will be improved. Improvements will be sought to public transport as part of any proposal to develop the site.

5. The indicative capacity is listed as 100 units, and it was expected that it may come forward for

development in 2017-18. The justification for this is stated within the document:

This industrial area is becoming increasingly marginalised with ageing buildings, poor pedestrian and vehicular access and vacant and derelict units. The canal side location raises the possibility of introducing higher value uses to improve the local environment and the development of new workspace.

6. This is a significant material consideration.
7. The proposal would result in the loss of the existing 1,628sqm of commercial floorspace. The residential would be 2,947sqm in area.
8. Policy DMP14 of the Development Management Policies concerns employment sites. It advises that Local Employment Sites will be released to non-employment uses where a continued wholly employment use is unviable or there are significant benefits consistent with the wider objectives of the Development Plan. Where non-employment uses are proposed the maximum amount of existing floorspace type or Managed Affordable Workspace shall be incorporated. An objection notes that the proposal is not in keeping with the current industrial / commercial uses of the area. However, the site allocation is significant, and it clearly indicates that the future of this site is envisaged to be as a mixed use site with residential and commercial uses. Abbey Wharf is coming forward as a residential led development with some commercial, and construction is under way. The justification for the site allocation cited above is relevant. It does need to be acknowledged that the buildings have not become so outdated that vacancy has developed into a real issue on this part of the site allocation, but this is likely to become more acute over time. Poor pedestrian and vehicular access is an issue currently. This, coupled with the stated vision for the site allocation suggests that it is not possible to protect the uses in their current form. The more recent designation of Alpertons as a Housing Zone (by the GLA) adds further weight to the push for housing on this and other nearby sites. The existing businesses on site are not compatible with residential uses, hence why the proposal is for different commercial uses than are currently on site, particularly given the size of this site.
9. It has been explored whether or not the proposal should incorporate replacement commercial units, such as work/live or managed affordable workspace which are referred to in the site allocation. The site's unusual shape is considered to make this difficult: there would only ever be a small frontage on to Mount Pleasant, and even though longer frontages exist on to the newly created open space and the canal there is unlikely to be much passing trade. The building itself is narrow which would make it difficult to create a unit which has sufficient space. It could theoretically be serviced from the street. Therefore, given the specific circumstances on this site it is not considered that much would be gained compared to the residential floorspace which would inevitably be lost. Were the remainder of the site to come forward then it would be considered if this would make a commercial element possible. As secured with other developments within the Alpertons Growth Area (Abbey Wharf and 253a Ealing Road), it is proposed that the loss of employment floorspace is compensated for by a financial contribution towards affordable workspace of £ 49,426.
10. The question then is whether or not the proposed residential use is acceptable. Policy CP2 of the Core Strategy seeks to increase the supply of housing, and Alpertons is expected to make a significant contribution to this. The site allocation anticipates 100 units as the capacity. This is only one part of the allocation, and the development at Abbey Wharf exceeds this in its own right (135 units). The proposal would further increase this by 31 to 166. Although the specifics of the design, the quality of the accommodation, and the impact on neighbours is discussed below, the principle of increasing this number is considered acceptable. The designation of the Alpertons Housing Zone suggests a greater emphasis on housing than was the case when the site allocation was originally designated. Therefore, this is considered acceptable and would contribute to meeting the housing needs of the borough.

Design, massing and scale

11. Design is an important consideration, and buildings need to be high quality. This is promoted by policy 7.6 of the London Plan, CP6, CP8 of the Core Strategy and DMP1 of the Brent Development Management Policies. The applicant has provided a Design and Access Statement in support of the proposal. The site is not within a conservation area and does not contain listed buildings, and there are none nearby which would be impacted on by the proposal. The existing buildings on site are not considered of any great merit and their demolition is supported.
12. The context to the north of Mount Pleasant and Beresford Avenue is mainly of two storey residential

properties, whilst to the south the area has historically been commercial properties between 1 and 3 storeys. As noted above, this is now changing with the planning policy leading to residential led developments. The general principle has been that the tallest buildings would be nearer to Alpertons and Stonebridge Park Stations, with lower buildings in between. Abbey Wharf is up to 6 storeys in height as it fronts Mount Pleasant but also fronting the canal (although there is also a single storey element).

13. The layout is described above as two blocks forming an 'L' shape. This particular arrangement is considered to optimise the amount of development on the site, as it follows the broad shapes of the site whilst still leaving space around the buildings for open space and parking. It has been considered if an alternative arrangement could be used instead, but the proposal does respond to the size and shape of the site, especially as it has still to provide access over it. Given the potential for development on the remainder of the site it has been explored if the proposal would fetter this. Consideration has been given to what form of development would work if the wider site did come forward: it could potentially extend along the Mount Pleasant / Beresford Avenue frontage in an east-west direction. This is not confirmed, nor is the Council committing itself to supporting such an approach. This would need to be assessed at the time. However, given that this would create a broad 'U' shape, which is what has been shown to work at Abbey Wharf then it appears feasible. Therefore, there are no significant concerns about preventing development on this adjacent site. It should be noted that the scheme has been designed to provide a set back of at least 9m (with the exception of a bedroom to the three bedroom units that provides a distance of 8.6m) to the neighbouring site boundary to the north east. The windows to the communal walkways are closer to this boundary, but are recommended to be conditioned to be obscured glazed. Likewise the bedroom to the eastern corner units that front the canal are within 5m of the site boundary. It is recommended that these windows are conditioned to be obscured glazed at lower level (upto 1.7m high) and clear glazed at higher level. Subject to these mitigation measures it is not considered that the development will compromise the remainder of the SSA coming forward for redevelopment.
14. The Alpertons Masterplan advises that buildings of mainly three storeys in height would respect the existing context. The form of the building has been described above: it would have five storeys of accommodation, with the tallest part of this being at the point of the 'L' adjacent to the canal and the bridge. It would then extent up the equivalent of another storey but this would not be solid and would enclose one of the communal roof terraces. It would also partially conceal the staircase providing access to it, but would not be solid and the sky would be visible through it. Alongside the rest of the canal it would be 4 storeys, but there would be set back from the canal edge. This is approximately 5.6m, but when the defensible space is factored in, the space for pedestrians reduces to approximately 3.6m. This is considered sufficient to create a usable and attractive space with natural surveillance from the residential units which look out on to it. The projecting balconies above would not extend over the pedestrian walkway. Towards the north the height drops to 3 storeys before rising again to 4 storeys where it presents itself to Mount Pleasant. The Liberty Centre is a collection of different units that have now been individually altered. However, the most recent planning permissions allow for additional storeys to three of the units to take them up to 4 storeys in height, matching or exceeding much of the proposed development. With Abbey Wharf extending to 6 storeys where it fronts the street the height of the proposal is considered acceptable.
15. The buildings themselves would follow a similar design aesthetic to Abbey Wharf. They would be predominantly brick, with different tones to break up the sections of the building. The windows and their side panels are proposed to be bronze, with similarly coloured metal railings to the balconies. The windows would be slightly set in to the building and the different use of bricks would add some texture. The details are considered broadly acceptable, but a condition would seek details to ensure that the eventual appearance is as high quality as possible.
16. In addition to the canal side walkway an open space between the Liberty Centre and the proposed building would also be created. This is done by pulling back the building line of the existing commercial buildings to open out the narrow passageway. This passageway is currently lit and well used as an accessway to Park Royal. However it is not attractive: there are high railings on either side, and scrubby vegetation. There is also evidence of anti-social behaviour with drinks cans discarded behind the railings. The proposal therefore represents an opportunity to improve this. The space would be widest to the north and then steadily narrows to the point where it meets the canal side walk. There is proposed a gate a condition would require details of how this would be managed. At each point it would be much wider than now, and allows for landscaping and street furniture as well as the defensible space for the adjacent flats described above. Further detail on the landscaping is provided below in terms of the *Impact on Neighbours*.
17. Overall, the building's design and appearance is considered acceptable. It would be taller than the

guidance specifically states, but this pre-dates the designation of the Housing Zone, and the proposed building is comparable in height to others approved in the vicinity. Overall, the impact would be positive. The materials proposed are considered high quality but specific details would be required by condition. The creation of the open space is a key benefit.

Quality of the resulting residential accommodation (including housing density and mix)

18. Policy 3.5 of the London Plan seeks high quality residential units. Based on a PTAL of 2, the density matrix within the London Plan suggests that 200-450 habitable rooms per hectare is appropriate on the basis that the site is considered urban. This drops to 15-250 if it is considered suburban. The development would have a density of 326 habitable rooms per hectare, so beyond the lower amount. The guide is important but is inevitably very broad and applies across London. The site is within walking distance of public transport, and there is potential for this to be improved (see later section on Highways and transportation). The designation of Alperton as a Housing Zone, also implies a high density. It would be a lower density than was considered acceptable at Abbey Wharf (518 habitable rooms per hectare). It should also be noted that the emerging London Plan has a focus on a design led approach to secure high quality developments.
19. The ground floor units facing the open space would be accessed from it. The defensible space is shown as being approximately 2m and demarcated from the open space by a hedge. This would be less separation from a public area than is usual for nearby terraced and semi-detached properties, but is considered sufficient. Any increase in depth (which would be possible) would come at the expense of the open space, which is considered to be a real benefit of the scheme (as described above). To the canal the 2m separation would also be provided, even though this is not the main entrance to these units. Instead, they are accessed from a passage to the rear. The rest of the development would be served by two lobbies, which would be overlooked from public areas to maintain security.
20. The number of units per core is no more than 5 for each of the two cores, which is acceptable. The units themselves exceed the minimum sizes within the London Plan: Two of the 3 bedroom units would be well in excess of the minimum standards. They would be logically laid out. Ten of the units would be single aspect, but none of these would face north meaning that they could get direct sunlight through the well sized windows. Of these two could be made dual aspect by the addition of a window to a bathroom, but this is unlikely to add much outlook. A further 4 units would have an access on to the canal and on to an access corridor. This would slightly compromise their outlook as occupiers may seek to take measures to protect their privacy. However, it would affect a small proportion of the development and there is not an alternative arrangement that would prevent this. The other units would have dual aspect with a significant number of them having an attractive outlook on to the canal.
21. Related to this it is expected that the level of daylight and sunlight received by the flats would be acceptable. the buildings around it are fairly low in height and there would be a degree of separation between them and the proposed units. The balconies and the deck access would reduce light to some of the flats, but the former would improve the quality of the units and the latter appears inevitable.
22. SPG17 recommends that there is a distance of 20m between habitable rooms. The draft SPD1 proposes to reduce this to 18m, but is not adopted as yet. Private balconies are a feature of the development above ground floor level. There are some areas where overlooking between units may be possible, but it would only be to a small degree and measures would be taken to reduce this. A condition would be imposed to require further details of the balconies to be submitted for approval. Other than the deck access there would be no significant opportunities for overlooking between units within the site. Beyond this, there would be no opportunities for the proposed units to be overlooked by existing properties on the south of the canal, as the separation is too great. To the east the existing commercial building would not overlook the properties, and the comments above on design demonstrate that the remainder of the site could theoretically be developed in such a way that future overlooking need not occur. To the north there is separation from properties on the opposite side of Mount Pleasant. There is a degree of concern that the unit at ground floor level could have its privacy compromised to a degree by persons on the public highway. However, a condition could require details of landscaping / defensible space which would address this. The relationship with the Liberty Centre to the west is detailed in the section on *Impact on Neighbours*.
23. Private amenity space would be provided, and each flat would have its own private amenity space. At ground floor level the defensible space which would double as amenity space, even if some of it is not directly accessed from the flats. Above this the balconies would each be 1.5m in width and greater than 5sqm (as recommended by the Housing SPG). Brent's own guidance is for 20sqm for non-family sized

units and family sized units above ground level. The average private balcony for each flat would be 10.5sqm, with a number being less but some approaching 20sqm. In addition, the communal roof gardens and the further communal area at ground floor would provide an additional 332sqm of space. This would increase the average to 21.2sqm, albeit that it is not distributed absolutely evenly across the site. The new public areas would serve a different function, and could not be used in the same way as the private or communal space. However, even without this the overall amount is considered acceptable and a condition would ensure that the eventual appearance and layout would be high quality.

24. The London Plan includes guidance on this, which is based on the GLA's requirement for 10sqm for each child. There are no specific details of playspace equipment on the drawings. The communal roof areas could provide some limited opportunities for small children, but it would be the new open space to the west would have potential for informal play opportunities, and this would ensure that the space can be a high quality shared space for all to enjoy. Specific details would be provided as part of a condition.

25. The applicant has indicated that the units would accord with Building Regulations requirement M4(2) 'Accessible and adaptable dwellings', and that 10% would meet M4(3), which is designed to be wheelchair accessible, or easily adaptable. This accords with adopted policy. A condition would be imposed to require that this is done. Comments below on disabled parking are also relevant to the wheelchair units.

26. The mix of units is:

	NUMBERS				PERCENTAGE			
	1 bed	2 bed	3 bed	Total	1 bed	2 bed	3 bed	Total
Affordable rent	2	2	1	5	40%	40%	20%	100%
Intermediate	0	0	0	0	0%	0%	0%	0%
Private	7	16	3	26	27%	62%	12%	100%
TOTAL	9	18	4	31	29%	58%	13%	100%

27. 13% of the units would be family sized, with the others being 1 and 2 bedrooms. Policy CP2 seeks 25% to be family units (with 3 bedrooms or more). The Alpertown Masterplan contains a different mix.

	PERCENTAGE			
	1 bed	2 bed	3 bed	4 bed
Affordable rent	5%	35%	30%	30%
Intermediate	40%	40%	20%	0%
Private	40%	40%	15%	5%

28. This seeks 60% of the affordable units as family sized, 20% of the intermediate units and 20% of the market unit. The site does not lend itself to family accommodation as readily as some do, as there are limited opportunities for significant ground floor garden space. Securing one of the family sized units as affordable rent is positive. The development is relatively small at 31 units which makes it less likely that the mix will match the guidance. Overall, the mix is not identical to the guidance, but the developer has not sought to maximise 1 bedroom unit and so this is considered acceptable.

29. The applicant has provided a noise impact assessment. This included measurements of the existing background noise levels as a baseline on which to assess the suitability of the site for residential usage. Noise from road traffic and commercial operations are a factor. It is recommended that a condition is secured to ensure that the internal noise environment is appropriate. This would ensure that the mitigation, principally sound insulation, is included within the final design of the building.

30. Overall, the quality of the accommodation is considered acceptable. There would be some compromises, principally at ground floor level. However, this is a function of the site layout and its awkward shape. Conditions are suggested seeking further details of specific points.

Affordable housing, tenure and viability assessment

31. London Plan Policy 3.12 requires boroughs seek the maximum reasonable amount of affordable housing when negotiating on private and mixed use developments, having regard to a number of factors, including development viability. Policy CP2 of Brent's Core Strategy sets a strategic target that 50% of new homes delivered in the borough should be affordable. Brent's DMP15 reinforces the 50% target set by policy CP2 and the need to seek the maximum reasonable amount of affordable housing. It also notes that 70% of new affordable housing provision should be social/affordable rented housing and 30% should be intermediate housing in order to meet local housing needs in Brent. London Plan Policy 3.11 sets a ratio of 60% social/affordable rented housing and 40% intermediate housing for new affordable housing across London.
32. The applicant submitted a Financial Viability Assessment (FVA) to support this application. The Council appointed consultants to independently assess this FVA. The Council has evaluated the appraisal in order to ensure that the proposed affordable housing represents the maximum reasonable amount. The applicant put forward an offer of 10 intermediate units (in the form of shared ownership) and 2 social rented. This equated to 32%, but the tenure mix did not reflect the Council's needs with the ration being 17% / 83%. However, the Council's consultants did some further analysis and identified that a mix which would better accord with the Council's requirements would be 4 affordable rented units, and 1 shared ownership. This would be 16% affordable housing. In further discussions with the applicant it has been agreed that 5 affordable rented units and no shared ownership is preferable. Essentially, we would have 3 more social rented units, and 10 less shared ownership units than was proposed. Although this is not in accordance with the borough wide tenure split, it would provide 5 high quality units. On a relatively small development, there is an advantage to having one type of affordable housing. The headline percentage of affordable housing is less than was originally proposed, but officers consider that it represents more of what the Council needs.
33. The Affordable Housing proposals therefore represent the maximum reasonable proportion of Affordable Housing, with a tenure split that better reflects the Council's adopted policies. Nevertheless, relatively small changes in the key parameters can have a significant impact on scheme viability and the level of Affordable Housing that the scheme can deliver, particularly in an area where significant change is envisaged through the consent and build-out period. A post-implementation review of the financial viability of the scheme is accordingly considered to be necessary. The affordable Housing proposals are considered to be acceptable.

Impact on neighbours

34. The impact on neighbours is also a significant consideration, and policy DMP1 seeks to ensure that this is acceptable. The buildings to the east are currently commercial and so are not as sensitive to noise as residential uses. The character of the Liberty Centre has changed with the introduction of a number of residential units which would be impact on by the proposal. Other than this, the nearest units are opposite on the northern side of Mount Pleasant and on the southern side of the canal, some distance away. Therefore, the main focus is on the Liberty Centre and how it will impact on the site and vice versa

Daylight and sunlight

35. The impact on daylight to existing properties is different to levels proposed within the development itself, as they are already inhabited. Vertical Sky Component (VSC) is a measure of daylight. The criteria to consider are whether the resulting levels of daylight are less than 27%, and if not then does the level remain above 80% of the existing level. Daylight Distribution (DD) is a further measure. It is recommended that it is not less than 0.8 times its former value.
- Unit 5 - 12 windows were tested. Seven satisfy VSC. The other 5 would retain values which are not untypical of a setting such as this. Five of the rooms tested accord with the test for DD.
 - Unit 6 - 7 windows were tested. There would be an impact on 6 of these windows in terms of VSC, and 3 for DD.
 - Unit 7 - 4 windows were tested. None would satisfy VSC, but are not far below the test. One would meet the requirements of DD.
 - Unit 8 - 2 windows were tested. Neither would satisfy VSC, but are not far below the test. The same is true for DD but the discrepancy is not great.
 - Unit 9 - Not in residential use.
 - Unit 10 - 19 windows were tested, and 15 satisfy the requirements. The other 4 would not be far below the requirements.

36. There would therefore be an impact, and this is largely a result of the existing buildings on site being lower than what is there. However, the proposal would essentially replace unattractive lower buildings which are in close proximity with the opposite. As discussed above, the Liberty Centre has been converted from an office building to residential use under permitted development and the windows of this building are situated in close proximity to the side boundary of that site. To achieve the loss of daylight in line with BRE guidance would result in the permitted development conversion significantly affecting the capacity of this allocated development site and on balance, the provision of additional housing, including affordable housing, is considered to outweigh the loss of daylight. There are also improvements in the appearance of the building (over that of the existing building) mitigates the loss to some extent.
37. For sunlight, only those which face the site and are within 90 degrees of due south are considered, and this means that it is a lower number of windows tested than for daylight. Sunlight is expressed as a percentage of Annual Probable Sunlight Hours (APSH). Eleven windows were tested, but they served 4 rooms. Each room would satisfy the test and the amount of sunlight received by these units is acceptable.
38. Overshadowing involves calculating the effects of these spaces being in permanent shadow on 21 March (the spring equinox), when at least half of the space should receive at least 2 hours of sunlight. There is potential for the new open space to be overshadowed, but there is no alternative location for it to be provided and it would still be a positive aspect.
39. In conclusion, your officers are of the view that given the benefits associated with the development of this site (the provision of a number of new homes in the borough) and the dense urban nature of the subject site and surrounding sites, the benefit of the proposed development is considered to outweigh the harm associated with the loss of daylight and sunlight. It should also be noted that the units within the Liberty Centre was converted into residential as part of the prior approval process. The prior approval process provides limited matters to be considered as part of the planning application. This includes the relationship of residential windows to neighbouring sites. It is not considered that the matter would warrant a reason for refusal.

Privacy

40. As discussed above, issues relating to privacy and overlooking can occur where windows or amenity areas are introduced within 20m of existing windows to habitable rooms, although this may be reduced to 18m in due course within SPD1. However, this does not relate to the relationship across streets, and the relationship with the Liberty Centre, across the pedestrian access, is akin to a street relationship. A distance of 10m (to be reduced to 9m within SPD1) is sought from habitable rooms to the boundary with adjoining areas of private amenity space. In this instance the impact would also be limited to the Liberty Centre. There are a number of windows facing east from the Liberty Centre towards the site, and as identified above some now serve residential units with the remainder in commercial use. Not all of the alterations and extensions have been constructed, but are considered anyway. The ground floor sits behind railings and realistically it will remain as such so it is the upper floors which are of relevance. The distance between the buildings would be approximately 13.9m to 14.3m, with 1.5m less for the balconies. However, it should be noted that the majority of the application site is sited 9m or more from the site boundary. It is the windows within the Liberty Centre that are much closer to the site boundary.
41. The roof terraces for units 5, 6, and 7 within the Liberty Centre would each have obscured glazing with a set back from the rear edge of the roof. These existing properties do not have a particularly attractive outlook, and the open space proposed would be an improvement as well as an amenity which residents can use. There are some measures which would mitigate potential for overlooking. The landscaping would include trees which would serve as a natural screen across the area as well as being a pleasant addition. The railings to the proposed balconies could also be designed such that the distance between the individual rails and the angles between the windows could obscure views, and this would be preferable to obscured glazing. Whilst the applicant has provided some details on this already, further details would be sought via a condition to ensure that this is considered in more detail later. With these measures the proposal is considered acceptable, and it would be of mutual benefit to both existing and future residents. Furthermore, as discussed above, the Liberty Centre was converted to residential through the prior approval process. This did not allow officers the opportunity to consider the relationship of these windows to neighbouring sites. On balance, given the wider benefits of this proposal and the aspiration for the SSA, the shortfall in separation distances to the Liberty Centre, should not preclude the wider SSA being developed.

Other considerations

42. Vibration is unlikely to occur from the completed development. It is possible that vehicles making deliveries could cause some vibration, but this would be limited and localised to the site itself. It is also unlikely to be frequent enough as to cause prolonged nuisance. There is potential for vibration during the construction period. Some of this is inevitable, and by definition would be temporary. However, the requirement for a Construction Management Plan (CMP) would ensure that this is managed as much as is possible.
43. The impact on air quality has been considered. Officers in Environmental Health have reviewed this report and advised that the development is not associated with significant parking increases and the trips generated by site end-users have been assessed to be insignificant. They have however requested further information on vehicle movements for the operational phase. Your officers recommend that a pre-commencement planing condition is secured for a revised air quality assessment to be submitted.
44. In all other respects (namely compliant with annual and hourly mean target concentrations for both NO₂ and PM₁₀) the council is satisfied with the findings in the report and has no further comment. A condition is recommended in to provide details of all domestic boilers installed demonstrating that the rated emissions of Oxides of Nitrogen (NO_x) do not exceed 20 mg/kWh.
45. Existing nearby occupants are not expected to be impacted on in a significant way by the proposal, which would not have inherently detrimental impacts on air quality in the way an industrial use may have. Some impacts during construction are to a degree inevitable, but there is also potential for mitigation. There is potential for an improvement over and above the current situation. Nevertheless it is suggested that a condition is imposed to ensure that the mitigation suggested by the applicant is enacted.
46. Obtrusive light can be a problem. Lighting along the canal and in the open space would need to be appropriate, and a condition would be imposed seeking further details. This is based on the impact on neighbours, future residents of the site and the canal itself. Whilst comments have not been received from the Canal and River Trust at the time of writing this report, in the case of Abbey Wharf, the Canals and Rivers Trust advised that they were keen to ensure that there is no light spill from the development will affect the water.
47. The development itself is not expected to result in problematic noise to existing properties. Residential uses do not create the same level of noise as commercial uses, and the removal of the existing commercial uses is likely to result in a decrease in noise levels experienced.
48. The building is not so tall that any issues of microclimate are expected. Tall buildings can create canyon effects with increased wind. However, this proposal is only 5 storeys at its highest point and it relatively open on all sides.
49. Security is an issue which can affect neighbours and visitors to the area. Comments above on natural surveillance are relevant. There would be a significant number of windows facing out from the site as to discourage anti-social behaviour and the widening out of the existing narrow pathway would be an improvement. There is evidence of some anti-social behaviour in this area and someone would be less likely to conceal themselves than is currently the case. Flats are also occupied throughout the day and night as opposed to the commercial units where it is more focussed on daylight hours.

Highways and Transportation

Site layout and car parking

50. Car parking allowances for the existing and proposed uses on the site are set out in Appendix 1 of the adopted DMP 2016, with servicing requirements set out in Appendix 2. As the site does not have good access to public transport services and is not located within a Controlled Parking Zone (CPZ), the higher residential allowances apply. It should also be noted that the Alpertown Masterplan seeks 0.6 spaces per unit in the Waterside Development Area.
51. The existing workshop would therefore be permitted about seven car parking spaces. No formal marked spaces are provided within the site at present, but the existing forecourt and driveways around the building would be capable of accommodating at least seven independently accessible car parking spaces. The workshop also requires servicing by full-sized lorries, but the tightness of the roads and forecourt around the site means servicing requirements would be difficult to fully accommodate.

52. The scheme proposes 14 spaces, of which three will be designated for use by Blue Badge holders (10% of the total). The headroom provides suitable clearance for high-top conversion vehicles for wheelchairs. The layout of the car park meets standards in terms of dimensions and the inclusion of six electric vehicle charging points (3 active and 3 passive) meets London Plan requirements for 40% of spaces to have charging facilities.
53. Policy DMP12 also requires that any overspill parking generated on the highway can be safely accommodated so that it does not harm existing on-street parking conditions in the area. As a proxy, it is generally assumed that residential demand will average 75% of the maximum parking allowance, which would translate to demand for 25 spaces and result in a potential overspill of 11 cars from the site. To verify this, car ownership data from the 2011 Census has been examined and this suggests that car ownership for flats in this area averages 0.715 cars/flat, which would lead to parking demand for 22-23 cars. This ties in well with the above approximation.
54. Objections have raised concern about the potential for overspill parking and the impact on the wider area. To help to mitigate any future parking problems that may arise, funding towards the introduction of a CPZ (including potential subsidy towards existing residents permit costs) should be sought through a S106 Agreement. To be consistent with other developments in the area, a sum of £500 per flat (total £15,500) is sought. Removal of the right of future residents of this development to parking permits should the CPZ be introduced is also sought to limit the potential for overspill parking and this has been acknowledged by the applicant in their Transport Statement. One objection notes that a CPZ would not ensure that a resident could park. Whilst it is not a guarantee of this, it would remove the ability for persons not living in the vicinity to park there now, which does not currently exist. Therefore, at the very least it would ensure that the situation does not worsen.
55. The London Plan requires the provision of a secure long-term bicycle parking space for every 1-bed flat and two spaces for all larger flats. The two proposed storage rooms around the edge of the carpark have capacity for 52 standard bicycles and an accessible bike, which provides sufficient parking in a secure and sheltered location close to the various entrance cores for the flats. A further Sheffield stand is proposed at the front of the site for visitors.
56. Two bin storage areas are proposed to accommodate six Eurobins and eight wheeled bins, thus satisfying storage requirements. The car parking area is too constrained to accommodate turning by refuse vehicles though, so they are proposed to stand in Mount Pleasant when collecting refuse. The bin store closest to the site entrance is therefore shown with surplus capacity to allow all bins to be brought to that store on collection days by the site management. This would keep refuse carrying distances to 14m. The proposed arrangements have been reviewed by Veolia (the waste contractor within the Brough) who have advised that the arrangements are acceptable.
57. Fire access to the units at the rear of the site also exceeds the maximum hose reach distance of 45m. A Fire Safety Report has been prepared by the applicant which includes measures such as dry risers to address the distance of 45m being exceeded. The proposal has been reviewed by London Fire Brigade. They have confirmed that the scheme based on the current layout of the plans is required to provide 100% sprinkler coverage (to BS 9251) in both blocks. The detailed design consideration of the fire strategy will be considered through Building Regulations.
58. The proposed 5m width of the driveway to the car park will allow two-way flow and the location of the access on the outside of a bend in the highway means vehicular sightlines are comfortably provided. The crossover to the site should be raised up to footway level to indicate priority for pedestrians.
59. The junction spacing to Beresford Avenue measures only about 10m though, which is well below standards. However, the access is in the same location as for the existing site and will be very lightly used. There are also proposals in the Alpertown Masterplan to amend the layout of the Mount Pleasant/Beresford Avenue junction to alter its priority, which would address this issue anyway. This is not therefore considered to be a significant concern.
60. The reduction in the number of access points from Mount Pleasant is otherwise welcomed in highway safety terms and the cost of removing the redundant crossover on the western side of the site and reinstating it to footway with full height kerbs will need to be met by the developer.
61. Aside from works to modify the existing site accesses, the applicant also proposes works within the adopted highway of Mount Pleasant fronting the site to repave the footway in Marshall's Myriad Priory

block paving, with a block-paved servicing lay-by (2.5m x 11m) re-provided within the footway immediately adjoining the site access with a time limit of 20 minutes. Although this is generally welcomed in terms of helping to maintain clear visibility past a service vehicle to the zebra crossing in Mount Pleasant, the lay-by would need to be amended to provide a physical separation from the site access, but this could be addressed as part of the later section 38 / 278 process to formally alter the public highway. It should also have a minimum depth of 3m to comply with standards for kerbside loading.

62. Again, if the Masterplan proposals to reconfigure the priority at this junction do proceed, there may not be sufficient space to retain the loading bay, but this could be factored into the design at the time. The level of deliveries generated by the proposal would not very significant anyway.
63. Suitable demarcation will need to be provided along the rear boundary of the existing adopted highway, which is assumed to remain in its current location (please note that any planters within the site must not encroach over the existing adopted highway). Bollards are indicated around the edge of the footway to prevent unlawful driving over the footways and tree planting is also indicated within the adopted highway.
64. The re-paving works are also proposed to include the resurfacing of Grand Union Walk footpath in Marshall's Myriad Priora block paving, which is welcomed.
65. All works in the existing highway will need to be undertaken through an agreement under Section 278 of the Highways Act 1980. Although the submitted hard surfacing details are fine in principle, please note that detailed drawings of future materials and construction details within the existing highway will need to be agreed through the Section 278 process.
66. Pedestrian access to the building will be provided from its western side, fronting Grand Union Walk, with a 3.5m-8.5m wide landscaped pedestrian area created along the building frontage. This will provide a high quality segregated access to the building for pedestrians, whilst also having the benefit of improving the overlooking and general feeling of security along Grand Union Walk, which is currently enclosed by walls and fences.
67. The pedestrian route will also extend around the building and along the canalside. With redevelopment of further sites to the east proposed, this will form a useful pedestrian route along the northern side of the canal, linking the bridge at Grand Union Walk to the proposed significant redevelopment of the Northfield Industrial Estate.
68. The route does need to remain open for access to all to be of use though, so the gate shown at the southern end of the courtyard area is not welcomed and a condition is required to ensure that this area is kept open and is attractively landscaped and managed in perpetuity. The pedestrian route along the southern side of the site thus be secured for future public use as a condition of any approval.
69. Lighting details have been provided. For the pedestrian area along the western side of the site, an average horizontal illuminance of 5 lux (min. 0.6 lux) is proposed, increasing to 10 lux (min. 4.5 lux) along the Grand Union Canal. This is considered acceptable, and although not specifically requested a reduction would be sufficient to ensure that the area is well lit. Similarly, an average illuminance of 10 lux is proposed for the car park, whereas 5 lux would generally suffice.

Transport Impact

70. Although the development is of a modest scale, a Transport Statement has been submitted with the application.
71. The statement has considered likely future trips to and from the site, based on comparisons with surveys of journeys to and from six other blocks of flats in inner and outer London with low to moderate access to public transport services and varying levels of off-street parking, and this has been supplemented by the Council's own analysis of more recent survey data to ensure robustness.
72. The TA thus estimates future peak hour trips to and from the site totalling 3 arrivals/17 departures in the morning peak (8-9am) and 11 arrivals/7 departures in the evening peak (5-6pm). Modal share figures from the 2011 Census for Brent were then applied to these trips, based on 30% of those residents in employment travelling as car drivers. On this basis, peak hour vehicular trips to and from the site are estimated at 1 arrival/5 departures in the morning peak hour and 3 arrivals/2 departures in the evening peak hour (5-6pm).

73. These vehicular flows represent less than 1% of the existing flows along the adjoining roads, particularly if the net traffic (discounting traffic associated with the existing car repair workshops) is considered. As such, there is considered to be no need to undertake any further examination of highway or junction capacity in the area.
74. In terms of public transport impact, the development is estimated to add 7 additional passengers to morning Underground services and 6 to evening Underground services, the majority of whom are likely to use the Piccadilly line from Alpertons station (although some may use alternative lines at Stonebridge Park and Hangar Lane).
75. Data for existing passenger flows through Alpertons station has been obtained from Transport for London and comparing figures suggests that even if all passengers from this development use Alpertons station, flows through the station would increase by less than 1% in each peak hour, with less than one additional passenger per train on average. This increase is not considered to be significant, particularly since planned upgrades by TfL to the Piccadilly line will increase capacity by 60% by 2026.
76. Bus journeys to and from the site are estimated at 4 trips in the morning peak hour and 3 trips in the evening peak hour. Some rail and Underground passengers may also use the bus to access nearby stations. One bus route (no. 224) currently serves the site at a frequency of four buses per hour in each direction, but no more than 1-2 additional passengers per bus would be expected on average. This is again not considered significant enough to warrant further analysis.
77. Bus route extensions (e.g. routes 83 and 440) to serve future further redevelopment in this area have been proposed as the Alpertons Masterplan is developed and built-out, but the scale of this development is not sufficient by itself to warrant any such route extensions at this time. Funding from another site nearby has been secured which Transport for London could request to improve services.
78. Walking and cycling trips are predicted to be low and there are again proposals to improve walking and cycling links through the area as the Masterplan is developed and individual sites come forward. This particular development will play its part in that respect by providing the canalside path link from Grand Union Walk, with future developments aiming to improve pedestrian and cyclist links to Alpertons station.
79. The road accident history for the area was examined for an area within about a 250m radius of the site for the five year period spanning 2012-2016. This identified a total of 17 accidents, of which six occurred in the close vicinity of this site and the adjoining junction of Mount Pleasant and Beresford Avenue. For a primarily residential suburban area, this accident rate is considered relatively high. Officers in Transportation have therefore requested for details to be provided for the most recent three year accident record (September 2014-August 2017).
80. This shows five slight personal injury accidents in the immediate vicinity of the site - three between cars at the junction of Beresford Avenue and Mount Pleasant and two on the zebra crossing to the west of the site.
81. Officers in Transportation have advised that if the Council does proceed with a scheme to amend the Mount Pleasant/Beresford Avenue junction to a simpler layout that gives priority to the dominant east-west flow (as recommended in the draft Alpertons Housing Zone transport assessment), then this may help to improve safety at the junction by reducing turning movements. That scheme is dependent on future funding though, potentially through CIL.
82. Nevertheless, the development is not predicted to generate sufficient numbers of new trips in the area to worsen the road safety record. Indeed, it would be likely to improve matters by removing the car repair business from the site, which currently parks vehicles over the footways and forecourt areas which reduces intervisibility between vehicles and pedestrians. Therefore it is considered that the proposal is acceptable on highway safety grounds taking in account the current road layout.

Travel Plan

83. Although the development falls below the usual threshold at which a residential Travel Plan would be required, the applicant has nevertheless submitted a Travel Plan to help to manage journeys to and from the site.
84. The objective will be to promote alternative modes of transport to the car and ensure more efficient use

of vehicles, with the aim of reducing the proportion of car trips to and from the site from an estimated 30% (as predicted within the Transport Statement) to 20% within five years of occupation. This target will be reviewed once an initial survey of trips has been undertaken, within six months of 75% of the flats being occupied.

85. The Travel Plan will be managed by a Travel Plan Co-ordinator employed by the Site Management Company. This person will provide travel information and promotional material to residents through Welcome Packs and notice boards. These will include information on Car Clubs and car sharing initiatives, promotion of public transport discount options (e.g. through commuter clubs) and promotion of walking and cycling. It would be useful if the promotion of the Car Clubs included the offer of subsidised membership for new residents.
86. The success of the plan will be monitored using i-TRACE compliant surveys undertaken three and five years after occupation of the development, in accordance with standard practice. Given the small scale of the development, securing the implementation of the Travel Plan though a condition would be satisfactory.
87. A Delivery and Servicing Plan has also been incorporated within the Transport Statement to help to manage delivery scheduling through a vehicle booking system, with the aim of minimising deliveries during peak hours. However, as a purely residential development, it will be difficult to deliver meaningful results given the impromptu and unscheduled nature of the few deliveries expected per day (three on average). As such, whilst the attempts to manage deliveries are welcomed, there is no need to secure the operation of the Plan through a condition or legal agreement.

Construction Management Plan

88. Finally, an outline of a Construction Logistics Plan has been included in the Transport Statement. However, this is very light on detail and does not avoid the need for a full plan to be provided for the development, which should comply with Transport for London's guidance.
89. Working hours of 8am-6pm on weekdays and 8am-1pm on Saturdays are proposed and the estimated maximum volume of daily deliveries is predicted at 40. Details of whether these will be unloaded on-site or from the loading bay fronting the site are unclear at present. Either way, pre-booking of deliveries will be essential to ensure this volume of daily deliveries can be accommodated at all times on site or in the designated loading bays and this has not been referred to. Banksmen will also be required to assist safe access onto the site, particularly if vehicles need to reverse in from Mount Pleasant.
90. The site is located close to the North Circular Road, so all deliveries are expected to use that route, reaching the site via either Ealing Road / Mount Pleasant or via Beresford Avenue, which is acceptable. No off-street car parking is proposed for staff, although cycle parking will be provided. As the surrounding roads are not within a Controlled Parking Zone, Travel Plan measures should be employed to discourage car use amongst construction workers.
91. As above, a full Plan will need to be produced for the development prior to a material start as a condition of any approval.

Trees, Landscaping and Public Realm

92. There are no trees on site which are subject to a Tree Protection Order. An assessment of the trees on the site has been provided, and unsurprisingly they are limited. There is a Wild Cherry near to the layby on Mount Pleasant, which is indicated to be retained. A condition is proposed requiring that tree protection is installed prior to the commencement of development.
93. The design section above has described and assessed the public spaces that would be created to the west and fronting the canal. To reiterate, these are considered tangible benefits to the wider Alperton area. Precise details would be provided via a condition, and this should incorporate Sustainable Urban Drainage (SUDS) methods to minimise surface run-off. Having viewed the outline proposals provided with the planning application, the Tree Officer is of the view that more and larger trees than are shown on the drawings are provided. This tallies with the discussion about overlooking above where landscaping is a means by which this can be mitigated.

Ecology and Biodiversity

94. An Ecological Appraisal has been submitted as part of the application. In March 2016, an extended Phase 1 Habitat Survey was carried out. The Appraisal states that the buildings adjacent to the canal have a low potential to support bat roosts, but a phase II bat survey was still carried out. No bats emerged and therefore no further survey work is required. However, mitigation is suggested.
95. The offsite canal is a Site of Importance for Nature Conservation (SINC; Metropolitan tier). Strategic design and landscaping are required to avoid light spill onto the canal. Additional precautionary measures to protect the canal during construction have been recommended and this would be secured by condition. Mitigation measures have also been suggested, and the Appraisal confirms that implementing these recommendations will ensure that there are no significant impacts upon protected species. The mitigation measures include the following:
- tree planting along length of the canal (species to include Goat willow and common alder)
 - good practice measures to be taken during the construction phase of the development to avoid unnecessary impacts to the canal
 - oil and chemicals will be stored away from the canal and protected by bunding
 - machinery and wheels to not be washed within 8 metres of the canal as the washwater could pollute the water course
 - it is recommended that the building is demolished within the bat hibernation period (1st October - 1st March). To mitigate for the loss of roosting opportunities on site, it is recommended that a Schwegler 1FR bat tube is installed within the site
 - new tree planting.
 - the removal of any vegetation should ideally be undertaken outside the nesting bird season (which is generally taken to be March to August, inclusive), but if not then it should first be checked by a qualified competent person.
 - Install five additional bird nest boxes (Schwegler 1MR or any Vivara pro Woodstone nest boxes) into the external walls of new buildings.
 - Install one bat tube

With conditions in place to ensure these mitigation measures are implemented, the proposal is considered acceptable.

Contaminated Land

96. The applicant has submitted a land contamination assessment, which is appropriate given that the historic uses of the site could have deposited contaminants into the soil. The report has been reviewed by officers in Environmental Health. The report includes details of a desk study walk over, preliminary risk assessment, ground investigation and contamination assessment. Due to access issues only a limited amount site investigation has been undertaken, sample locations are located to the north of the site and only one round of groundwater monitoring has been undertaken. More sample locations are required to provide greater site coverage and provide a greater degree of site characterisation. As further information is required, officers in Environmental Health have recommended that conditions are secured requiring a further site investigation following demolition, and a verification report to show that remediation has been carried out. This is particularly important given the relationship with the canal. As part of the Abbey Wharf application, The Canal and River Trust has identified a risk of contaminated water entering the canal. To discharge the conditions the applicant will need to address this specific point. With these conditions the proposal is considered acceptable.
97. An objection cites an existing situation on the frontage of the site whereby pooling water mixes with oil. It is not clear if the source of this is this or the neighbouring site. The development would involve a new frontage which would improve on the current drainage problems. It would also remove a potential source of the oil. Notwithstanding, this is a scenario which should not be occurring and is a situation that will need to be monitored to ensure that pollution is not occurring.

Sustainability and energy

98. Chapter 5 of the London Plan includes policies requiring that developments are constructed to minimise their carbon emissions. This is based on the energy hierarchy: 'Be lean', 'Be clean', 'Be green'. This can be summarised as firstly reducing the carbon within the building's structure so that less energy is used. Secondly, considering whether there are methods to increase energy efficiency, and this is done through Combined Heat and Power (CHP) and connection to District Wide Heating Networks (DWHN). Finally, renewable energy should be incorporated into the design of the building. Since October 2016 London Plan policy has sought zero carbon. In practice it is not usually possible to achieve this with on-site

measures alone. Therefore, an offset payment can be used that is equivalent to the remaining CO2.

99. The Applicant has submitted a Sustainability Statement. The proposal has targeted sustainability throughout the lifetime of the building. Passive design measures also feature within the building to prevent overheating and avoid excessive requirements for heating and cooling. The total overall carbon reduction is predicted to be 36% through high fabric efficiency, and through the use of Photovoltaic panels which would be over the parts of the roof which are not to be used as amenity space.
100. At the 'Be Lean' stage the thermal performance of the building has been considered to deliver low U-values. Natural daylight has been maximised to reduce the need for artificial lighting and maximise winter solar gains to reduce heating requirements. The balconies would limit heat gain in the summer by shielding the unit below. At the 'Be Clean' stage it has been explored if there is a Decentralised Heating Network for the development to connect up to. Currently, there is not one and it appears unlikely that this is feasible. It is also a relatively small development and so it is not realistic that it could provide the infrastructure on site. Finally, the 'Be Green' stage proposes to incorporate PV panels on the roof. They would be orientated to maximise exposure to light, facing south at an angle of 30 degrees from the horizontal.
101. As noted above an offset payment can be used to cover the CO2 contributions that cannot be mitigated on site. The Council has adopted a sum of £60 per tonne over a period of 60 years. Based on an annual shortfall of 24.7 tonnes over 30 years, this equates to £44,404. The measures detailed above, and the offset payment would be secured through the section 106 agreement.
102. The London Plan also has a target for water use. Policy 5.15 requires developments to minimise the use of mains water by incorporating water saving measures and achieve a consumption target of 105 litres (or less) per head per day. A condition would be imposed to ensure that this is achieved.

Flooding and Sustainable Drainage

103. The application has been accompanied by a Flood Risk Report. The site falls within Flood Zone 1 and the risk of flooding is very low. At present, all surface water from the site is discharging to public sewer, but there will be approximately 50% reduction in the surface water discharge from new site. The developer is proposing storage tank and surface water discharge will be restricted to 20 l/s and this will reduce the flooding risks. The report has been reviewed by the Local Lead Flood Officer and confirmed to be acceptable.

Other matters

104. An objection notes a legal right of way across the site identified within the title deeds, and that the development would interfere or block this. As noted above the right of way exists but the area identified is not to be built on. It would be where the car parking area is. Notwithstanding that, the granting of planning permission would not override this. It would be a matter that the applicant would need to satisfactorily address outside of planning legislation. In addition, matters such as party wall and structural considerations would also fall outside of the planning system, but would still need to be successfully addressed before the development could proceed.
105. A further objection cites an existing situation on the frontage of the site whereby pooling water mixes with oil. The development would involve a new frontage which would improve on the current drainage problems. It would also remove a potential source of the oil. In any event this is a scenario which should not be occurring and it is a situation that will need to be monitored to ensure that pollution is not occurring.
106. Details of waste and recycling are referred to above, specifically in relation to vehicular access to the storage areas. Residential storage is shown at ground floor level accessed from the car parking area to the rear. There would be 2 separate areas to serve each of the cores. This is considered broadly adequate, and a condition would require that the areas are open for use prior to occupation.
107. Consultation with Historic England's Greater London Archaeological Advisory Service (GLAAS) has confirmed that this is not within a site of archaeological importance. An assessment has been submitted as part of the planning application regardless. Overall, the conclusion is that the proposal would not impact on any heritage or archaeological features (whether statutory or non-statutory).
108. This is the third site along this section of the canal for which planning permission has been sought,

with one of these developments now being constructed. The other is 100 Beresford Avenue (16/0389), where a planning application was submitted in January 2016 but is not yet determined. The planning policy for the growth area seeks further developments. At the moment they have not come forward, but if they do and were to receive planning permission then there is a possibility that more than one development could be constructed at the same time. This has the potential to increase the level of disruption during the construction period. The Construction Management Plan is proposed to minimise the impact of this development. Whether or not more than one development is built in an area at one time cannot be controlled through planning.

Conclusion

109. The site is allocated for a mixed use development, and is potentially an important part of the Mount Pleasant Area given its location on the canal. This allocation includes a significant number of residential units and the residential led proposal accords with this allocation. The proposal would result in the loss of existing occupied industrial/office space, but it has been acknowledged that it is not possible for the exiting provision to be protected in its current form, particularly with the site allocation envisages a residential led scheme. The nature of the site is such that replacement commercial stage is not considered feasible.
110. The design and appearance of the building is considered to be of high quality, with an appropriate relationship to the surrounding existing uses and also the likely future context. The proposed development is higher than as was set out in the Alperston Masterplan. However, the relation between the existing buildings in the vicinity and the surrounding development is considered to be acceptable in terms of the principles of urban design. The creation of open space is crucial, and a real benefit of the development. It also influences the impact on neighbours, where there would some loss of light, but in its place would be a more attractive outlook across the new open space.
111. Affordable Housing is proposed at a rate of 16 % (by unit) which is considered to represent the maximum reasonable proportion that the scheme could deliver. The split between tenures is not identical to the Council's policies, but provides units which would make a contribution to meeting housing needs. Nevertheless, small changes in scheme viability could affect the viable levels of provision and a post-implementation is accordingly considered to be necessary. This is in line with the relevant policies and guidance.
112. The residential accommodation proposed would be high quality, with the units being well sized with good outlook and amenity space (private and communal). There are some single aspect units, and the ground floor does not have the same level of amenity and privacy as the upper floors. Overall, though it is acceptable.
113. There would be a potential impact on the highway and transportation. The creation of a CPZ and the removal of residents' ability to obtain parking permits is crucial to ensuring the impact of a development of this size being acceptable. Section 106 contributions are required to implement the CPZ. The transport impact of the proposal on all modes of transport is considered acceptable, with the level of parking considered to be sufficient. A number of improvements to sustainable transport to be brought forward in the area to support regeneration.
114. The applicant has demonstrated that, with the imposition of conditions and section 106 obligations, the proposal accords with policies on environmental sustainability, and would have an acceptable impact on existing trees, ecology, and flood risk. The proposed landscaping represents a real positive of the scheme that can also enhance biodiversity.
115. Overall, it is concluded that the development is acceptable, and it is recommended to the committee to grant planning permission subject to a Section 106 agreement and conditions.

CIL DETAILS

This application is liable to pay **£433,397.19*** 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): 1628 sq. m.

Total amount of floorspace on completion (G): 2947 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	2947		1319	£200.00	£35.15	£368,613.39	£64,783.80

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	£368,613.39	£64,783.80

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

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

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

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 18/0752

I refer to your application dated **23/02/2018** proposing the following:

Demolition of existing buildings at Afrex House, and redevelopment to provide a residential development of 3-5 storeys for 31 residential units (9 x 1bed, 18 x 2 bed, 4 x 3 bed), creation of public realm and alterations, landscaped amenity space, car and cycle parking and all associated works.

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

at **All Units at Afrex House, Beresford Avenue, Wembley, HA0 1NX**

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: 03/08/2018

Signature:

Alice Lester
Head of Planning, Transport and Licensing

Notes

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

DnStdG

SUMMARY OF REASONS FOR APPROVAL

- 1 The proposed development is in general accordance with the:-
National Planning Policy Framework 2018
London Plan 2016
Brent Core Strategy 2010
Brent Development Management Policies 2016
Brent Site Specific Allocations

- 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):

ZZ-DR-A-3_02-000 Rev D0-1 "Site Location Plan"

ZZ-DR-A-3_05-005 Rev D0-1 "Existing Street & Canal Elevation"

ZZ-DR-A-3_05-006 Rev D0-1 "Existing Street & Canal Elevation"

ZZ-DR-A-3_02-001 Rev D0-1 "Existing Roof Plan"

RF-DR-A-3_02-001 Rev D0-1 "Proposed Block Plan"

00-DR-A-3_03-001 Rev D0-1 "Proposed Ground Floor Plan"

01-DR-A-3_03-001 Rev D0-1 "Proposed First Floor Plan"

02-DR-A-3_03-001 Rev D0-1 "Proposed Second Floor Plan"

03-DR-A-3_03-001 Rev D0-1 "Proposed Third Floor Plan"

04-DR-A-3_03-001 Rev D0-1 "Proposed Fourth Floor Plan"

Proposed Roof Plan

ZZ-DR-A-3_05-001 Rev D0-1 "Proposed East and Internal North Elevation"

ZZ-DR-A-3_05-003 Rev D0-1 "Proposed North and Internal East Elevation"

ZZ-DR-A-3_05-004 Rev D0-1 "Proposed Street & Canal Elevation"

ZZ-DR-A-3_05-002 Rev D0-1 "Proposed South and West Elevations"

Proposed Section A-A and B-B

Proposed Section C-C

INL20621-09 "Landscape Masterplan Roof Level" dated February 2018

INL20621-10F "Landscape Masterplan Ground Floor" dated July 2016

INL20621-11 "Soft Landscape Proposals"

INL20621-12 "Hard Landscape Proposals"

INL20621-13 "Roof Landscape Proposals"

Supporting Statements/documents

INL20621-03B "Tree Protection Plan" dated June 2016

Transport Assessment prepared by Phil Jones Associates (dated February 2018)

Energy Strategy prepared by Metropolis Green (dated 21/02/2017)

Sustainability Statement prepared by Metropolis Green (dated 21/02/2017)

Air Quality Assessment prepared by Entran Limited (dated February 2018)

Noise Assessment prepared by Entran Limited (dated February 2018)

Archaeological Desk-Based Assessment prepared by CgMs Heritage (dated February 2018)

Planning Statement prepared by Lichfields (dated February 2018)

Landscape Management and Maintenance Plan prepared by ACD Environmental Ltd (dated February 2018)
 Flood Risk Assessment prepared by Roger Cory Partnership dated August 2016
 Ecological Appraisal prepared by ACD Environmental Ltd dated June 2016
 Statement of Community Involvement prepared by Cratus Communications dated February 2018
 Geo-Environmental Report prepared by WDE Consulting dated February 2018
 Design and Access Statement prepared by Broadway Malyan
 Daylight and Sunlight Report prepared by Anstey Horne (dated March 2018)

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

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

Time level	Area	Maximum noise
Daytime Noise	Living rooms and bedrooms	35 dB LAeq (16hr)
07:00 – 23:00	Outdoor Amenity	55 dB LAeq (1hr)
Night time noise 23:00 – 07:00	Bedrooms	30 dB LAeq (8hr)

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

- 4 Prior to the commencement of development the tree protection measures shown on drawing INL20621-03B by ACD Environmental shall be installed and remain in place for the duration of the construction period.

Reason: To protect the Wild Cherry tree on the public highway.

- 5 Prior to the occupation of the residential units hereby approved the private and communal external amenity space shown on the drawings hereby approved shall be provided in accordance with the approved details and made available. It shall be retained as such for the lifetime of the Development.

Reason: To ensure that the residential units are high quality and offer acceptable amenity standards for future residents.

- 6 Prior to the occupation of any part of the development, the delivery bay and temporary refuse area shall be laid out and provided in accordance with the approved drawing, and maintained as such thereafter.

Reason: To ensure that the impact of the development on the highways network is appropriate.

- 7 Not less than 10% of residential units shall be constructed to wheelchair accessible requirements (Building Regulations M4(3), with the Affordable Rented units provided as fully adapted units and the intermediate and private units provided as Easily Adaptable) and the remainder shall meet easily accessible/adaptable standards (Building Regulations M4(2)).

Reason: To ensure suitable facilities for disabled users and to future proof homes.

- 8 A communal television aerial and satellite dish system shall be provided, linking to all residential units unless otherwise agreed in writing by the local planning authority.

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

- 9 The car parking spaces and accesses shall be laid out and made available prior to the occupation of any part of the development hereby approved and shall thereafter be retained as such for the lifetime of the Development.

Reason: To ensure that the impact of the development on the highways network is appropriate.

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

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

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

Reason: To limit the impact of construction upon the levels of amenity that neighbouring occupiers should reasonably expect to enjoy.

- 12 Mitigation measures described in the approved Ecological Appraisal prepared by ACD Environmental dated June 2016 shall be implemented in full.

Reason: To ensure that the proposal does not adversely impact on ecological habitats..

- 13 The Residential Travel Plan dated February 2018 shall be adhered to throughout the lifetime of the development.

Reason: In the interests of promoting sustainable modes of transport.

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

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

- 15 The windows on the northern elevation of the development to the communal walkways at first floor level and above shall be obscured glazed and top-opening at 1.7m high above internal floor level, and the windows to the bedroom on the eastern flank wall of the development shall be obscured glazed and top-opening upto 1.7m high above internal floor level. The windows shall therefore be permanently retained in accordance with the approved details.

Reasons: In the interests of the amenities of the adjoining sites within the SSA.

- 16 The refuse areas shown on the drawings hereby approved shall be provided and made available prior to the occupation of the residential units. They shall be maintained as such thereafter.

Reason: To ensure that the residential units are high quality and that the development does not prejudice the enjoyment by neighbouring occupiers of their properties.

- 17 A Construction and Demolition Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority, prior to commencement of any construction works on site (including demolition). This shall include hours of deliveries, and outline measures that will be taken to control dust, noise and other environmental impacts of the development. The approved Plan shall be fully implemented thereafter throughout the demolition and construction of the development in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

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

- 18 Prior to the commencement of development (including demolition works) a scheme an Air Quality Neutral Assessment shall be submitted to and approved in writing by the Local Planning Authority. The report must be undertaken in accordance with guidance published by the Greater London Authority (GLA) and submitted to the Local Planning Authority for approval. The assessment shall include mitigation proposals should it be found that the development is not air quality neutral. The approved measures shall thereafter be implemented in full.

Reason: To ensure that the development would not result in a detrimental impact on local air quality.

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

(b) Any soil remediation required by the Local Planning Authority shall be carried out in full. The development shall not be occupied until a verification report shall be submitted to and approved in writing by 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

- 20 Prior to the commencement of the development (excluding demolition of the existing buildings on site) hereby permitted, full details of the proposed surface water drainage, including any SUDs measures and discharge rates, shall be submitted to and agreed in writing by the Local Planning Authority, and implemented in accordance with the approved details unless otherwise agreed in writing.

Reason: To determine the potential for pollution of the waterway and likely volume of water. Potential contamination of the waterway and ground water from wind blow, seepage or spillage at the site, and high volumes of water should be avoided to safeguard the waterway environment and integrity of the waterway infrastructure.

- 21 Prior to the commencement of development hereby approved, a Risk Assessment and Method Statement outlining all works to be carried out adjacent to the water must be submitted and approved in writing by the Local Planning Authority in consultation with the Canal and River Trust. The risk assessment shall also include details of a monitoring strategy for the canal wall during the demolition and construction process. The works shall be carried out in accordance with the approved Statement.

Reason: To ensure the proposed works adjacent to the water do not have any adverse impact on the safety of waterway users and the integrity of the canal, prior to any works taking place.

- 22 Prior to commencement of the development (excluding demolition) details of all exterior materials including samples (which shall be made available for viewing on site or in another location as agreed) and/or manufacturer's literature shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include but not be limited to:
- (i) building envelope materials e.g. bricks, cladding;
 - (ii) windows, doors and glazing systems including colour samples; and
 - (iii) balconies and screens (including measures to prevent overlooking occurring)

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

Reason: To ensure the appearance of the development is high quality, and in the interest of the privacy of future occupants and occupants of the Liberty Centre.

- 23 Development shall not commence until an updated drainage strategy detailing any on and/or off site drainage works, in line with the submitted Drainage Strategy (dated August 2016, prepared by RCP), has been submitted to and approved in writing by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

Reason: The development may lead to sewage flooding; additional information required to ensure the development will avoid adverse environmental impact upon the community.

- 24 No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

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

- 25 Within 6 months of commencement of development, a plan detailing the proposed 'play-on-the-way' shall be submitted and approved in writing by the Local Planning Authority. Such details shall include:

- (i) the location of the equipment
- (ii) details of the equipment / measures to meet the minimum standards for play

The approved equipment / measures shall be installed prior to the occupation of the residential units and retained for the lifetime of the Development.

Reason: To ensure there is sufficient provision of areas and equipment for children's play.

- 26 Notwithstanding any details of landscape works referred to in the submitted application, a scheme for the hard and soft landscape works and treatment of the surroundings of the proposed development (including species, plant sizes and planting densities) shall be submitted to and approved in writing by the Local Planning Authority within 6 months of commencement of development. Such a scheme shall include:-

- (a) all planting and trees including location, species, size, density and number incorporating native species;
- (b) details of the layouts of the publicly accessible spaces;
- (d) details of the provision of artificial bird and bat boxes;
- (e) areas of all 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;
- (f) the location of, details of materials and finishes of, all street furniture, drainage and external

cycle stands;

(g) proposed boundary treatments including walls, fencing and retaining walls, and defensible space indicating materials and height;

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

(j) details of materials, lighting, tactile paving, handrails and wayfinding signs;

(k) details of all tree planting pits (including surfacing);

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

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

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

- 27 Within 6 months of commencement of development, full details of electric vehicle charging points shall be submitted to and approved in writing by the Local Planning Authority. The spaces shall be provided in accordance with these details prior to the occupation of any part of the development and retained for the lifetime of the Development.

Reason: To encourage sustainable forms of transportation.

- 28 Within 6 months of commencement of development, full details of the cycle spaces shall be submitted to and approved in writing by the Local Planning Authority. The spaces shall be provided in accordance with these details prior to the occupation of any part of the development and retained for the lifetime of the Development.

Reason: To encourage sustainable forms of transportation.

- 29 Prior to the commencement of the development hereby permitted (excluding demolition of the existing buildings on site) a structural survey of the waterway wall should be undertaken, and full details of this and any proposed repairs shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Canal and River Trust. The waterway wall works shall be carried out in accordance with the approved details.

Reason: To ensure the proposed works do not have any adverse impact on the safety of waterway users and the integrity of the canal, prior to any proposed works taking place on site which might impact on the waterway wall.

- 30 Prior to the commencement of the demolition of the existing buildings on site, an area defined as a consistent distance of 2m from the canal edge shall be demarcated from the rest of the site using baulk timbers, concrete road barriers (or other equivalent methods of enclosure). No demolition material or plant shall be stored within this area until such time as condition 25 (waterway wall survey) has been fully discharged and any approved measures / repairs have been implemented in full, unless otherwise agreed in writing with the Local Planning Authority in consultation with the Canal and River Trust.

Reason: To ensure the proposed demolition works do not have any adverse impact on the safety of waterway users and the integrity of the canal.

- 31 Details of the height, type, position, angle and spread of any external lighting shall be submitted to and approved in writing by the Local planning authority prior to first occupation of the development hereby approved. The external lighting shall be erected and maintained in accordance with the approved details to minimise light spillage and glare outside the designated

area.

Reason: To protect the amenity of existing and future residents and in the interest of safety and ecology.

- 32 Within 6 months of commencement of development details of the access gate providing access to the canalside walk shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of the gate's appearance and how access will be managed to maximise access through it to the canalside walk.

Reason: To ensure that it is attractive in appearance and that appropriate access is provided to the canalside walk.

- 33 Prior to the first occupation of the residential units hereby approved, details of all domestic boilers installed demonstrating that the rated emissions of Oxides of Nitrogen (NOx) do not exceed 20 mg/kWh, shall be submitted to and approved in writing by the Local Planning Authority. The boilers shall thereafter be installed in accordance with the approved details.

Reason: To protect local air quality.

INFORMATIVES

- 1 Delete this and enter unique informative here
- 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 Applicants are reminded of hazards caused by asbestos materials especially during demolition and removal works and attention is drawn to the Asbestos Licensing Regulations 1983. Licensed Contractors only are permitted to remove asbestos which must be transferred to a licensed site. For further advice the Council's Chief Environmental Health Officer should be contacted.
- 4 **Waste Comments**
With regard to surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website.
<https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services>

We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquires should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We will need to check that your development does not reduce capacity, limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.

<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

Please read our guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you are considering working above or near our pipes or other structures.

<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

Water Comments

With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

- 5 The applicant/developer should refer to the current "Code of Practice for Works affecting the Canal & River Trust" to ensure that any necessary consents are obtained (<https://canalrivertrust.org.uk/business-and-trade/undertaking-works-on-our-property-and-our-code-of-practice>).

The applicant/developer is advised that any encroachment or access onto the canal towpath requires written consent from the Canal & River Trust, and they should contact the Canal & River Trust's Estates Surveyor, Jonathan Young (jonathan.young@canalrivertrust.org.uk) regarding the required access agreement.

- 6 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.
- 7 The applicant is reminded that any damage caused to the public realm as a result of the development shall be repaired prior to occupation.
- 8 All Non Road Mobile Machinery utilised in the development must be registered on the following site : <https://nrmm.london/>

Any person wishing to inspect the above papers should contact Denis Toomey, Planning and Regeneration,
Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 1620

This page is intentionally left blank

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

15 August, 2018
05
18/1592

SITE INFORMATION

RECEIVED	27 April, 2018
WARD	Wembley Central
PLANNING AREA	
LOCATION	1-7, 9, 11 & 11A Elm Road, Wembley, HA9 7JA
PROPOSAL	Demolition of existing hotel buildings and erection of a part 3, part 4 and part 5 storey 226 bed aparthotel plus basement accommodation comprising guestrooms and ancillary facilities within a 5-storey basement (situated below the part-basement lower ground floor), together with soft and hard landscaping, servicing, cycle storage and refuse and recycling facilities
PLAN NO'S	Refer to 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_139684</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 "18/1592" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab

RECOMMENDATIONS

Resolve to grant planning permission subject to conditions and the completion of a satisfactory Section 106 or other legal agreement.

Section 106 Heads of Terms

1. Payment of legal and professional costs;
2. Notification of commencement;
3. Training and employment plan targeting Brent residents;
4. A financial contribution of £10,000 towards the planting of street trees along the frontage of the development
5. Submission and approval of a full operational Travel Plan based upon the submitted Framework Travel Plan within six months of the aparthotel opening and the implementation and monitoring of the travel plan;
6. 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:

Conditions

1. Time Limit for commencement
2. Approved drawings/documents
3. Restriction on occupancy length
4. Building use restriction
5. Specific windows to be obscure glazed for privacy of neighbours
6. 10% accessible bedrooms to be provided and maintained
7. Tree protection measures
8. Accessibility Management Plan to be adhered to
9. Service bay provided and Coach Management Plan and Delivery and Servicing Management Plan to be adhered to
10. Crossover works to be completed prior to occupation
11. Considerate Constructors' Scheme membership
12. Cycle Parking to be installed prior to occupation
13. Plant Noise
14. Sustainable drainage strategy
15. Construction and Demolition Method Statement
15. Air quality neutral assessment
16. Piling Statement
17. Approval of materials
18. Landscaping details
19. External lighting details
20. Odour extract
21. BREEAM post construction stage review


Informatives

1. Construction Hours
2. Guidance notes from Thames Water (1)
3. Guidance notes from Thames Water (2)
4. Guidance notes from Thames Water (3)
5. Advertisement Consent
6. Contact highways for crossover works
7. Notify highways service of intent to commence works
8. Tree protection informative
9. CIL liability informative
10. London Living Wage informative
11. Fire safety informative
12. Asbestos informative
13. Approval in principle for retaining structures around the site perimeter

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

That, if by 3 months of the committee date the legal agreement has not been completed, the Head of Planning is delegated authority to refuse planning permission.

SITE MAP

	<p>Planning Committee Map</p> <p>Site address: 1-7, 9, 11 & 11A Elm Road, Wembley, HA9 7JA</p> <p>© Crown copyright and database rights 2011 Ordnance Survey 100025260</p>
---	---



This map is indicative only.

PROPOSAL IN DETAIL

The proposal seeks to demolish the five existing terrace house buildings that comprise the current hotel. A replacement aparthotel building of a more modern character is proposed in its place. The new aparthotel will accommodate 226 bedrooms/suites, an ancillary café and associated back of house and staff areas. These facilities will be contained across five storeys above ground and across one semi-basement level and four basement levels.

An off-street taxi drop-off area as well as access to the aparthotel's internal service bay are proposed along the St John's Road frontage.

Six short stay cycle spaces are proposed along the Elm Road frontage, close to the edge of the site.

EXISTING

The subject site is situated on the north-east corner of the junction of Elm Road and St John's Road in Wembley, approximately 100m from Wembley High Road and 200m from Wembley Central railway and tube station. It comprises a set of five Edwardian terrace houses that have long been repurposed for use as a hotel containing 61 bedrooms and associated car parking space. The existing hotel is situated just outside of the designated Wembley Town Centre boundary, with the buildings just across the road (on the south side of Elm Road) being within the boundary of the town centre. The site is within the Wembley Growth Area.

The subject site is not within a Conservation Area, nor is the building listed.

SUMMARY OF KEY ISSUES

The key planning issues for Members to consider are set out below. 4 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:

- **Representations received:** 329 neighbouring occupiers were consulted on the application. One objection was received raising concerns with nuisance and disturbance during construction works and an over concentration of hotels within the Wembley area.
- **Intensification of use:** The proposal will result in a significant intensification of an existing hotel use and also an intensification of a previously approved hotel redevelopment proposal. Your officers consider this to be acceptable given that it is an existing hotel adjacent to the Town Centre boundary and within the Wembley Growth Area, and the proposal continues to demonstrate that it is an appropriate addition in terms of its visual design, massing, highway impacts and amenity impacts to neighbours.
- **Design:** The design of the building is considered to be acceptable and the height and massing is in keeping with the local context.
- **Neighbouring amenity:** The relationship with most neighbouring buildings complies with relevant Brent guidance for protecting visual amenity. Situations where guidance is breached are very minor in nature. The applicant's daylight and sunlight analysis confirms that whilst some small losses of light will be experienced, all nearby properties will retain suitable daylight and sunlight to their windows in line with BRE standards.
- **Highways and transportation:** The submission demonstrates that the proposal is unlikely to have a significant impact on local street given the high level of public transport accessibility of the site.
- **Environmental considerations:** A number of conditions are recommended regarding the potential will require the environmental health impacts, in particular construction management, to be fully considered and mitigated prior to commencement of the development.
- **Trees, landscaping and public realm:** The proposal will deliver new street trees outside the development as part of a S106 contribution, which is strongly supported by your officers. Railing planting will mask the light well and make for a positive street frontage relationship.
- **Sustainability and energy:** The measures proposed by the applicant achieve the required improvements in terms of achieving a BREEAM rating of 'Excellent'. Conditions will ensure that further information to demonstrate this will be provided as the development proceeds.

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)
Assembly and leisure	0		0	0	
Businesses / research and development	0		0	0	
Businesses and light industry	0		0	0	
Businesses and offices	0		0	0	
Drinking establishments (2004)	0		0	0	
Financial and professional services	0		0	0	
General industrial	0		0	0	
Hot food take away (2004)	0		0	0	
Hotels	1230		1230	6092	
Non-residential institutions	0		0	0	
Residential institutions	0		0	0	
Restaurants and cafes	0		0	0	
Shops	0		0	0	
Storage and distribution	0		0	0	

Monitoring Residential Breakdown

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

RELEVANT SITE HISTORY

Relevant planning history

17/3188: Full Planning Permission sought for demolition of existing hotel buildings and erection of a part 3, part 4 and part 5 storey 128 bed aparthotel plus basement accommodation comprising guestrooms and ancillary facilities within a 4-storey basement (situated below the part-basement lower ground floor), together with soft and hard landscaping, servicing, cycle storage and refuse and recycling facilities (revised description), subject to a Deed of Agreement dated 8 January 2018 under Section 106 of the Town and Country Planning Act 1990, as amended - **Granted, 12/01/2018.**

CONSULTATIONS

Letters to 329 adjoining and nearby owners and occupiers sent on 17th May 2018.

Press notice printed on 24th May 2018.

Site notice displayed from 5th July 2018.

One letter of objection was received.

The grounds of objection are listed below:

Grounds of Objection	Officer Response
Construction will disturb residents by resulting in noise, dust and carbon emissions.	Construction will only be temporary and is a reality of any development. Legislation exists to limit the impact of construction on neighbouring amenity and a construction management plan will be required to confirm means by which disturbance will be minimised prior to construction starting.

	The applicant's submissions indicates that the proposal is capable of achieving a BREEAM sustainability rating of 'Excellent' which means that the development will be taking a high number of measures to reduce its carbon emissions, which is welcomed.
There are enough hotels in the area to serve the neighbourhood and visitors.	There is no planning policy that limits the number of hotels in this area. It is up to the owner to consider if suitable demand exists for the proposed aparthotel.

Internal Consultees

Environmental Health: No objection to the proposal subject to conditions. Please see Environmental Health discussion below for further details.

Local Lead Flood Authority: No objection to the proposal subject to conditions. Please see discussion below for further details.

External Consultees

Thames Water: No objection subject to conditions. Please see discussion below for further details.

POLICY CONSIDERATIONS

NATIONAL

National Planning Policy Framework (July 2018)

Paragraph 11 of the NPPF states that planning decisions should apply a presumption in favour of sustainable development, whereby development proposals should be approved that accord with an up-to-date development plan without delay.

REGIONAL

Further alterations to the London Plan (consolidated with alterations since 2011)

Policy 4.5 - London's Visitor Infrastructure

Policy 5.3 - Sustainable Drainage

Policy 7.6 - Architecture

Policy 7.14 - Improving air quality

Policy 7.15 - Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes

Policy 8.3 - Community Infrastructure Levy

LOCAL

Brent Local Development Framework Core Strategy 2010

CP1 Spatial Development Strategy

CP5 Placemaking

CP7 Wembley Growth Area

CP19 Brent Strategic Climate Change Mitigation and Adaptation Measures

Brent Development Management Policies 2016

DMP 1 –Development Management General Policy

DMP 6 – Visitor Accommodation and Attractions

DMP 11 – Forming an Access on to a Road

Wembley Area Action Plan 2015

WEM1 Urban Form
WEM15 Car Parking Standards
WEM16 Walking and Cycling
WEM30 Decentralised Energy

Brent Council Supplementary Planning Guidance and Documents

SPG17 Design Guide for New Development 2001
Draft SPD1 Design Guide for New Development 2017
SPD2 Residential Extensions and Alterations 2018

DETAILED CONSIDERATIONS

Background and relevant planning permission

1. This application is very similar to an application that was previously approved by the committee (17/3188) which was the proposal of a near identical building containing an aparthotel formed of 128 bedrooms/suites, associated back of house and staff areas as well as a restaurant, gym and leisure centre for the use of guests. These facilities were approved across five storeys above ground and across one semi-basement level, two basement levels and a third double height basement level. This application was approved by the planning committee in November 2017 and formally approved subject to a S106 agreement in January 2018.
2. The key difference between the current proposal and that which was previously granted consent is the significant uplift in proposed bedrooms/suites (an increase of 98 from 128 to 226), much of which has been achieved through a loss of the ancillary parts of the hotel, with the restaurant, gym and leisure centre no longer proposed within the revised development and the double height space that these facilities occupied has been subdivided to create two normal height basement levels of aparthotel accommodation.
3. Beyond this main change there have been a number of minor alterations to the proposal (mostly internal), which will be discussed below in the 'detailed considerations' section.
4. Whilst the intensity of the hotel use proposed has increased significantly, the above ground footprint of the building, as well as the building's maximum height and minimum height below ground level remain the same as that which was previously approved by committee under application 17/3188.
5. The content of the following sections is substantially similar and for many passages, identical, to that of the committee report for 17/3188. This reflects the similarities between the two developments, however appropriate changes to the report have been made where necessary and an additional section has been added to clearly set out all of the differences between the previous application (17/3188) and the subject application.

Principle of use

6. There is no objection to the principle of redeveloping the existing hotel for a new hotel facility. No change of use will occur.
7. The use of the site would intensify as a result of the proposed development, with an increase from the 61 bedroom hotel to a 226 bedroom aparthotel. Given the excellent public transport accessibility level (PTAL of 6) and the location being immediately adjacent to a major town centre, it would not be considered that the intensification of the use would reflect an overdevelopment, subject to demonstration that the proposal is acceptable on visual design, massing, highways and amenity impact grounds.
8. The hotel will include a substantial part-basement level and four full basement levels (with a small fifth basement level for plant). There is no objection in principle to the excavation and use of basement levels,

however there are certainly considerations to be made about whether the aparthotel would become overly reliant on basement floor space for its primary functions, as this could represent an unacceptable intensification of use which would not appropriately reflect the capacity of the site. In paragraph 1.3 of the committee report for the previously approved development (PAD), officers noted that the basement accommodation was ancillary in nature because it comprised a low percentage of the primary hotel accommodation (20% in terms of room numbers and 36% in terms of room floor space). The basement accommodation now clearly provides a substantially larger amount of the accommodation proposed and could certainly not be considered ancillary or auxiliary in nature. Nonetheless, when assessing this scheme on its own merits, officers do not consider that there is any direct harm in planning terms as a result of the reliance on basement accommodation, nor any specific planning policies which this aspect would contravene. The nature of the use (hotel use for temporary periods of occupancy) would not necessitate the achievement of high quality outlook and levels of internal daylight that would be expected in a residential development; in addition, compared to the PAD, the building will not be materially different as seen from the street nor will it incur any additional impact on adjoining neighbours' amenities in accordance with the parameters set out within the Council's guidance. The hotel is also continued to be proposed to operate entirely car free, as supported by its excellent public transport accessibility level which would not raise material highways considerations in terms of increased visitor numbers. Finally, the above ground footprint, maximum height and minimum height of the building below ground level remain identical to the PAD. Taking the above into account, officers, on balance, consider that it is not reasonable to resist the proposal in planning terms.

9. The principle of acceptable hotel or aparthotel accommodation relies on assurance that the aparthotel will not be occupied by permanent residents, in accordance with the requirements of policy DMP 6. A condition will be applied to require this.

Scale, Design and Massing

10. Design is an important consideration, and buildings need to be high quality. This is promoted within the NPPF, and by policy 7.6 of the London Plan, CP6 and CP8 of the Core Strategy.
11. The site is not within or close to a conservation area and does not contain listed buildings. The proposal would result in the loss of the existing Edwardian terraced buildings, however, much of the wider character of this part of Wembley, including the buildings on the southern side of Elm Road are generally more modern in comparison and the loss is not considered contrary to planning policy providing a high quality design solution being provided in its place.
12. The proposal is for an orthogonal building to replace the five terrace houses, whose massing would range from 3 storeys on the northern and eastern sides to 4 and 5 storeys on the central and southwestern sides of the building, at the central part of the corner plot. The 3 storey parts of the building would accord with the height of the surrounding buildings, including the terraces along Elm Road (9.7m high), whilst the higher central section would increase the height by an additional 5.5m resulting in a prominent building in relation to its immediate neighbours. Given the corner plot location, it is considered that this is an acceptable arrangement which would not detract from the established character of the shortened, but otherwise unaffected, row of terrace houses to the east.
13. The buildings on the south side of Elm Road include the Job Centre, which is a flat roofed 3 storey building immediately across from the hotel and the adjoining block of flats at 10 and 12 Elm Road, which reaches a height of 5 storeys, with a set in sixth. Unlike the hotel, these buildings are within the Wembley Town Centre boundary and result in an urban context along Elm Road when compared to the surrounding residential roads. Whilst the hotel is marginally outside of the town centre boundary, the use of the building as a hotel is already established and it is considered that the denser, urban character proposed would respond to the immediate context across the road junction well, whilst being limited enough in height to minimise disturbance of the suburban residential character that prevails to the north of the site. The proposal is therefore considered to be a comfortable addition in terms of general massing, given its surrounding context on the south side of Elm Road.
14. The building has been designed to follow the established front building line of Elm Road. The building will have a clean straight façade but will have variation in heights (as detailed above) which creates different volumes on the upper floors, breaking down the massing of the building. The building is also articulated through variations in façade treatment, with red brick being used on lower floor floors and white brick being used on the upper most floors to give a lighter-weight appearance to the tallest parts of the building. Tall window openings framed in PPC aluminium are to repeat frequently along the façade and

are to be arranged in clean stacks up the building to provide a strong vertical emphasis. A larger gap between windows is to be articulated with brickwork inset panels to provide some additional interest within the frontage. By virtue of the significant headroom height within the servicing entrance, some of the windows on the northern part of the building fronting St John's Road will not align with their adjacent windows – this results in a break in design rhythm. However, the architects have sought to differentiate this particular section of the façade by using white brick entirely and providing additional sections of brickwork detailing panels to achieve an appropriate and deliberate variation in the design.

15. The building will be fronted at ground level by metal railings with landscaping planters along the base of the railings. The railings will be placed 2m in front of the edge of the building itself. The established window rhythms along the visible façade extend downward into a light well. The light well provides some of the basement's light source and also provides defensible space for the bedrooms whose windows face out onto the street at ground floor level, however the light well has the potential to result in an awkward relationship between the building and the street. The planters within the railings will help to screen this relationship from view and contributions to be made to street tree planting (see paragraphs 63 and 64 below) will provide further environmental mitigation which will work to mask the visibility of the light well from the street. The guest entrance to the hotel is located centrally, on the corner of the building. It is a prominent entrance which makes use of tall glazed panels to provide additional activation and improve the relationship with the street. The northern edge of the building, along St Johns Road, is to be equipped with a large sliding vehicular entrance door comprised of a PPC aluminium roller shutter. The entrance is 4.5m high, which will allow deliveries and collections from the largest vehicles.
16. The building is to occupy most of the plot and will not include the 10m space buffers which would normally be required to preserve outlook to neighbouring development sites. Nonetheless, two of the elevations (south and west) are highway facing whilst the other two (north and east) do not provide any forms of outlook. As such, the development is not relying on another land parcel to achieve outlook.
17. Overall, the building's design and appearance is considered acceptable. The building would be notably larger than its immediate surroundings but the focus of it on the main road junction, and the light materials as well as the similarly tall established buildings across the road are considered to fully justify the building design proposed.

Hotel Layout

18. The proposed aparthotel includes 226 rooms overall with various ancillary rooms and functions. Behind the entrance at street level, guests proceed down a short flight of stairs to the lower ground floor where the reception and café is located. A disabled lift to reach the LG floor is provided immediately within the entrance. From the main reception/café area there is access to the service bay, deliveries/storage/refuse and 'back of house' area with laundry rooms and admin offices. Finally, corridor access to eleven of the aparthotel rooms located on this floor is possible. From these corridors it is also possible to access the main guest stairwell and the three guest lifts for access to other floors.
19. The upper ground floor occupies a similar footprint to the lower ground, however the north eastern section of the building tapers in to protect the rear garden amenities of no. 13 Elm Road, resulting in a slightly smaller floor. This floor provides access to 21 of the aparthotel rooms and includes a small laundry room for the ease of servicing rooms.
20. The first floor occupies the same footprint as the upper ground floor and provides access to 25 of the aparthotel rooms. A laundry room is provided in amongst the rooms for the ease of servicing rooms.
21. The second floor tapers in further on the north eastern corner to provide further mitigation of amenity impact on no. 13 Elm Road. The footprint therefore reduces in size again. Access to 22 of the aparthotel rooms plus another laundry room is made from this floor.
22. The third floor sees substantial reductions in footprint as more of the north-eastern corner is reduced as well as the northern and eastern extremities of the façade; this retains a smaller central section forming the high level part of the building. The floor provides access to 16 of the aparthotel rooms, and one laundry room is provided centrally.
23. The fourth (and top) has the smallest footprint, occupying just the central section of the main building footprint. Access to 11 of the aparthotel rooms is on this floor along with one laundry room.
24. Each of the four basement levels has the same layout with 30 aparthotel rooms and one laundry room on

each floor. The basement floors sit within a larger space within the full footprint of the building and can therefore accommodate additional rooms compared to the upper level floors. One of the rooms in the fourth basement level has a door allowing maintenance access to the ground level of the central light well. Finally, a fifth basement level occupies a small section of floor space at the bottom of the building. The edge light wells do not extend down to this floor and no natural light is provided. The fifth basement floor provides space for additional plant only – no guest accessible space is to be provided on this floor and staff would only need to enter for maintenance purposes.

25. A key feature of the internal layout is a central light well, which is approximately 7m x 9m in size, which allows light into the rear parts of the hotel. The light well provides light to all floors of the hotel running from the roof of the building down to basement level 4. Across all floors the light well provides light and outlook to bedrooms.

Internal Accommodation

26. The Council does not have policies regarding the quality of hotel or aparthotel rooms. However, the layouts proposed appear to be typical of such uses. Despite much of the accommodation being subterranean, it is noted that most rooms will still have access to natural light through a window onto one of the light wells of the building. It is noted that 2 rooms on each of the 4 basement levels (a total of 8 rooms (3.5%)) will not have access to any natural light. The light and outlook to the basement/subterranean rooms is clearly likely to be substantially less compared to those above ground, however the Council does not have policies regarding the quality of hotel or aparthotel rooms and it is not considered that this should form a reasonable means of refusing the application.
27. Inclusive access is to be integral to the design of the hotel. London Plan policy 4.5 requires at least 10% of hotel rooms to be wheelchair accessible and the aparthotel will provide 24 such rooms (10.6%) to achieve this requirement. The floorplans confirm that the accessible bedrooms are generally those which are closest to the lift accesses and are shown to include appropriate wheelchair turning spaces within bedrooms and their en-suites. None of the accessible bedrooms are to be subterranean or duplex in design and will all be contained within the Ground and above floors. In accordance with Brent Policy DMP6, the application has been accompanied by an Accessibility Management Plan (AMP) within the D&S statement to demonstrate that the management and operation of accessible rooms is integral to the hotel's design. The AMP confirms that accessibility and inclusion will be monitored throughout the life of the development and that revisions will be made post-planning to reflect the operators operational and management policies.
28. The AMP is considered to be thorough and it will be necessary for the aparthotel to operate in strict accordance with the AMP for the development to be acceptable. This will be conditioned to any forthcoming consent.

Sustainability Assessment

29. The main consideration in respect of this development's sustainability requirements is the BREEAM rating of the development whereby Brent's local policy CP19 within the Core Strategy requires all non-residential major developments to achieve a sustainability rating of 'Excellent' in accordance with BREEAM criteria.
30. A BREEAM pre-assessment has been carried out and indicates that the development is capable of achieving an 'Excellent' rating (72.52%) which is welcomed. A condition is however recommended that requires the applicant to submit a Post Construction Stage Review BRE Certificate demonstrating that the Development has achieved BREEAM 'Excellent'.
31. In addition to this, the applicant's reports include small sections where it is explained how land use, impacts on neighbours from demolition and construction, surface water flooding, biodiversity, reuse of buildings, daylight and sunlight impacts and micro-climate will be managed to ensure the development maximises its sustainability. The sustainability report also confirms that the water efficiency of the development is in line with recommended BREEAM targets, through the use of water efficiency fittings resulting in a reduced water consumption. The report also refers to materials and waste, whereby 100% of timber used will be sourced from accredited Forest Stewardship Council (FSC) sources of Programme for the Endorsement of Forestry Certification (PEFC) source. Product holding responsible sourcing certifications will be specified for the main building elements (walls, floors, roof).
32. Major non-residential developments are not required to achieve carbon savings as set out within Policy

5.9 of the London Plan that would otherwise always be applied to major residential schemes. However, the applicant has included an Energy and Sustainability Statement indicating that the development can achieve a 42.4% saving on carbon emissions when compared against the benchmark for carbon savings within the 2013 Building Regulations which is 7.4% higher than the expected benchmark for residential developments (35%). The sustainable design approach beyond policy requirements is strongly welcomed.

Amenity Impact

33. The Council's SPG17 and draft SPD1 guidance includes parameters for suitable impact on the amenity of neighbouring occupiers. The western and southern edges of the development border with the public highway and will therefore not affect private amenity spaces. The building's northern edge sits along the boundary with 10-12 St John's Road. This site accommodates a church. Whilst the development will impose a large built form of three storeys directly alongside the southern boundary of the site, the aparthotel has been designed without north elevation windows and the aparthotel will not rely on the outlook of the neighbouring church site. Given the lack of residential uses on the adjoining site, it is not considered that the presence of the new hotel building will incur an unduly detrimental impact on the church site.
34. Residential properties along St John's Close adjoin the church site to the north. St John's Close tapers in to the south, to the point where the back edge of the garden at no. 4 St John's Close comes within 4m of the proposed north-eastern corner of the aparthotel. For the extent of no. 4 St John's Gardens width, the aparthotel has a reduced massing (one storey only on the far eastern edge and two storeys further west). When applying SPG17's degree rule guidance, this property passes the tests by virtue of the reduced massing directly behind the garden; this includes the 45 degree test, taken at a height of 2m from the back edge of the garden and the 30 degree test, taken at a height of 2m from the back edge of the dwellinghouse. The house adjacent to this (no. 3) which is the next closest at 9.5m from the edge of the aparthotel building, passes the 30 and 45 degree tests for the entirety of the building.
35. The most sensitive adjoining relationship is with no. 13 Elm Road to the east. The applicants have designed the building so as to reasonably reduce the impact to the view from the rear windows and rear garden of this property. The building does not extend alongside the garden immediately against the boundary, except below a height of 2m on the lower ground floor. The upper ground floor and first floor are set in from the eastern boundary to soften the impact with the neighbouring property. This includes a 1.4m set in from the boundary for the first 1.7m of the garden depth, which then steps out to a 3.25m set in, which then continually splays away from the boundary to a maximum set in of 5.3m from the boundary at the rear edge of the neighbouring garden. The second floor is set in by 6.5m from the boundary and has a wall which splays away from the garden boundary to 8.9m by the rear edge of the neighbouring garden. The third and fourth floors are set in substantially from the shared boundary with no. 13 (by more than 18m). The development complies with SPD2's 1:2 guidance for the first 2.75m of projection depth beyond the rear wall of the neighbouring property. The Design and Access statement also demonstrates the development's 45 degree relationship with the garden (as measured by drawing a 45 degree line from the shared boundary towards the development at a height of 2m, as seen from a rear elevation). The development does not fall entirely underneath the line until the rearmost part of the garden, however all breaches of the line are only marginal: generally only parapets breach the line. Whilst there will be an acknowledged loss of light and amenity to the garden of no. 13 Elm Road and the nearest houses further to the east it is not considered that these will be unduly detrimental given the small scale breaches of guidance in the context of the large scale of this development. It is also acknowledged that the applicant has made significant design concessions to soften the impact on the neighbouring properties.
36. The upper ground, first and third floors will all have east facing windows that would allow overlooking of the private garden space at the rear of the properties to the east. A condition will require that these windows are obscure glazed and non-opening at low level in respect of the upper ground and first floors, however the third floor is sufficiently set back from the boundary with no. 13 Elm Road (>18m) to alleviate concerns that privacy of residents may be compromised. Furthermore, at this height, it is unlikely that hotel guests will have a direct line of sight to the nearest garden spaces given the expanse of roof that is between the windows and the garden.
37. The relationship on the south and west elevations is less sensitive given the wide expanse of highway separating the hotel from existing properties. Nonetheless, the applicants have shown 30 degree line relationships between the lowest front facing windows and the development to demonstrate compliance with SPG17 guidelines in relation to overbearing impact. The development sits under the 30 degree line when measured from the lowest windows of the nearest properties along St John's Road and Elm Road.

This also takes account of the taller central elements of the building.

38. Where developments do not fully comply with SPG17 guidelines (as is the case with the relationship on the east boundary), it is often requested that applicants provide a professional daylight and sunlight analysis of surrounding properties to consider whether any nearby properties will be unduly affected in accordance with established BRE criteria. The applicant has provided a daylight and sunlight analysis in accordance with BRE standards. The report concluded that none of the affected properties will be affected to the point where any nearby windows fail the relevant BRE standards. Perhaps most critically, the two rear facing windows within no. 13 Elm Roads outrigger projection and two side facing windows within no. 15 Elm Road's outrigger projection will all retain a Vertical Sky Component (VSC) of at least 80% of their existing value, thus meeting BRE criteria. The overall results of the Daylight and Sunlight survey are considered to be positive, particularly given the relatively dense, town centre fringe location.

Transport

39. This application is similar to the previous proposal for the site that was approved in January for a 128-bedroom apart-hotel, but with 98 additional bedrooms added within the basement levels through the conversion of the previously approved duplex rooms into separate rooms over two floors and the restaurant and gym into further rooms. The scale of this proposal is again such that it could have a significant impact on local transport networks. An amended Transport Statement and Travel Plan have therefore been prepared by RGP Consultants and submitted to quantify and then mitigate any impact.
40. As before, car parking standards set out in Appendix 1 of the adopted DMP apply and these allow only disabled and operational parking to be provided for hotels with good access to public transport services. The absence of any proposed parking for the apart-hotel therefore accords with standards and disabled Blue Badge holders would again be able to use nearby on- and off-street parking bays in the area. The operation of a CPZ in the area would again deter car-borne guests from parking in nearby residential streets and encourage them to use nearby public off-street car parks in the area instead, such as St. John's Road, Elm Road or Wembley Central car parks. The excellent access to public transport services will again also help to minimise car trips to the site.
41. As previously discussed, one coach parking space should also be provided for every 50 bedrooms, giving an increased requirement for four spaces for this extended hotel. The applicant has stated that surveys of the nearby Best Western hotel in Wembley High Road suggest that coaches do not visit that site. However, this is not correct and the Best Western hotel is regularly seen to have two or three coaches standing on the highway outside the premises to pick up passengers during the morning peak hour, despite a Coach Management Plan being in place that should corral all coaches into the rear car/coach park and service yard when visiting the premises. As such, there is likely to be high demand for coaches to visit a hotel of this size and a Coach Management Plan would only be likely to have a limited effect in terms of restricting numbers of coaches or dictating where they would stand. However, this proposal is again for an apart-hotel, which includes larger rooms with cooking facilities intended to attract longer-stay customers such as families or long-stay business trips. The applicant states that such visitors are therefore less likely to be arriving in large groups by coach. As before, there is little data on the TRICS national database on apart-hotels, but a review of other apart-hotels in London by Brent's Transport officers suggests that there is very little, if any, demand for coach parking for such businesses.
42. A coach management strategy has again been submitted setting out the policy towards coach bookings (i.e. they will not be accepted and any web-based booking system will limit guest numbers for group bookings). In the unlikely event that a coach does require parking for the hotel, staff will direct them to alternative locations in the area. Although this is not ideal, as the coach would still wish to stand at the site when dropping off and collecting passengers, it is noted that there would be sufficient space within the service yard to accommodate a coach (or two at a push) if required, as long as this area is managed and tracking has now been provided to demonstrate that a coach could reverse into the service yard from St. John's Road and turn around if necessary. As such, the coach parking requirements can again be relaxed, as long as a planning condition is applied to the consent to limit its use to an apart-hotel only (and not a general hotel) and as long as the future operation and regular review (which is set out within the management plan) of the submitted Coach Management Plan is secured.
43. Taxis can also be expected to set down and collect visitors and as before, a carriage driveway on the western side of the site is proposed for this purpose, accessed via two crossovers onto St. John's Road. The width of this driveway has now been reduced to 2.4m to accommodate a wider light well to the

basement, but tracking has been provided to show that it would still be accessible by taxis (although the space available for passengers to manoeuvre around the vehicle with luggage will be more restricted). As before, the new and widened crossovers will need to be provided by the Highway & Infrastructure Service at the developer's expense, including the removal of guard railing.

44. For the enlarged hotel, the London Plan now requires five short-stay bicycle parking spaces for guests and twelve long-stay spaces for staff. The proposed provision of six and eleven spaces in suitable areas respectively is sufficient to satisfy overall requirements.
45. Servicing by 8m rigid vehicles is again required for the hotel under the standards set out in Appendix 2 of the DMP and the provision of a service yard at the northern end of the building accessed from St. John's Road is again sufficient to satisfy this requirement. As before, vehicles will be required to reverse into the service yard, which suits the fact that the width and height restrictions on St. John's Road to the north of the site mean that many delivery vehicles could only approach and leave the site from the south, so will need to turn within the service yard entrance. Tracking has again been provided to demonstrate that the access arrangements can accommodate large refuse vehicles. As before, a Delivery & Servicing Management Plan has also been submitted with the application to help to manage future deliveries. Eight weekly deliveries are anticipated, with the largest being refuse collection vehicles, with three linen collections per week in box vans. These delivery vehicle movements will be pre-planned, with the aim of avoiding peak hours and ensuring that no more than one vehicle needs to use the service yard at any time. These measures are supported.
46. Pedestrian access is proposed directly from the corner of St. John's Road and Elm Road, which is fine. For the previous application, data from the TRICS database for three other hotels in outer London was used to estimate future trips. However, to provide more localised data, multi-modal surveys have been undertaken by the applicant at the nearby Best Western hotel in Wembley High Road for a Saturday and Tuesday in February 2018. The Best Western hotel also has very little on-site parking, so is suitably comparable with this proposal, albeit it is a standard hotel rather than an apart-hotel. As the Best Western hotel was at the time of the survey still relatively new, the average room occupancy rate for each night preceding and following the survey was used to calculate trip rates, which is considered to be a robust approach. Applying the results to the proposed 226-bed hotel suggests that this proposed apart-hotel would generate 15 two-way vehicle movements in the morning peak hour (8-9am) and 10 two-way movements in the evening peak hour (5-6pm). Daily vehicle movements have been estimated at 114 movements on a weekday and 97 movements on a Saturday. The results are reasonably comparable with previous estimates from the TRICS database for outer London hotels and as previously noted, the absence of parking within the site means that many of these trips would be dispersed across nearby off-street car parks and on-street parking bays. The impact of predicted additional trips on any one junction or road link in the area is therefore again not considered likely to be significant enough to require any further analysis.
47. In terms of modal share, car driver/passenger trips accounted for 13% of trips and taxi journeys for 8%. For other modes, about 65% of trips were by public transport and 11% by foot. For the public transport trips, this would equate to 31 trips by rail/Underground in the morning peak hour (8-9am) and 85 trips in the evening peak hour (5-6pm). This would amount to an average of three extra passengers per rail/Underground service through Wembley Central and Wembley Stadium stations, which is not considered significant enough to have any noticeable impact on capacity. Similarly, the estimated number of journeys by bus (4 in the morning peak hour and 11 in the evening peak hour) would be insignificant. As before though, a "Framework" Travel Plan has been submitted for the hotel, which now includes a firmer action plan.
48. The submitted plan sets out a range of measures to be implemented by a Travel Plan Co-ordinator for both staff and guests (travel information on noticeboards, website etc., marketing and promotion, loans for cycle & season ticket purchase, promotion of car sharing, Car Clubs etc.), with the aim of increasing walking, cycling and public transport use amongst staff and guests over 3-5 years, based initially on the survey results obtained above from the nearby Best Western hotel. Progress towards meeting these targets will be monitored on a biennial basis over five years, with more regular surveys of bicycle parking usage and guest comments. The proposed framework travel plan is supported and development into a full operational Travel Plan within six months of the hotel opening should be secured through a S106 Agreement.
49. Finally, the development includes a deep basement close to the highway boundary. An informative is

therefore recommended advising the applicant that they will require approval in principle (AIP) for the retaining structures around the site perimeter from the Local Highway Authority (i.e. Brent's Highways & Infrastructure Service) prior to the commencement of works. A time period of 8-12 weeks should be allowed to obtain approval and further information can be provided upon request.

50. In conclusion, the development is supported by highways subject to the abovementioned planning conditions and obligations.

Environmental Health

51. The Council's Regulatory Services team have considered the proposals and the technical supporting reports.

Noise, Vibration and Insulation

52. The development proposes the erection of a hotel within a residential/commercial area. Officers in Environmental Health have reviewed the applicant's noise assessment dated April 2018. The methodology of the assessment is acceptable however there are no specifics on noise from plant and noise mitigation measures recommended for the building. In addition there is no information on the proposed delivery hours attending the service bay. Therefore in order to ensure that the internal noise levels within the bedrooms of the hotel are in line with BS8233:2014 officers would recommend a condition requiring the British Standard for sound insulation and noise reduction to be achieved. Whilst the developer would be encouraged to achieve such standards, given that there are no policies governing the internal living standards for hotel rooms it is not considered reasonable to impose this condition on the developer – this was the same approach as taken during the previous application.

53. Plant equipment will be required for the proposed building, which has the potential to result in noise and disturbance of surrounding sensitive uses. Details of plant equipment, including projected noise levels are accordingly recommended to be secured through condition.

Demolition and Construction

54. In line with other Major development proposals, it is recommended that a demolition and construction management statement is secured through condition to promote best practice in the construction in the interest of limiting noise, dust and other disturbance associated with development.

Deliveries and Opening Hours

55. The subject site is accessed via residential streets and Environmental Health have recommended that conditions should be attached restricting the hours of servicing. However, servicing is to be undertaken within a dedicated internal servicing bay and recent TfL initiatives have promoted servicing outside of peak hours where traffic levels are less (and thus the servicing does not contribute excessively to road congestion or adverse air quality). As such, on balance it is considered appropriate to not restrict the hours of servicing.

Asbestos

56. Given the age of the building to be demolished it is possible that asbestos may be present. The applicant should be reminded of their duties under the Control of Asbestos Regulations and must ensure that a qualified asbestos contractor is employed to remove all asbestos and asbestos-containing materials and arrange for the appropriate disposal of such materials. An informative will remind the applicant of this.

Air Quality

57. The proposed site is within an air quality management area and therefore due to the size of the development the applicant is required to carry out an air quality impact assessment that should consider the potential emissions to the area associated with the development as well as the potential impact on receptors to the development. In addition to an air quality impact assessment officers in Environmental Health have recommended that an air quality neutral assessment is also submitted in relation to transport emissions and building emissions. This is recommended to be secured by condition.

Odour

58. The proposed use will have a small café area and this could cause issues with odour to surrounding

premises if a commercial kitchen were to operate and odour extraction is inappropriately installed. As such, a condition will require that details of external ducting must be submitted if a commercial kitchen will operate within the hotel.

Flooding and Drainage

59. The applicants have submitted a sustainable drainage strategy for the site which Brent's Local Lead Flood Authority supports, the Local Lead Flood Authority is reassured that surface water attenuation has been appropriately mitigated. In addition there are no historical records of flooding affecting this area. A condition is recommended requiring the applicant to develop the scheme in accordance with the submitted sustainable drainage strategy.
60. Thames Water have provided comments on the application. They have confirmed that with regards to both surface water infrastructure capacity and foul water sewerage infrastructure capacity, that they wish to raise no objections. As the scheme involves a basement construction, Thames Water have recommended an informative to be added requiring the applicant to provide details on what measures will be undertaken to minimise groundwater discharges into the public sewer.

Landscaping and Trees

61. Landscaping will be incorporated into two parts of the proposal, firstly along the proposed frontage where planters will be incorporated along the base of the light well railings. This will improve the appearance of the proposal whilst providing screening of the light well which will immediately abut the footway. Further details of the planting, including species and density will be required by condition to ensure the railing planters are likely to be effective in their improvement of visual amenity.
62. The second landscaping proposal is in the form of tree planting to the enclosed courtyard, at the base of the internal light well at basement level 4. The Courtyard will be not accessible to guests but one of the hotel rooms will have a door that enables access to the courtyard for maintenance purposes only. The courtyard will be the central visible feature for suites located centrally in the aparthotel. The plans provide basic detail, indicating the planting of four small trees within the courtyard and confirmation of a 'landscaped' arrangement. The tree officer has indicated that it is likely to be difficult to cultivate trees in an enclosed light well within a deep basement. Nonetheless, considering that the landscaping will not be visible to the public and that there are no policies or guidance with which hotel accommodation can be assessed, it is not considered necessary to request further information on this aspect. It will therefore be left to the hotel management to consider appropriate courtyard landscaping.
63. A tree plan has been submitted by the applicant and has been reviewed by Brent's tree officer. The plan identifies existing tree locations in and around the site. It is shown that 11 low grade C and U trees are located around the northern and eastern edges of the site. A grade B Hornbeam and a grade C Alder tree front the development on the south side and are located within Council land on the public footway. Furthermore, a grade B sycamore tree is present to the north of the site forming part of the neighbouring property's backland. The arboricultural report submitted confirms that all 11 low grade trees will be removed. Most of these trees are not visible from the public realm and offer limited visual improvement at present. The report also confirms that the two Grade B trees as well as the publicly owned Cat C tree will be retained. Their retention will be assured through a tree protection plan which proposes to erect protective fencing around these two street trees. The report confirms that the protective fencing will be type BS grade tree protection fencing. The full tree survey and protection plan has been reviewed by Brent's tree officer and it is confirmed that the methodology and protection plan proposed are acceptable and that the protection plan should be secured by condition.
64. The applicants only own a thin strip of footway at the front of the development, with the remainder of the footway in public ownership. Brent's tree officer has requested a contribution of £10,000 to enable the planting and maintenance of 7 street trees in front of the hotel, within Council land. This is considered important in improving the landscaping amenity offer at the front of the hotel and to further mitigate any detriment imposed by the visibility of the basement light well. The payment of this contribution has been agreed with the applicant and will be secured through the S106 agreement.

Differences between the previously approved development (17/3188) and the subject proposal

65. A table is provided below setting out the differences between the previous approved scheme and the current proposal.

Aspect of proposal	Approved development (17/3188)	Proposed development (18/1592)
Number and location of aparthotel rooms/suites	128 across fourth, third, second, first, upper ground, lower ground and basements 1 & 2	226 across fourth, third, second, first, upper ground, lower ground and basements 1, 2, 3 and 4
Footprint of the building	As approved.	Increased footprint of the building towards St John's Road at basement levels 1 – 4 only. Increase in depth is by 1.2m towards St John's Road. Footprint of the building is same as approved for all elements above ground level.
Light well and railings along St John's Road	The light well and its railing lined edge sit 3.5m from the boundary with the footway of St John's Road.	<p>The light well and its railing lined edge sit 2.6m from the boundary with the footway of St John's Road.</p> <p>The light well to be extended further north along the full extent of the St John's Road elevation to provide light to basement rooms in the NW corner of the building. The extended part of the light well sits below the vehicular access to the service bay and so is covered by a metal grille that can be driven over by service vehicles. There will therefore be no additional railings alongside the extended light well.</p>
Light well and railings along Elm Road	The light well and its railing lined edge sit 1.45m from the boundary with the footway of Elm Road.	The light well and its railing lined edge sit 0.35m from the boundary with the footway of Elm Road.
Lift shafts and stairwells	<p>There are two lift shafts serving all of the floors located in the centre of the building. A third lift shaft is located by the main entrance and allows immediate access to the leisure facilities.</p> <p>There are two stairwells serving the building.</p>	<p>The third lift shaft near the main entrance is removed and repositioned with the main central cluster – the central cluster has been reoriented and repositioned slightly.</p> <p>One of the stairwells has moved and been reoriented to sit immediately behind the new row of three lifts.</p> <p>The three lifts and two stairwells serve all floors between basement 4 and floor 2. Only two</p>

		of the lifts and one of the stairwells serves floors 3 and 4.
Access arrangement for vehicle drop-off area	As approved.	A tighter turn into the drop off area but with a wider entrance. The drop off area for vehicles has been reduced in width from 3.75m to 2.4m as a result of the repositioned light well and railings along St John's Road.
Lower Ground floor layout	<p>As approved with 4 visitor cycle stands at eastern edge of building fronting Elm Road.</p> <p>Main reception area includes a guest lounge.</p>	<p>A number of internal reconfigurations: The 'back of house' area has been moved from the centre to the north east corner and suites/rooms have now been provided that overlook the central light well. There has been a plant room added in amongst the deliveries/storage area along the north side. Addition of two visitor's cycle stands for a total of six on eastern edge of building along Elm Road. A secondary pedestrian access/exit for emergencies has been created at the eastern end of the building onto Elm Road between the Elm Road light well and the cycle storage space.</p> <p>Main reception area's guest lounge removed and a café proposed instead.</p>
Upper Ground, first and second floor layout	As approved.	Two of the rooms on each floor have been increased in size as a result of the relocation of the western stairwell
Third floor layout	As approved.	<p>The same two rooms across floors increased in size as above.</p> <p>Externally, the eastern edge of the third and fourth floor (as seen from Elm Road) has been extended slightly further east by an additional 1.05m since this part of the building now accommodates a suite/room rather than a stairwell. The projection out from the main massing of the building has increased from 1.35m to 2.4m. However the projection is only present from a depth of 7.55m back from the main front wall of</p>

		the building.
Fourth floor layout	As approved.	<p>The same as above.</p> <p>The loss of a small projecting element on the north side of the fourth floor following removal of stairwell from this location. This projection was never visible from street level so will not affect the external appearance of the building as seen from the street.</p>
Roof layout	Included an extractor for kitchen effluvia.	Has removed the extractor for kitchen effluvia since a restaurant is no longer proposed.
Basement levels 1 and 2 layout	These levels form duplex aparthotel rooms – i.e. one aparthotel room across two levels, which provides each aparthotel room with two windows and more space than the normal rooms.	These levels form two levels of single level aparthotel rooms.
Basement levels 3 and 4 layout	Forms a double height space containing a restaurant, gym and leisure centre.	Forms two normal height floors containing single level aparthotel rooms.
Basement level 5 layout	Forms a 165sqm plant room only.	Forms a 170sqm plant room only.
Elm Road elevation	As approved, the railings along St John's Road are set 0.1m away from the building as seen from Elm Road.	<p>The increased width of the railings and associated landscaping along St John's Road is visible from the Elm Road elevation – the railings are now set 1m away from the building.</p> <p>The top part of the emergency exit door in the Elm Road elevation is visible as it protrudes above street level</p> <p>The additional 1.05m of width of the built form at levels 3 and 4 is visible – however this is set back from the front elevation by 7.55m and will likely only be noticeable from the south side of Elm Road. The additional width of this part of the building decreases the set in to no. 13 Elm Road from 5.75m to 4.7m as seen from the street.</p>
St John's Road elevation	As approved, the railing along	The railing along the St John's

	the St John's Road frontage sits 1.85m from the shutter forming the service bay access.	<p>Road frontage extends 0.2m further north, now sitting 1.65m from the shutter forming the service bay access.</p> <p>The railing along the Elm Road frontage sits closer to Elm Road and this is visible from the side profile as seen along St John's Road.</p>
--	---	--

Conclusions

66. To conclude, the physical building as proposed (except for very minor external changes) has already been approved by the planning committee in recent months and the policy position governing the acceptability of the development remains the same. Members are therefore advised to consider this application on the basis of the changes made between the previously approved application (17/3188) and the current application, with those changes being listed in full above.
67. Your officers consider that the proposed development is acceptable for the reasons discussed above and your officers recommend that planning permission is granted.

CIL DETAILS

This application is liable to pay **£1,105,516.14*** 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): 1230 sq. m.

Total amount of floorspace on completion (G): 7084 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
Hotels	7084		5854	£100.00	£35.15	£817,991.96	£287,524.18

BCIS figure for year in which the charging schedule took effect (Ic)	224	224
BCIS figure for year in which the planning permission was granted (Ip)	313	
Total chargeable amount	£817,991.96	£287,524.18

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

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

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

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 18/1592

I refer to your application dated **27/04/2018** proposing the following:

Demolition of existing hotel buildings and erection of a part 3, part 4 and part 5 storey 226 bed aparthotel plus basement accommodation comprising guestrooms and ancillary facilities within a 5-storey basement (situated below the part-basement lower ground floor), together with soft and hard landscaping, servicing, cycle storage and refuse and recycling facilities

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

at **1-7, 9, 11 & 11A Elm Road, Wembley, HA9 7JA**

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: 03/08/2018

Signature:

Alice Lester
Head of Planning, Transport and Licensing

Notes

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

DnStdG

SUMMARY OF REASONS FOR APPROVAL

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

National Planning Policy Framework 2018
 London Plan 2015
 Brent Core Strategy 2010
 Brent Development Management Policies 2016
 Council's SPD 2 "Residential Extensions and Alterations" 2018
 Council's SPG17 "Design Guide for New Development" 2001
 Council's Draft Supplementary Planning Document 1 (SPD1) 2017

- 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):

A-000-001 Rev P0

A-025-001 Rev P1
 A-025-002 Rev P1
 A-025-003 Rev P1
 A-025-110 Rev P0
 A-025-111 Rev P0

A-100-001 Rev P2
 A-100-002 Rev P2
 A-100-003 Rev P2
 A-100-004 Rev P2
 A-100-005 Rev P2
 A-100-006 Rev P2
 A-100-007 Rev P2
 A-100-010 Rev P2
 A-100-012 Rev P2

A-110-001 Rev P1
 A-110-002 Rev P1

A-120-001 Rev P1

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

- 3 No guest or customer of the aparthotel hereby permitted may occupy any part of the accommodation for a period exceeding ninety days in any continuous period of six months. The operator of the hotel shall at all times maintain an accurate register of the full names and permanent addresses of all guests and of the dates of their occupancy of the accommodation. These registers shall be kept for not less than two years from the date of the last entry and shall be made available to be inspected by the Local Planning Authority upon reasonable demand.

Reason: To ensure the development provides an adequate standard of accommodation for guests and fulfils the role of temporary (hotel) accommodation, as required by policy DMP6.

- 4 The premises shall not be used other than for the purpose of apart-hotel and for no other purpose (including any other purpose in Use Class C1 specified in the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) without the prior written permission of the Local Planning Authority with the exception of the ancillary use of the areas as shown in the drawings hereby approved as a restaurant and gym/swimming pool/changing facilities which may be used for those purposes.

Reason: To ensure that no other use commences without the prior permission of the Local Planning Authority and to enable other uses to be considered on their merits.

- 5 The windows on the upper ground and first floors of the eastern face of the building shall be constructed with obscure glazing and non-opening or with openings at high level only (not less than 1.8m above floor level) and shall be permanently returned and maintained in that condition thereafter unless the prior written consent of the Local Planning Authority is obtained.

Reason: To minimise interference with the privacy of the adjoining occupier(s).

- 6 The 24 aparthotel rooms which are Wheelchair Accessible shall be maintained with this level of accessibility throughout the lifetime of the development, unless an alternative arrangement is first agreed in writing by the Local Planning Authority.

Reason: To ensure a sufficiently accessible development that complies with the London Plan 2011 and Brent Policy DMP6.

- 7 All provisions and details contained within the Accessibility Management Plan contained within the submitted Design and Access Statement shall be implemented from first occupation of the development hereby approved and shall thereafter be implemented and adhered to throughout the lifetime of the development, unless an alternative arrangement is first submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a sufficiently accessible development that complies with the London Plan 2011 and Brent Policy DMP6.

- 8 The development shall not be occupied unless the servicing area has been provided and is available for use and the details contained within the Coach Management Plan (prepared by RGP, dated April 2018) and the Servicing and Delivery Plan (prepared by RGP, dated April 2018) hereby approved shall be fully implemented from first occupation of the development and adhered to in full throughout the lifetime of the development unless alternative details are first agreed in writing by the Local Planning Authority.

Reason: To ensure that the development will not prejudice the safe and free flow of vehicles along the highways

- 9 The development hereby approved shall not be occupied unless the two proposed crossovers along St John's Road have been constructed in accordance with the plans hereby approved.

Reason: To ensure that the development is fit for purpose and will not prejudice the safe and free flow of vehicles along the highways

- 10 The developer or constructor shall join the Considerate Constructors Scheme prior to commencement of works and the developer or constructor shall thereafter adhere to the requirements of the Scheme for the period of construction.

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

- 11 The approved cycle storage facilities shall be installed prior to first occupation of the development hereby approved and thereafter retained and maintained for the life of the development and not used other than for purposes ancillary to the occupation of the apart-hotel hereby approved.

Reason: To encourage sustainable forms of transportation in the interest of highway flow and safety.

- 12 Any plant shall be installed, together with any associated ancillary equipment, so as to prevent the transmission of noise and vibration into neighbouring premises. The rated noise level from all plant and ancillary equipment shall be 10dB(A) below the measured background noise level when measured at the nearest noise sensitive premises.

Reason: To protect acceptable local noise levels.

- 13 The tree protection proposals as contained within the Arboricultural Report prepared by ACS Consulting (dated October 2017), shall be adhered to in full throughout for the full period of construction of the development hereby approved. Two separate meetings shall be arranged between the site manager and Brent's tree protection officer to enable the tree protection officer to observe (1) the erection of the protective fencing and (2) the dismantlement of the protective fencing at the relevant points during construction.

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

- 14 The development shall be carried out in full accordance with the details of the submitted sustainable drainage strategy (prepared by RPS, dated June 2018, ref: RCEF64714-002R) The approved strategy shall be implemented in full prior to first occupation of the development hereby approved.

Reason: The development may lead to 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.

- 15 Prior to the commencement of the development (including demolition of the existing building) a Construction and Demolition Method Statement shall be submitted to and approved in writing by the Local Planning Authority outlining measures that will be taken to control dust, noise, construction traffic and other environmental impacts of the development. The approved statement shall be implemented throughout the duration of construction.

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

- 16 Prior to the commencement of works (including the demolition of the existing building), an Air Quality Neutral Assessment shall be submitted to and approved in writing by the Local Planning Authority. The report must be undertaken in accordance with guidance published by the Greater London Authority (GLA). The assessment shall include mitigation proposals should it be found that the development is not air quality neutral. The measures within the approved assessment shall thereafter be implemented in full throughout the construction and prior to first occupation of the development (where relevant).

Reason: To ensure that the development would not result in a detrimental impact on local air quality.

- 17 Prior to the commencement of piling, a piling method statement detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, measures to prevent and minimise the potential to disturb the amenities of nearby

occupiers, and the programme for the works shall be submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.

- 18 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.

- 19 The proposed railing planters shall be suitably landscaped in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority prior to their installation. The approved landscaping work shall be completed prior to first occupation of the development hereby approved and thereafter maintained.

The submitted scheme shall include details of:

- a) the planting scheme, which shall include species, size and density of plants
- b) a landscaping maintenance strategy, including details of management responsibilities;

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 to the satisfaction of the Local Planning Authority, by trees and shrubs of similar species and size to those originally planted within the next available planting season.

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

- 20 Details of any external lighting shall be submitted to and approved in writing by the Local Planning Authority prior the installation of the lighting. This shall include details of the lighting fixtures, luminance levels within and adjoining the site. The lighting shall not be installed other than in accordance with the approved details.

Reason: In the interests of safety and the amenities of the area.

- 21 Prior to the operation of a commercial kitchen within the development, details of the kitchen extract system shall be submitted to and approved in writing by the Local Planning Authority. These details shall include the following:
- Plans showing the route the extract duct will take through the building and associated layout of rooms and showing that the flue will terminate at least 1m above the roof height of the building
 - Details of the odour abatement equipment to be installed;
 - Calculation showing that acceptable noise levels (i.e. Good resting conditions) will be achieved in the most affected hotel rooms and specifications of any noise abatement equipment needed to achieve these conditions.

The kitchen extract shall be installed and operated in accordance with the approved details prior to first operation of a commercial kitchen and thereafter maintained in accordance with the manufacturer's specifications.

Reason: To protect the amenity of neighbouring residents if cooking processes are to be carried out within the proposed ancillary cafe.

- 22 Within 6 months of the first occupation of the development, a Post Construction Stage Review BRE Certificate shall be submitted to and approved in writing by the Local Planning Authority. The certificate shall demonstrate that the Development has achieved BREEAM "Excellent" unless otherwise agreed in writing by the Local Planning Authority. The Development shall be maintained so that it continues to comply for the lifetime of the Development.

Reason: to ensure the Development is designed and constructed to improve environmental performance and adapt to the effects of climate change over time.

INFORMATIVES

- 1 The applicant is advised to review the Council's Code of Construction Practice. Noisy works are permitted:
- Mon-Fri 0800-1800
- Sat 0800-1300
- Audible works should not be carried out at any time on Sundays and Bank Holidays.
- 2 The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read Thames Water guide 'working near our assets' to ensure works are in line with the necessary processes required to be followed if working above or near Thames Water pipes or other structures
- https://urldefense.proofpoint.com/v2/url?u=https-3A__developers.thameswater.co.uk_Developing-2Da-2Dlarge-2Dsite_Planning-2Dyour-2Ddevelopment_Working-2Dnear-2Dor-2Ddiverting-2Dour-2Dpipes&d=DwlFAw&c=OMjwGp47Ad5otWI0__lpOg&r=G_hzVySAkixNx_E_J_EjNJR_FDWFjexJLES8DRQ06qKk&m=jtx127Pni3LvproHc4qhZJC3hVRmsiWhPbq-ouUTguo&s=-7m-Kfa-tNF2PxzxaORnER5FY6ltFTutt9PPvqeYes&e=.
- Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB
- 3 A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Thames Water would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via <http://www.thameswater.co.uk/wastewaterquality>
- 4 Thames Water requests that the Applicant should incorporate within their proposal, protection to the property by installing a positive pumped device (or equivalent reflecting technological advances) to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions. Fitting only a non-return valve could result in flooding to the property should there be prolonged surcharge in the public sewer.
- 5 The applicant is advised that any hotel signage to be erected requires separate advertisement consent.

- 6 The applicant is advised by the applicant to contact the Head of Highways & Infrastructure to arrange for the crossover works to be undertaken. Such works are undertaken by the Council at the applicant's expense.
- 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 The applicant is advised to contact the Council's tree protection officer, Lawrence Usherwood, on 020 8937 5247 in respect of meeting the requirements for the condition relating to tree protections.
- 9 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.
- 10 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.
- 11 The Council recommends that the maximum standards for fire safety are achieved within the development.
- 12 Given the age of the building to be refurbished 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 carry out an asbestos survey and where necessary remove all asbestos and asbestos-containing materials and arrange for the appropriate disposal of such materials.
- 13 The applicant is advised that they will require approval in principle (AIP) for the retaining structures around the site perimeter from the Local Highway Authority (i.e. Brent's Highways & Infrastructure Service) prior to the commencement of works. A time period of 8-12 weeks should be allowed to obtain approval and further information can be provided upon request.

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

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

15 August, 2018
06
18/2214

SITE INFORMATION

RECEIVED	8 June, 2018
WARD	Tokyngham
PLANNING AREA	
LOCATION	Olympic Way and land between Fulton Road and South Way incl. Green Car Park, Wembley Retail Park, 1-11 Rutherford Way, 20-28 Fulton Road, Land south of Fulton Road opp. Stadium Retail Park, land opp. Wembley Hilton, land opp. London Design Outlet
PROPOSAL	<p>Minor Material Amendment to vary parameter plans 04-12 and the listing of these replacement plans under revised conditions 4, 5, 15, 16 and 25 of hybrid planning permission reference 17/0328 (dated 26 May 2017) which granted minor material amendments to hybrid planning permission reference 15/5550 which comprises the demolition of existing buildings and redevelopment of the site to provide up to 420,000 sqm (gross external area) of mixed use floorspace. (See previous application record for full description of development).</p> <p>The minor material changes sought comprise an increase in the width of the previously approved north-south route between NW09 and NW10/NW11 and its relocation 30 metres further to the east in between NW09/NW10 and NW11, alterations to the block forms of NW09/NW10 and NW11 with an increase in height of elements of blocks NW09/10 and NW11 as a result of the updated layout, changes to car parking arrangements, introduction of bridge link connecting the landscaped gardens of NW09/10 and NW11 and other associated alterations.</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_140338</p> <p><u>When viewing this as a 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 "18/2214" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab

RECOMMENDATIONS

That the planning committee resolve to grant permission for the proposed minor material amendments through a variation of conditions 4, 5, 15, 16 and 25 of Hybrid Planning Consent reference 17/0328 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 Condition
3. Outline planning – time limit
4. Approved documents / drawings
5. Use Class A5 restriction
6. Food retail store size
7. Student accommodation cap
8. Student accommodation use restriction
9. Southern Boulevard
10. Royal Route works
11. Residential parking E01, E02, E03, E05
12. Residential parking use restriction
13. Storage in open areas
14. Existing crossovers
15. Construction tolerances
16. Parapets
17. Student accommodation demand assessment
18. Student management plan
19. Approval of various details
20. Landscape
21. Parking Management Plan (non-event days)
22. Event day parking management plan
23. School parking within Red Car Park
24. Royal Route Works
25. Cycle Routes
26. Delivery Service Plan
27. Construction Logistics Plan
28. Site Management Plan
29. Play and recreation space
30. Accessible rooms/units
31. CT Measures
32. Plant noise
33. Sound insulation between comm and resi
34. Residential noise
35. School noise
36. Vibration
37. Construction Method Statement
38. Air Quality Neutral
39. CHP emissions

40. CHP emission testing
41. NOx from boilers
42. Site investigation
43. Verification report
44. Extract ventilation
45. Drainage works
46. Piling Method Statement
47. Surface Water Drainage Scheme
48. Quality of accommodation
49. Phasing plan
50. Details of communal facilities for residents proposed to be provided for residents of plot W06
51. Any [other] condition(s) considered necessary by the Head of Planning

Informatives


1. Asbestos
2. Protection against back flow
3. Underpinning and public sewers.
4. Measures to minimise groundwater discharge.
5. Trade effluent consent.
6. Polluted discharge into local watercourses
7. Installation of fat trap.
8. CIL phasing.
9. Superstructure.
10. Any [other] informative(s) considered necessary by the Head of Planning

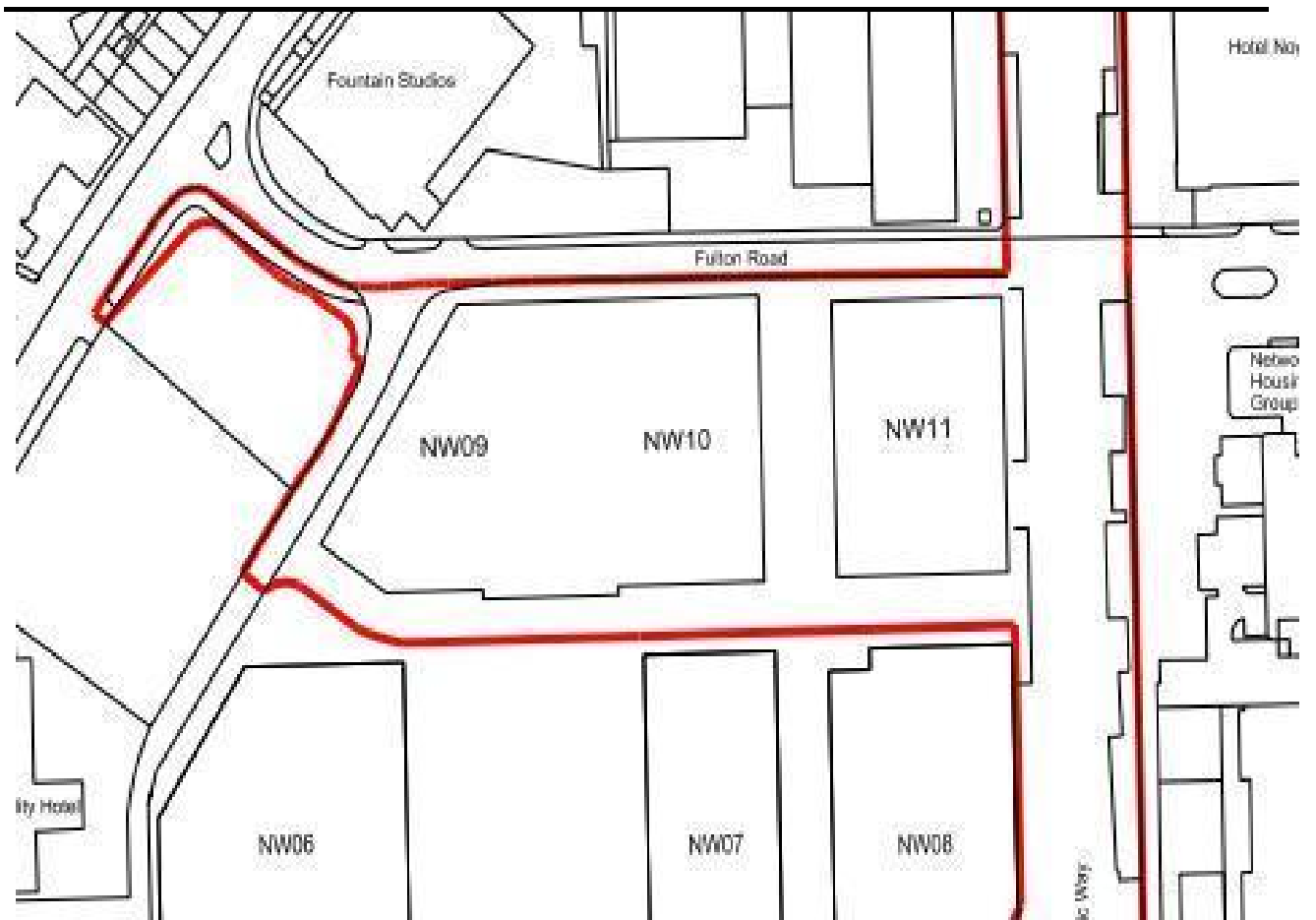
That the Head of Planning is delegated authority to make changes to the wording of the committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied 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.

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.

This permission, if granted, would also be bound by the Section 106 legal agreement associated with the Hybrid Consent.

SITE MAP

	<p>Planning Committee Map</p> <p>Site address: Olympic Way and land between Fulton Road and South Way incl. Green Car Park, Wembley Retail Park, 1-11 Rutherford Way, 20-28 Fulton Road, Land south of Fulton Road opp. Stadium Retail Park, land opp. Wembley Hilton, land opp. London Design Outlet</p> <p>© Crown copyright and database rights 2011 Ordnance Survey 100025260</p>
---	--



This map is indicative only.

PROPOSAL IN DETAIL

This Section 73 planning application seeks approval for revisions to Parameter Plans 04-12 and the listing of these replacement plans under revised conditions 4, 5, 15, 16 and 25 of planning permission reference 17/0328. This was a hybrid application for the demolition of existing buildings and the redevelopment of the site to provide up to 160,000sqm of mixed use floorspace and was itself a permission issued under Section 73 as a variation to planning permission ref: 15/5550 (dated 23 December 2016) known as the Wembley Masterplan.

The current application proposes amendments to the parameter plans in relation to Plots NW09, NW10 and NW11.

Whilst the proposed changes to the consented development are material, they do not amount to a fundamental alteration to that granted outline planning permission.

Condition 4 refers to the list of drawings and documents approved through the original planning permission (reference 15/5550). This application proposes minor material amendments to the parameter plans which show the form of plots NW09, NW10 and NW11. The amendments are discussed below. Condition 5 relates to the non-residential uses specified within parameter plan 08. Condition 16 refers to parameter plan 09 (maximum height) and condition 25 relates to cycle routes and refers to parameter plan 11. These parameter plan drawing numbers will change if the minor material amendments are approved and these conditions are therefore proposed to be amended to reflect the new plan numbers.

The key changes for which approval is sought within the current application are:

- Relocation of north-south route through plot further east
- Increase in width of this north-south route by 3.3 metres to 18 metres
- Redistribution of ground floor uses
- Increase in width of certain blocks
- Increase in height of tallest blocks
- Changes to dimensions of the 'shoulder' elements
- Changes to massing of NW11 along Olympic Way
- Changes to design of 'Repton House' within NW09/NW10
- Reduced basement and podium parking provision
- Alteration to form and location of amenity space

The primary aim of the amendments is to realign the two halves of the plot to better relate to the context to the immediate south and to improve the quality of the central space within Plot NW09-11. In addition, an intention of the changes is to reinforce important elements of local townscape.

EXISTING

The hybrid planning permission (the Wembley Park Masterplan, reference 15/5550), relates to 15.9 hectares of previously developed land surrounding Wembley Stadium. The Wembley Park Masterplan includes 16 plots which are located within seven 'character areas'. One of these is the North West Lands Character Area, comprising Plots NW09 and NW10/11.

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).

Plots NW09 and NW10/11 are bordered by Fulton Road to the north, Olympic Way to the east, Humphry Repton Lane to the south and Harbutt Road to the west.

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: This has already been established by previous consents. This S73 application proposes to amend the outline consent, as subsequently amended, but is considered to be in material compliance with the principles established under the original outline consent.

Proposed Uses: The suite of uses within the scheme do not change as a result of the proposed amendments. The parameter plans indicate uses within classes A1-A5 (Retail), B1 (Business) and D1 (education/healthcare/community). The upper levels would be in residential use (class C3).

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 benefits. The illustrative images indicate a development which is considered to be acceptable in design terms and in keeping with the surrounding area.

Highways: The parking, access and servicing arrangements outlined are considered acceptable.

Nature of proposed application: These changes are proposed as minor material amendments to the previously approved outline consent. The proposals would not result in a change in the nature of uses that are consented. The proposal may potentially allow an uplift in floorspace within Plots NW09, NW10 and NW11. However, it does not affect the total floorspace that can be delivered. The amendments would include an increase in the maximum heights of a number of the buildings across the site. The submission demonstrates that the assessment 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 constitute a minor material amendment to the original outline consent.

RELEVANT SITE HISTORY

10/3032 Granted 24 November 2011 outline planning permission for the redevelopment of the Former Palace of Arts and Palace of Industry Site on Engineers Way, Wembley, the “NW Lands Masterplan”. Subsequently reserved matters have been approved to deliver developments (known as the “North West Village”) comprising Plots NW01 (ref: 13/2799), and NW06 (ref: 14/4330) which are now completed and Plots NW07 and NW08 (ref: 15/5394) which are under construction, along with associated public realm

15/5550 ‘Wembley Masterplan’ Granted 23/12/2016

A hybrid application for the development of 15.9 hectares of land surrounding Wembley Stadium. The application was a hybrid scheme submitted part in outline with all matters reserved and part in full detail, covering the original plans for a 10 storey car park on plot E05. This development is known as the “Wembley Park Masterplan” presents plans for the comprehensive redevelopment of the area. Within its boundaries are sites included within previous consented outline planning permissions including the 10/3032 NW Lands consent.

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

17/0328 Granted 04/05/2017

Variation of some of the conditions of hybrid planning consent 15/5550

Various reserved matters and amendments to the above permissions granted.

17/4877 Granted 12/02/2018 ‘Boxpark’

Erection of a food and beverage and retail mall to provide restaurant/café, drinking establishment and shop units (use classes A1/A3/A4), an event space (use class D2), external food units (use class A5), ancillary management and storage units, associated servicing areas, provision of cycle parking and placement of signage for a temporary period of 10 years.

CONSULTATIONS

Press Notice: 05/07/2018

Site Notice: 28/06/2018

Public Consultation:

The owners/occupiers of 2102 nearby and neighbouring properties were notified of the development on 26/06/2018. No representations were received from neighbouring residents at the time of writing this report.

External Consultees:

The Greater London Authority – No objection raised.

The Environment Agency – No comments received

Natural England – No response to make on this application.

Network Rail – No comments received.

Transport for London – No comments received.

Wembley Hill Residents Association – No comments received.

Alexandra Court Tenants' & Residents' Association – No comments received.

Chalkhill Residents Association – No comments received.

Wembley National Stadium Ltd – No comments received.

Thames Water Utilities Ltd – No comments received.

London Borough of Hammersmith and Fulham - No objection raised.

London Boroughs of Barnet, Camden, Harrow, Kensington and Chelsea, Westminster – No comments received.

Historic England – No comments received.

Barnhill Residents' Association– No comments received.

Football Supporters' Federation – No comments received.

Level Playing Field – No comments received.

Clive, Betts, Clive Betts MP – No comments received.

Internal Consultees:

Lead Local Flood Authority

No objections

Environmental Health

Document Imaged

DocRepF
Ref: 18/2214 Page 3 of 31

Provided the conditions attached to planning approval 15/5550 relating to contaminated land, lighting, noise, air quality and odour/ fume still apply, then have no further comments to make regarding this application.

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:

Revised NPPF (2018)

Technical Guidance to the National Planning Policy Framework

Planning Practice Guidance (PPG)

London Mayor's Housing Supplementary Planning Guidance (SPG) (2016)

London Mayor's Shaping Neighbourhoods: Play and Informal Recreation Supplementary Planning Guidance (SPG) (2012)

Brent Supplementary Planning Guidance 17 Design Guide for New Development

Brent Draft Supplementary Planning Guidance 1 Design Guide for New Development

Draft New London Plan (December 2017)

DETAILED CONSIDERATIONS

Context

1. Plots NW09/10 and NW11 are situated in the northern section of the wider North West Lands application site, in Wembley Park. To the north of Plots NW09/10 and NW11 is Fulton Road, beyond which is the Stadium Retail Park. To the east of the plots is Olympic Way. The south of the site is bordered by Humphrey Repton Lane, beyond which are the recently completed buildings of plot NW06, the publicly accessible open space known as Elvin Square Gardens and the two mixed use buildings of plots NW07 and NW08. The west of the plot is bordered by Harbutt Road and beyond this is the student accommodation block known as Grand Felda House.
2. The plot has a high level of prominence due to its location along Olympic Way and its proximity to Wembley Stadium.
3. The site is well served by public transport. Most of the site falls within an area with a PTAL (Public Transport Access Level) rating of 5 (very good), whilst the southern section has a rating of 4.
4. 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).

Land Use

5. The outline planning permission 15/5550 (as amended by 17/0328) 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. The proposed development would be likely to attract a range of commercial and retail uses, 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.
6. 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. The range of land uses proposed within each section of the current scheme are discussed within the 'Layout and uses of the building' section below.

Key proposed amendments to parameter plans

Relocation of north-south route through plot

7. A key change from the approved massing is the relocation of the north-south route through the plot. The approved parameters for the plots show two main footprints, roughly the same size, which are separated by a north-south route with a width of 14.7m. On the western side is NW09 and on the eastern side are NW10 and NW11.
8. The proposed parameter plan relocates the north-south route, now named 'Weaver Walk North', 30 metres further to the east to align with Weaver Walk South which is between NW07 and NW08 to the south. The primary aim of this is to realign the east and west sections of the plot to better relate to the context to the immediate south. Extending Weaver Walk would create a continuation of the local shopping street running parallel to Olympic Way and help create a critical mass of retail provision to ensure a lively local retail street can be delivered. This reconfiguration would also allow the delivery of NW09/10 and NW11 separately. This would allow NW09/10 to be built at the same time that Boxpark is operational on plot NW11 (under its 10 year temporary planning permission).
9. In addition, Weaver Walk North would be increased in width by 3.3 metres to become 18 metres wide, which would deliver approximately 200m² of extra public realm. Under the new plans, NW09 and NW10 would be on the western side of this street and NW11 would be on its eastern side.
10. The proposals would be broadly along the same building lines as the consented extent, and would achieve minimum 2.5m wide pavements on all streets, and in many places they would exceed this. The plot extent would be pulled out on Humphry Repton Lane to the south by 2.2m but this would still allow a pavement width of 5.9m opposite the northern end of Elvin Gardens.

Redistribution of ground floor uses

11. The approved parameters for the plot show a mix of uses at the lower levels and residential use above. The illustrative use plan layout in the previously approved Design and Access Statement included retail mainly along Olympic Way and employment space dotted around the perimeter of the plot. It also showed homes at ground floor level.
12. The proposed plans do not alter the consented uses shown on the parameter plans. However the illustrative layout has been adjusted to allow for the possible provision of a health centre and/or office space at ground floor level along Harbutt Road, Fulton Road and Humphry Repton Lane. Local needs retail is shown along Weaver Walk and facing south on Humphry Repton Lane, whilst other retail uses are shown along the Olympic Way frontage.
13. The intention of these changes to the block location plans of the proposed parameter plans is to ensure that the active frontage is maximised in each of the plots and that residents and the existing community have suitable retail provision for their needs along Weaver Walk. The health centre/office space would increase activity along the street frontage and deliver the space in one single continuous unit that could link in with the community spaces in NW06 and the leisure centre on Harbutt Road. The family units originally indicated as being provided at ground level would instead be located above ground floor level and would benefit from good levels of privacy and a good outlook over the central garden area.

Increase in width of certain blocks

14. The consented narrow blocks at lower level would be replaced with wider blocks on NW09/10 to match the widths of the taller elements. This would provide apartments overlooking the streets and courtyards, with active commercial uses at ground floor level.

Increase in height of tallest blocks

15. There are no changes proposed to the locations of the tallest buildings as consented. However, the following height changes are proposed:
 - The tallest block within NW09 would be raised by 1m from +96.00 AOD to +97.00 AOD (with a maximum height of +99.80 for the proposed lift overruns/services)
 - The tallest block within NW10 would be raised by 3m from +94.00 AOD to +97.00 AOD (with a

maximum height of +99.80 for the proposed lift overruns/services).

- For NW11, in order to include a higher quality ground level podium space, a 3.1m change to the parameter height is proposed from +76.00m AOD to +79.10m AOD

16. Key townscape views have been tested in the light of the proposed increases in the height of the tallest elements of NW09 and NW10. On balance, it is considered that the proposed increases in heights do not compromise the protected views of Wembley Stadium or materially harm the surrounding townscape. The protected views of Wembley Stadium are discussed in greater detail within this report.

Changes to dimensions of the lower elements

17. The approved parameters for the plots include the majority of the buildings to be of between +47.00 AOD and +49.00 AOD, positioned between the taller elements. These 'shoulder' elements are shown as being narrower in width than the main blocks except for the block on Olympic Way in NW11. The proposed parameters increase the building widths and increase the height of the lower elements of the buildings as follows:

- NW09 (existing parameter +47.0 AOD) to +68.00 AOD, an increase of 21m over the previously consented plans. However, it should be noted that the overall height of the development would only increase by 3m as stated above.
- NW10 (existing parameter +49.0 AOD) to +68.00 AOD, an increase of 19m.
- NW11 (existing parameter +49.0 AOD) to +67.80 AOD, an increase of 18m.

18. The proposal also includes the provision of gaps on the south side of the podium level garden of NW09-10, where it fronts Elvin Gardens.

19. Increasing the building widths and layout would improve the efficiency of these buildings and align them with the adjacent taller blocks to the north so they could benefit from access to the main residential cores and facilities.

20. This arrangement would also allow gaps to be created on the southern edge of plot NW09/10 to allow light into the plot. The raising of the heights to +68.00 AOD in these areas on NW09 and NW10 are considered acceptable given the heights of the surrounding buildings. They have been tested to ensure that this extra height would not have an adverse impact on the proposals or on the surrounding area.

Massing of NW11 along Olympic Way

21. The proposed changes would also include an increase in the height of the lower, southern Olympic Way block on NW11 from +49.00 AOD to +67.80 AOD. This is considered to be acceptable as it would make it more consistent with the heights of other buildings fronting Olympic Way, including the taller element of NW11 to its north and NW08 to its south. It would therefore be in keeping with the other emerging buildings along Olympic Way, and assist in maintaining Olympic Way's key ceremonial character.

Repton House

22. The approved parameters showed a +47.00 AOD continuous bar along the southern edge of the plot facing onto Elvin Gardens. The proposed parameters adjust the continuous bar to create two gaps either side to allow light into the courtyard at podium level. The accommodation has consequently been concentrated within the central portion to create a block that is +60.00 AOD. This building would be called 'Repton House'.

23. The applicants state that this change has been designed to fulfil three main aims:

- To define the edge of the Elvin Gardens public space on its northern side with a building of an appropriate scale for its context and of a high quality design.
- To achieve a high quality residential environment to the courtyard and buildings within the plot itself. The communal space surrounded by the buildings would have a suitable sense of enclosure and privacy. Meanwhile, the gaps on either side of Repton House would increase sunlight levels within this communal area, whilst also allowing views into the site, facilitating interaction between this private area

and the public realm beyond.

- To play a role in place making by creating a mix of different uses and access arrangements and thereby creating activity, interest and animation in this area. The building would activate the public space with commercial ground floor uses, such as cafes and local needs shops, alongside residential entrances. Upper floor uses would assist in providing passive surveillance.

Parking

24. The approved parameters for the plot show a basement car park under the three plots and a podium level car park in both NW09 and NW10-11. The proposed parameter plans omit the basement car park under Plot NW09/10, although basement parking is retained under NW11. Meanwhile, the podium car park is retained in NW09/10 but omitted from NW11. The reduced parking provision proposed for this plot reflects its highly accessible location. In these circumstances, less space is required for parking above ground and below ground.

Alteration to form and location of amenity space

25. The approved parameters showed the amenity space for the development provided by two courtyard areas - one within plot NW09 and the other within plot NW10/11 - in addition to a long roof terrace along the Olympic Way side of the site.
26. The proposed parameters adjust the form and location of the amenity space so that one larger podium courtyard would be created on NW09/10. This would create a 'critical mass' of amenity space as well as providing enough amenity space for each plot. NW11 would be linked to these landscaped gardens via a bridge link across Weaver Walk. The reconfigured private landscaped space on NW09/10 would have an improved visual connection with the public landscaped space of Elvin Gardens to the south.
27. This change has been introduced owing to the relocation of the north-south route, which means that NW10 is now connected to NW09. The key benefit of this change is that a larger amenity space would be created, similar to that within nearby plot NW01, whose buildings surround a large, central, landscaped area. Under the revised plans, each plot within the development would have direct access to the communal amenity space.

Changes to parameter plans

28. This application seeks approval for the following revised Parameter Plans:

Parameter Plan 04: Proposed Ground and Podium Levels
Parameter Plan 05: Proposed Maximum Plot Extent
Parameter Plan 06: Proposed Extent of Parking and Servicing Areas at Ground and above
Ground Levels
Parameter Plan 07: Access and Circulation
Parameter Plan 08: Proposed Uses
Parameter Plan 09: Proposed Heights
Parameter Plan 10: Proposed Critical Dimensions
Parameter Plan 11: Proposed Public Realm and Open Space at Ground Level
Parameter Plan 12: Proposed Open Space at Upper Levels

Layout and uses, Landscaping and Trees, Scale and Appearance

Layout of the site

29. Under the proposed amendments, the north-south route - 'Weaver Walk North' - would be relocated 30 metres further to the east to align with Weaver Walk South which runs between NW07 and NW08 to the south. This would improve the physical and visual permeability through the area. It would also help create a critical mass of retail provision and enhance the vitality and attractiveness of this route which runs parallel to Olympic Way.
30. Weaver Walk North would be increased in width by 3.3 metres to become 18 metres wide, which would

deliver approximately 200m² of extra public realm over the parameter plans previously approved.

31. Another main layout change is the introduction of a taller, but narrower block at the southern edge of plot NW09/NW10 facing onto Elvin Square Gardens to replace the lower but wider continuous bar which featured in the previously consented scheme. This building would provide a focal point at the perimeter of this development and it is considered an acceptable alteration to the form of the development in this part of the site.
32. In terms of accessibility, the site as a whole would be surrounded by publicly accessible routes, with service and access points mainly along the northern and western edges of the site. The area along the southern edge of the site would predominantly be a pedestrian and landscaping zone.
33. Policy WEM7 also adds that active ground floor uses either side of Olympic Way are sought. The current proposals feature active ground floor uses along the Olympic Way frontage and across the scheme.

Uses within the buildings

34. The parameter plans indicate a parking and servicing area below ground within NW11 but no other basement uses.
35. The range of authorised uses for the ground floors of all three plots within the development are A1-A5 (Retail), B1 (commercial) and D1 (education/healthcare/community uses). The upper floors would be in residential use (class C3). The Design and Access Statement submitted with this application shows a proposed redistribution of ground floor uses. These indicate the provision of a health centre/office space at ground floor level around the western frontages of the plot, with different types of retail provision focussed around the southern edge fronting Humphry Repton Lane and along the Weaver Walk North and the Olympic Way frontages. This indicative configuration is considered acceptable and would ensure good levels of activity across all the frontages of the site.

Relationship to Wembley Masterplan hybrid consent

36. Taking into account the new footprint of the proposed development, the overall building heights and typical floor to ceiling heights, the proposed parameter plans would allow for an increase in useable floorspace within Plots NW09, 10 and 11 compared to the approved parameter plans. However, the overall floorspace that can be provided within the Wembley Masterplan site as a whole would not increase as a result of the proposal. The detailed design of the scheme would be fully assessed through a Reserved Matters application, and the compliance of the scheme with the Masterplan floorspace limits would also be fully assessed at that stage. It is considered that a detailed scheme could be designed which would have an acceptable impact on the environment, the local area and the amenities of neighbouring residents, in accordance with the proposed amendments to the parameter plans.

Landscaping and Trees

37. The proposed parameters adjust the form and location of the amenity space so that one larger podium courtyard would be created on NW09-10. NW11 would be linked to these landscaped gardens via a bridge link across Weaver Walk. A number of roof gardens would provide additional amenity space. Children's playspace would be provided both within the central communal garden in plot NW09/10 and within the lower, western element of NW11, adjacent to Weaver Walk North.
38. A number of trees are proposed around the perimeter of the site which would help soften the appearance of the new buildings within street level views.
39. These works 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.
40. In addition to on site amenity space, the development site is directly opposite Elvin Square Gardens to the south, the publicly accessible open space positioned between buildings NW06 and NW07/08 and a 7 acre park is also due to be delivered in stages on either side of Engineers Way, to the north east of the stadium, which would only be a few minutes' walk from the application site. In these circumstances, the amount and distribution of private and public realm landscaping indicated on the submitted plans is considered acceptable in principle.

Scale

41. The locations of the tallest buildings have not changed between the previously consented and the proposed plans. The Application Site is within the area defined as being 'appropriate' for tall buildings on Map 4.4 within the Wembley Area Action Plan 2015. Policy WEM7 states that development on Olympic Way must be carefully designed and scaled to respect the predominance of Wembley Stadium and its arch. As discussed below, a views assessment shows the impact of the proposals on Wembley Stadium and its arch, in conjunction with previously consented schemes.
42. The approved parameter plans indicate that the tallest elements of the scheme would all be towards the northern boundary of the site, adjacent to Fulton Road. Maximum heights AOD are proposed to be raised by 1m from +96.00 AOD to +97.00 AOD for the block within NW09. The tallest block within NW10 would be raised by 3m from +94.00 AOD to +97.00 AOD and the tallest element within NW11 would be raised 3.1m from +76.00m AOD to +79.10m AOD.
43. These heights would be comparable to the heights of neighbouring buildings and are small increases within the context.
44. In views towards NW11 from the north, whilst approaching the stadium along Olympic Way, the two taller elements of NW11 would be seen in front of NW08 and W03 and are considered to be of an appropriate height within this context. Additionally, they would contribute towards the formation of a processional route towards the stadium along Olympic Way. The tallest blocks within NW09 and NW10 are also considered appropriate within this urban context which is characterised by multiple buildings of a comparable height, meaning that the buildings would not appear unduly tall or incongruous.
45. The podium level of plot NW09/NW10 would be 38.1m AOD, whilst the podium level for NW11 would be 42.0m AOD. This is similar to the podium levels of consented plots NW08 and NW04 to the south of the application site.
46. The taller elements of NW11 would be set back from Olympic Way behind the lower level street frontage section of the building, echoing the design of NW08 to its immediate south, whose tallest elements are set back from Olympic Way in a similar way.

Appearance

47. Illustrative views have been submitted with the application, showing 'Repton House' and its surroundings. However, full details of the appearance of the buildings 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.
48. The height and length of the proposed buildings 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. Tree planting would help soften the impact of the development in street level views. This would include part of the new avenue of trees recently planted along Olympic Way which would run alongside the Olympic Way edge of the development.

Views, including protected views

49. 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.
50. 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 increase in height on the taller elements of NW09, NW10 and NW11 would be discernible in closer AAP views along Olympic Way. In AAP6 from Wembley Park Station, the top of NW11 would slightly obscure more of the Stadium Arch and would infill an additional small proportion of the space between the roof of the stadium and its arch, compared to the previously consented scheme. However, moving south from there, at viewpoint AAP7 on Bobby Moore Bridge, there would be no additional obscuration of the Arch and,

overall, the formal character of the Olympic Way views, and the symmetrical appearance of the arch in this important approach view would be maintained.

51. The increase proposed to the taller elements of NW09 and NW10 would also be most evident in AAP6 from Wembley Park Station, however the difference between the proposed and consented heights is small and the proposed taller elements of NW09 and NW10 would be set well to the right of the stadium arch. The changes to the lower blocks would not have any impact on the predominance of Wembley Stadium and its arch.
52. The proposed changes to the lower blocks would be evident in local views towards the site, such as along Olympic Way, Fulton Road and Harbutt Road. However, the increased heights of these lower blocks would reflect the massing and character of the taller elements to the south on Plots NW06, NW07 and NW08 and so it is not considered that they would look incongruous or unduly overbearing.
53. 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 the Olympic Way approach to the stadium would be maintained. 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 the arch and the space between the roof of the stadium and the arch, that would still be visible would maintain an acceptable level of prominence for the National Stadium.
54. With regard to distant views, the marginally increased heights of the taller elements would not be noticeable in the distant AAP View 1 from Barn Hill or in AAP View 2 from Elmwood Park, Sudbury. Although the buildings would be visible on the horizon, due to their distance from these viewing points, the difference between the consented and proposed parameters in these distant views would not 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.

Daylight and Sunlight considerations

55. The revisions to Plots NW09/10 and NW11 have been assessed in relation to internal daylighting levels. The assessment checks compliance with British Standard 8206 minimum criteria for internal daylighting, set at 1.0% for bedrooms, 1.5% for living rooms and 2% for non-internal kitchens.
56. Grand Felda House is student accommodation located to the east of the application site between Harbutt Road and Empire Way. This accommodation has been assessed in the standard way for student accommodation by checking the internal daylight availability with average daylight factors. The results show that all the student accommodation will maintain internal daylighting at above the Average Daylight Factor levels mentioned above.
57. The residential units within NW06, NW07 and NW08 to the south of plots NW09, 10 and 11 have also been tested. Plot NW06 is complete and plots NW07 and NW08 are currently under construction. The results show that those windows and rooms facing plots NW09 and 10 will have altered levels of daylight from those approved. However the buildings will retain a percentage of compliant rooms of 96.83% for NW06 and 93% for NW07/NW08. The latter falls marginally below the 95% target, but the reduction is due mainly to a small number of bedrooms falling marginally below the 1:00% criteria. This marginal shortfall is considered acceptable in this relatively densely developed urban context.
58. The approved Development Specification commits that 50% of the proposed amenity areas will achieve two hours of sunlight on March 21st. The assessments show that 51.62% of the revised proposed amenity space will be able to receive at least 2 hours of sunlight on 21st March which therefore complies with this minimum requirement.
59. As assessment was also carried out in relation to internal daylight and sunlight levels for rooms within the proposed buildings on plot NW09 and NW10. The results of this assessment show a total combined pass rate of 96.11%, with block A having a 98.93% pass rate, block B a 94.87% pass rate and block C a 87.5% pass rate. While it is acknowledged there are a small number of isolated proposed windows which fail to meet the BRE guidance, these failures are marginal and it is considered that the proposed rooms would still have adequate access to both daylight and sunlight.

60. In view of the findings of the Daylight and Sunlight reports 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. Residents of the proposed units would also enjoy adequate daylight and sunlight levels overall. Although some rooms do fall below desired standards, again this shortfall is considered acceptable in this relatively densely developed urban context.

Noise

61. 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 (15/5550).

Wind Microclimate

62. A boundary layer wind tunnel study has been carried out to inform the pedestrian wind environment expected to result from the proposed changes to the Parameter Plans for plot NW09/10 and 11. The study has provided an assessment of the wind microclimate in terms of accepted, industry standard, pedestrian comfort and safety criteria and has assessed the suitability for planned and current usage.
63. Soft landscaping has been considered as set-out within the approved Development Specification and proposed Parameter Plans for tree planting at ground level, where the number of trees and zones for tree positions have been identified, and additionally via consents for surrounding plots. The assessment concludes that:
- Wind conditions within the North West Lands NW09, NW10 and NW11 Proposed Development are suitable for the proposed uses.
 - Elsewhere within the wider surrounding area, conditions are generally suitable for comfortable pedestrian thoroughfare, for ingress and egress at entrances, and for sedentary activity, as appropriate.
 - There are no material differences between the effects of the consented development and proposed development.
64. The report takes into account future landscaping plans which incorporate wind mitigation measures and concludes that with the introduction of the proposed development, wind conditions would remain suitable at all locations, both in terms of pedestrian safety and pedestrian comfort, for their intended uses.

Highways and Transportation

65. A parking podium and service yard, accessed via Fulton Road, is proposed from the north boundary of NW09-10. Changes therefore include the provision of vehicular access points from Fulton Road as reflected in the updated parameter plans. Additional servicing bays will be proposed to be located on Fulton Road, Harbutt Road and Humphrey Repton Lane.
66. Fulton Road is a local access road and bus route. Parking and loading are prohibited at all times. The relocation of the north-south street through the site will align it with Weaver Walk to the south, which is currently in the process of being constructed. By aligning the two routes to provide a straight local shopping street between Engineers Way and Fulton Road parallel with Olympic Way, legibility and wayfinding through the area will be improved. The street will also be increased from its original minimum width of 14.7m to 18m, which is welcomed in terms of increasing public space along the route.
67. The proposed changes also remove the originally approved basement parking from Plots NW09 and NW10 together with the podium parking from the eastern plot (NW11), leaving just a level of podium parking within Plots NW09 and NW10 and basement parking for NW11. The consequent reduction in off-street parking is welcomed in principle, with the development being subject to a 'car-free' agreement to prevent residents from obtaining parking permits within the existing Stadium event-day CPZ or any future year-round CPZ. The development also provides funding to extend CPZ's coverage in the area.
68. There are no transportation concerns with the increased height of certain parts of these buildings, but adequate headroom (at least 4.8m) will need to be retained beneath the proposed bridge link over the shopping street to retain access for service and emergency vehicles.

Environmental Impact Assessment

69. A Supplementary Environmental Statement has been submitted with this application in which the proposed changes to the Parameter Plans are reviewed and audited against the findings of the original Environmental Statement of 2015 and the Supplementary Environmental Statement of 2017 to establish whether further environmental information is required under the EIA Regulations.
70. In respect of construction related effects, the review has concluded that the assessment of these impacts are completely unaffected by the revisions to Plots NW09/10 and NW11. 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 2015 ES.
71. 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 of the proposed changes. 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 2015 ES.
72. For these reasons, it is concluded that the mitigation measures to be 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 15/5550 as amended by 17/0328 in order to secure further mitigation measures.

Other matters

73. 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, local employment opportunities and cycle parking would all be assessed at Reserved Matters stage, through the discharge of planning conditions attached to the original Masterplan planning consent (15/5550) and by assessment in relation to S106 obligations, and amendments would be sought as necessary.

CIL

74. Once individual sites benefit from detailed approval, they will become CIL liable.

Conclusion

75. 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 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 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.
76. 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.

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 18/2214

I refer to your application dated **08/06/2018** proposing the following:

Minor Material Amendment to vary parameter plans 04-12 and the listing of these replacement plans under revised conditions 4, 5, 15, 16 and 25 of hybrid planning permission reference 17/0328 (dated 26 May 2017) which granted minor material amendments to hybrid planning permission reference 15/5550 which comprises the demolition of existing buildings and redevelopment of the site to provide up to 420,000 sqm (gross external area) of mixed use floorspace. (See previous application record for full description of development).

The minor material changes sought comprise an increase in the width of the previously approved north-south route between NW09 and NW10/NW11 and its relocation 30 metres further to the east in between NW09/NW10 and NW11, alterations to the block forms of NW09/NW10 and NW11 with an increase in height of elements of blocks NW09/10 and NW11 as a result of the updated layout, changes to car parking arrangements, introduction of bridge link connecting the landscaped gardens of NW09/10 and NW11 and other associated alterations.

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

at Olympic Way and land between Fulton Road and South Way incl. Green Car Park, Wembley Retail Park, 1-11 Rutherford Way, 20-28 Fulton Road, Land south of Fulton Road opp. Stadium Retail Park, land opp. Wembley Hilton, land opp. London Design Outlet

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: 03/08/2018

Signature:

Alice Lester

Head of Planning, Transport and Licensing

Notes

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

DnStdG

SUMMARY OF REASONS FOR APPROVAL

- 1 The proposed development is in general accordance with the:
Revised Planning Policy Framework 2018
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 material compliance 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.

- 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 this permission.

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 three years from the date of this outline planning permission 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):

OUTLINE

A-00-001 Parameter Plan 01: Site Location Plan 1:1250 A0
 A-00-002 Parameter Plan 02: Extent of Reserved Matters 1:1250 A0
 A-00-003 Parameter Plan 03: Existing Ground Levels 1:1250 A0
 A-00-004 Rev 3 Parameter Plan 04: Proposed Ground and Podium Levels*
 A-00-005 Rev 3 Parameter Plan 05: Proposed Maximum Plot Extent*
 A-00-006 Rev 3 Parameter Plan 06: Proposed Extent of Parking and Servicing Areas at Ground and above Ground Levels*
 70033690-SK-030 Rev D Parameter Plan 07: Access and Circulation*
 A-00-008 Rev 3 Parameter Plan 08: Proposed Uses 1:1250 A0*
 A-00-009 Rev 4 Parameter Plan 09: Proposed Heights 1:1250 A0*
 A-00-010 Rev 3 Parameter Plan 10: Proposed Critical Dimensions 1:1250 A0*
 1312-HED-SW-ZZ-DR-L-1801 P02 Parameter Plan 11: Proposed Public Realm and Open

Space at Ground Level*

1312-HED-SW-ZZ-DR-L-1802 P02 Parameter Plan 12 – Proposed Open Space at Upper Levels*

3964-LPR-PL-LDA-DGA-013 Rev A Parameter Plan 13: Tree Removal Plan

Development Specification Wembley Park Masterplan dated November 2015

Wembley Park Masterplan Design and Access Statement dated 30 November 2015

RESERVED MATTERS PLANS FOR PLOT W06

WBL-CPA-W06-RF-DR-A-0101 Site Location Plan 1:1250 A1

WBL-CPA-W06-RF-DR-A-0102 Site Location Plan showing Plots within Outline Planning Permission 1:1250 A1

WBL-CPA-W06-ZZ-DR-A-0110 Existing Site Plan 1:250 A1

WBL-CPA-W06-01-DR-A-0202 First Floor Plan Proposed 1:200 A1

WBL-CPA-W06A-01-DR-A-0222 First Floor Plan Proposed 1:100 A1

WBL-CPA-W06A-02-DR-A-0223 Second Floor Plan Proposed 1:100 A1

WBL-CPA-W06A-03-DR-A-0224 Third Floor Plan Proposed 1:100 A1

WBL-CPA-W06A-04-DR-A-0225 Fourth Floor Plan Proposed 1:100 A1

WBL-CPA-W06A-05-DR-A-0226 Fifth Floor Plan Proposed 1:100 A1

WBL-CPA-W06A-06-DR-A-0227 Sixth Floor Plan Proposed 1:100 A1

WBL-CPA-W06A-07-DR-A-0228 Seventh Floor Plan Proposed 1:100 A1

WBL-CPA-W06A-08-DR-A-0229 Eighth Floor Plan Proposed 1:100 A1

WBL-CPA-W06A-09-DR-A-0230 Roof Plant Plan Proposed 1:100 A1

WBL-CPA-W06A-GF-DR-A-0220 Ground Floor Plan Proposed 1:100 A1

WBL-CPA-W06A-MZ-DR-A-0221 Mezzanine Floor Plan Proposed 1:100 A1

WBL-CPA-W06A-RF-DR-A-0231 Roof Plan Proposed 1:100 A1

WBL-CPA-W06B-01-DR-A-0242 First Floor Plan Proposed 1:100 A1

WBL-CPA-W06B-02-DR-A-0243 Second Floor Plan Proposed 1:100 A1

WBL-CPA-W06B-03-DR-A-0244 Third Floor Plan Proposed 1:100 A1

WBL-CPA-W06B-04-DR-A-0245 Fourth Floor Plan Proposed 1:100 A1

WBL-CPA-W06B-05-DR-A-0246 Fifth Floor Plan Proposed 1:100 A1

WBL-CPA-W06B-06-DR-A-0247 Sixth Floor Plan Proposed 1:100 A1

WBL-CPA-W06B-07-DR-A-0248 Seventh Floor Plan Proposed 1:100 A1

WBL-CPA-W06B-08-DR-A-0249 Eighth Floor Plan Proposed 1:100 A1

WBL-CPA-W06B-09-DR-A-0250 Ninth Floor Plan Proposed 1:100 A1

WBL-CPA-W06B-10-DR-A-0251 Tenth Floor Plan Proposed 1:100 A1

WBL-CPA-W06B-11-DR-A-0252 Eleventh Floor Plan Proposed 1:100 A1

WBL-CPA-W06B-12-DR-A-0253 Roof Terrace Plan Proposed 1:100 A1

WBL-CPA-W06B-ZZ-B1-DR-A-0255 Basement Floor Plan Proposed 1:100 A1

WBL-CPA-W06B-GF-DR-A-0240 Ground Floor Plan Proposed 1:100 A1

WBL-CPA-W06B-MZ-DR-A-0241 Mezzanine Floor Plan Proposed 1:100 A1

WBL-CPA-W06B-RF-DR-A-0254 Roof Plan Proposed 1:100 A1

WBL-CPA-W06B-ZZ-DR-A-0800 Studio – 1B1P – A1 – Flat Plan A3

WBL-CPA-W06B-ZZ-DR-A-0801 Studio – 1B1P – A2 – Flat Plan A3

WBL-CPA-W06B-ZZ-DR-A-0810 One Bed – 1B2P – A1 – Flat Plan A3

WBL-CPA-W06B-ZZ-DR-A-0811 One Bed – 1B2P – A2 – Flat Plan A3

WBL-CPA-W06B-ZZ-DR-A-0820 Two Bed – 2B4P – A1 – Flat Plan A3

WBL-CPA-W06B-ZZ-DR-A-0821 Two Bed – 2B4P – B1 – Flat Plan A3

WBL-CPA-W06B-ZZ-DR-A-0822 Two Bed – 2B4P – B2 – Flat Plan A3

WBL-CPA-W06B-ZZ-DR-A-0823 Two Bed – 2B4P – C1 – Flat Plan A3

WBL-CPA-W06B-ZZ-DR-A-0830 Three Bed – 3B6P – A1 – Flat Plan A3

WBL-CPA-W06B-ZZ-DR-A-0831 Three Bed – 3B6P – B1 – Flat Plan A3

WBL-CPA-W06B-ZZ-DR-A-0840 Four Bed – 4B6P – A1 – Flat Plan A3

WBL-CPA-W06-GF-A-0200 Rev Ground Floor Plan Proposed 1:200 A1

WBL-CPA-W06-MZ-DR-A-0201 Mezzanine Floor Plan Proposed 1:200 A1

WBL-CPA-W06-RF-DR-A-0204 Roof Plan Proposed 1:200 A1

WBL-CPA-W06-ZZ-DR-A-0203 Typical Floor Plan Proposed 1:200 A1

WBL-CPA-W06A-ZZ-DR-A-0620 Wembley Boulevard Elevation 1:100 A1

WBL-CPA-W06A-ZZ-DR-A-0621 Perimeter Way West Elevation 1:100 A1
 WBL-CPA-W06A-ZZ-DR-A-0622 Elevation Proposed 1:100 A1
 WBL-CPA-W06A-ZZ-DR-A-0623 South West Elevation Proposed 1:100 A1
 WBL-CPA-W06B-ZZ-DR-A-0640 Wembley Park Boulevard Elevation Proposed 1:100 A1
 WBL-CPA-W06B-ZZ-DR-A-0641 Perimeter Way West Elevation Proposed 1:100 A1
 WBL-CPA-W06B-ZZ-DR-A-0642 Elevation Proposed 1:100 A1
 WBL-CPA-W06B-ZZ-DR-A-0643 Elevation Proposed 1:100 A1
 WBL-CPA-W06-ZZ-DR-A-0600 Wembley Park Boulevard Elevation Proposed 1:200 A1
 WBL-CPA-W06-ZZ-DR-A-0601 Perimeter Way West Elevation Proposed 1:200 A1
 WBL-CPA-W06A-ZZ-DR-A-0720 Cross Section A Proposed 1:100 A1
 WBL-CPA-W06A-ZZ-DR-A-0721 Cross Section B Proposed 1:100 A1
 WBL-CPA-W06B-ZZ-DR-A-0740 Cross Section A Proposed 1:100 A1
 WBL-CPA-W06B-ZZ-DR-A-0741 Cross Section B Proposed 1:100 A1
 WBL-CPA-W06-ZZ-DR-A-0700 Site Cross Section Proposed 1:200 A1
 WBL-FBK-W06-01-DR-L-100 REV P1 Level 01 – Roof Terrace Colour Landscape Plan 1:200 A1
 WBL-FBK-W06-12-DR-L-100 REV P1 Level 12 – Roof Terrace Colour Landscape Plan 1:200 A1
 WBL-FBK-W06-GF-DR-L-100 REV P1 Ground Floor – Landscape Colour Masterplan 1:200 A1
 Swept Path Analysis 4740-ATR-005 A 1:250 A3

RESERVED MATTERS PLANS FOR PLOT E05

3554-01-802 Proposed Site Plan 1:500 A0
 3554-02-800 PL Ground Floor Plan Coach Parking 1:200 A0
 3554-02-801 PL Mezz Floor Plan 1:200 A0
 3554-02-802 PL First Floor Plan Residential Parking 1:200 A0
 3554-02-803 PL Second Floor Plan Accessible Parking 1:200 A0
 3554-02-804 PL Third Floor Plan Premium Club 1:200 A0
 3554-02-805 PL Fourth to Eight Floor Plan Standard Parking 1:200 A0
 3554-02-810 PL Ninth Floor Plan Standard Parking 1:200 A0
 3554-02-811 PL Roof Plan Parking 1:200 A0
 3554-04-800 PL East and West Elevations 1:200 A0
 3554-04-801 PL North and South Elevations 1:200 A0
 3554-04-810 PL Sections 1 and 2 1:200 A0
 4797_PL_004 Proposed Landscape Plan 1:200 A0 A
 4797_PL_005 Landscape Site Sections 1:200 A1 A
 Blue MSCP: Façade Design Parameters

SUPPORTING DOCUMENTS

Environmental Statement Wembley Park Masterplan dated November 2015
 Planning Statement Wembley Park Masterplan dated November 2015
 Wembley Park Masterplan Sustainability Statement Revision 03 Dated 30 November 2015
 Wembley Park Masterplan Energy Statement Revision 03 Dated 30 November 2015
 Regeneration Statement - Wembley Park Masterplan
 Wembley Masterplan Operational Waste Management Strategy Dated 30 November 2015
 Wembley Masterplan Site Waste Management Plan Revision 01 Dated 26 November 2015
 Wembley Park Masterplan Statement of Community Involvement
 Wembley Park Masterplan Utilities Strategy Revision 02 Dated 30 November 2015
 Tree Constraints Report: Wembley Masterplan dated 6 October 2015

Design and Access Statement Prepared in support of Section 73 application relating to Planning Permission 15/5550 dated 02/07/18*
 Supplementary Environmental Statement dated July 2018*

* these drawings and documents are those which differ from those approved through outline planning consent reference 15/5550 as amended by 17/0328.

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

- 5 The plots or parts of plots denoted as optional use A1-A5 within drawing A-00-008 Rev 3 shall only be used for purposes within Use Class A1, A2, A3 and A4.

Reason: In the interest of proper planning, as the description of development did not refer to use class A5.

- 6 No individual retail unit with a floorspace in excess of 2,000 square metres (Gross External Area) within the development hereby approved shall be used for food retailing.

Reason: Sequentially preferable sites are identified in the Wembley Area Action Plan.

- 7 The number of rooms of Student Accommodation that may be delivered pursuant to this consent shall not exceed 361 unless an alternative number of rooms is submitted to and approved in writing by the Local Planning Authority, such amount not to exceed the proportion of student accommodation set out within Policy WEM 23 of the Wembley Area Action Plan 2015 or the maximum floorspace set out within the description of development.

Reason: To ensure a mixed and balanced community and to ensure that the delivery of student housing does not affect the delivery of conventional housing against the Council's housing targets

- 8 The student accommodation hereby approved shall not be occupied for a period of more than 13 weeks in any year other than by Students. For the purpose of this condition, Students are defined as any person enrolled on a full time UK accredited and based further education course at a recognised higher education institution for not less than 80 % of the course time unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the accommodation meets an identified need and contributes towards a balanced community.

- 9 The development within Plot W10 shall not be occupied unless the adjoining element of the "Boulevard", between Royal Route and South Way (as detailed within planning application reference 15/3599 or any subsequent consent which includes the construction of this element of the Boulevard) has been completed in full unless a programme of works has been submitted to and approved in writing by the Local Planning Authority and the works are completed in full accordance with that programme.

Reason: In the interest of the character and appearance of the Boulevard

- 10 The works to Royal Route, its structure and to the ground levels and surface treatments under Royal Route shall be completed in full prior to earlier of first occupation of the development within: Plots W08; W10; or the proposed hotel within the site of application reference 15/3599 (or any subsequent application for the redevelopment of this part of that site) unless a programme of works has been submitted to and approved in writing by the Local Planning Authority and the works are completed in full accordance with that programme.

Reason: In the interest of the streetscene, design and appearance of the area, legibility and permeability for pedestrians and cyclists.

- 11 Residential car parking shall not be provided within Plots E01, E02, E03 or E05 unless details of alternative accesses that do not conflict with stadium vehicular or crowd flows have been submitted to and approved in writing by the Local Planning Authority and those details have been implemented in full.

Reason: In the interest of highway flow and safety, as residential car parking within these plots may result in increases in the egress time during Stadium events for the Blue Car Park hereby approved, and may result in potential conflict between pedestrians and vehicles along Perimeter

Way on Stadium Event Days

- 12 The residential car parking spaces shall be used for the parking of vehicles associated with the residential units within this development and shall not be used for any other purpose, such as the provision of Stadium Parking.

Reason: In the interest of highway flow and safety.

- 13 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.

- 14 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.

- 15 The construction tolerances referred to within drawing A-00-009 Rev 4 "Parameter Plan 09 – Proposed Heights" shall only relate to the final constructed heights of building and the buildings as proposed within applications for the approval of Reserved Matters shall be designed to comply with the maximum heights as denoted on this drawing, as altered by the additional height specified for lift motor rooms, plant and extract, and the additional height specified for parapet levels.

Reason: In the interest of visual amenity and townscape.

- 16 Parapets that project more than one metre above the relevant maximum height specified with drawing A-00-009 Rev 4 shall be designed to be predominantly open in their visual appearance.

Reason: To ensure a high standard of design and appearance.

- 17 A Student Accommodation Demand Assessment shall be submitted and to and approved in writing by the Local Planning Authority in relation to each Reserved Matters Applications within which Student Accommodation (Sui Generis) is proposed.

Reason: In the interest of the provision of a mixed and balanced community

- 18 Prior to first occupation of any plots that include Student Accommodation, a Student Management Plan detailing measures to manage the use of any associated servicing bay(s) during key periods including the periods when students will load and unload possessions at the start and end of the college year, the pre-booking of arrival times and staff resourcing to assist this and having regard to Stadium Event day conditions, shall be submitted to and approved in writing by the Local Planning Authority and the approved details shall be implemented in full for the life of the development.

Reason: In the interest of highway and pedestrian safety and flow, and parking saturation in the locality.

- 19 Prior to the commencement of works to the superstructure on relevant part of the development as hereby permitted, details of the following as they relate to that part of the development shall be submitted to and approved in writing by the Local Planning Authority, either within the Reserved Matters applications (if specifically referenced within that submission) or under separate cover, with the exception of plots E05 & W06 which shall only be subject to the submission and approval of paragraphs a) to j) below.

- a) Details of materials for all external surfaces, including samples which shall be made available for viewing on site or in another location as agreed;
- b) Details of any plant, including locations, external appearance and any proposed screening;
- c) 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;
- d) Details of cycle storage, including the number of spaces (which shall accord with London Plan standards), structures, layout, equipment, access, security and weather proofing appropriate to the type of cycle storage;
- e) Details of any motorcycle and car parking provision, including layouts, allocation, cumulative (site-wide) parking provision and projected future provision, which shall not exceed 0.4 car parking spaces per residential unit, but shall include disabled parking provision comprising 10 % of allocation for residential parking spaces and 5 % allocation for commercial premises;
- f) Details of electric vehicle charging points, which shall comprise a minimum of:
 - i. 20 % of car parking spaces with active and 20 % with passive charging points for residential development;
 - ii. 20 % active and 10 % passive for office development; and
 - iii. 10 % active and 10 % passive for retail parking spaces.
- g) Details of any CCTV;
- h) Measures incorporated to mitigate the impacts of wind within the development.
- i) 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.
- j) The location of services, including the grouping of services where feasible;
- k) 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.
- l) Means of access for vehicles, pedestrians and cyclists to and from the relevant part of the development;
- m) Details of the levels of daylight received for Habitable Room windows of any Residential Dwellings within the relevant part of the Development.
- n) 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, in the interest of residential amenity, design quality and visual appearance, highway flow and safety and sustainable development.

- 20 Prior to the commencement of works on the superstructure on the relevant part of the development hereby approved, scheme for the landscape works and treatment of that part of the development shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented prior to the earlier of first occupation or first use 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 any Sustainable Urban Drainage Systems;
 - i) Details of the proposed arrangements for the maintenance of the landscape works.

Any trees or shrubs that are a 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.

- 21 A Parking Management Plan relating to non-event days, setting out the allocation control, operation and charging structures for non-residential parking, and the allocation of non-residential parking spaces shall be submitted to and approved in writing by the Local

Planning Authority and the approved plan shall be implemented in full.

Reason: In the interest of highway flow and safety, and sustainable transport.

- 22 A Stadium Event Parking Management Plan shall be submitted to and approved in writing by the Local Planning Authority in consultation with Wembley National Stadium Limited / The FA and Transport for London prior to the commencement of works on plots E01, E02, E03, E04 or E05 or on the park to the south of Engineers Way hereby approved, and the plan shall thereafter be implemented in full for the life of the development. The Plan shall include:

- Details of the Stadium Event Car and Coach Parking Spaces, comprising the location of spaces, the maximum number of car, coach and mini-bus parking spaces within each area;
- Scenarios for the allocation of the parking spaces (should the allocation of spaces be proposed to vary from event to event), including the number of cars and coaches to be parked in each area for each scenario;
- The means by which parking spaces are booked and allocated;
- Access and egress routes and arrangements for vehicles between the Stadium Event Car and Coach Parking Spaces and the wider network;
- Access and egress routes and arrangements for pedestrians travelling between the parking areas and the Stadium, including proposed road closures such as the closure of part of South Way;
- Event day management procedures, including the marshalling of vehicles and pedestrians during stadium access and egress;
- Details demonstrating that the cumulative total number of Stadium Event Car and Coach Parking Spaces for each scenario equals 2,900 cars; or 1200 cars and 458 coaches and 43 minibuses; or combination thereof;
- The location of blue badge parking spaces, the number of spaces within each area and the route between the parking spaces and the Stadium including any management measures to assist disabled visitors;
- The means by which the relevant authorities and bodies will be notified which scenario will be implemented for each event;

On Stadium Event Days, the identified number of spaces within the areas designated for stadium car, coach and/or mini-bus parking for the selected scenario pursuant to the Stadium Event Parking Management Plan shall only be used for the purpose of stadium car, coach and/or mini-bus parking.

Reason: In the interest of highway flow and safety, disabled access, access and egress associated with Stadium Events and the regeneration of the area.

- 23 Prior to the commencement of works on the superstructure of the school, details of the arrangements for the parking of vehicles for the proposed school within the "Red" multi-storey car park shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works and the approved details shall be implemented in full.

Reason: In the interest of highway flow and safety.

- 24 Prior to the commencement of works on the superstructure of the new school on Plot YH1 (York House car park), a scheme of improvement works to the Royal Route footways between Wembley Hill Road and the pedestrian entrance to the Red Car Park shall be submitted to and approved in writing by the Local Planning Authority. The approved works shall be implemented in full prior to first occupation of the school.

Reason: In the interest of highway flow and pedestrian safety.

- 25 Notwithstanding the details provided within Parameter Plan 11 (Drawing 1312-HED-SW-ZZ-DR-L-1801 P02), further details of the cycle routes accompany all applications for Reserved Matters for parts of the development which include areas within which "primary pedestrian/cycle routes" are located within this parameter plan, detailing the width and nature of cycle routes, surface treatments, signage and how the cycle routes are proposed to be marked out.

Reason: In the interest of sustainable transportation, non-car modes of access and the provision of cycling infrastructure together with the character and recreational value of the park.

- 26 Prior to first occupation of the relevant part of the development, a Delivery and Servicing Plan (DSP) based on the Framework DSP, and which shall also:
- Restrict the maximum length of servicing vehicles using on site access routes other than Harbutt Road, Olympic Way and West Olympic Way to 12 m; and
 - Restrict the hours of on-street servicing to 0630 to 1000 hours and 2000 to 2200 hours Monday to Saturday and 0800 to 1100 hours on Sundays
- shall be submitted to and approved in writing by the Local Planning Authority and the approved DSP shall be implemented for the life of the development.

Reason: In the interest of highway and pedestrian flow and safety.

- 27 Prior to the commencement of works on the relevant part of the development, a Construction Logistics Plan (CLP) based on the Framework CLP shall be submitted to and approved in writing by the Local Planning Authority and the approved CLP shall be implemented for the duration of demolition and construction.

Reason: In the interest of highway and pedestrian flow and safety.

- 28 A site management plan, detailing the maintenance and cleaning regime for the public and communal external spaces within the development, shall be submitted to and approved in writing prior to first use of the public or communal spaces within the development and the approved plan shall be implemented for the life of this development.

Reason: To ensure a good quality of environment is provided.

- 29 Applications for the approval of Reserved Matters for part of the development that include residential floorspace (within Use Class C3) shall be accompanied by details of the provision of play and recreational space and any associated equipment within the communal parts the relevant part of the development that are required to meet the minimum standards for play space as set out within Wembley AAP Policy WEM 38. The approved play and recreational space and any associated equipment situated within the relevant part of the development site shall be implemented in full prior to first occupation of the relevant part of the development. The playspace shall thereafter be retained and maintained in accordance with the manufacturers specifications.

Reason: To ensure that a good quality of accommodation is provided for future residents.

- 30 A minimum of
- 10 % of hotel rooms;
 - 5 % of student accommodation rooms;
 - 10 % of Affordable Rented residential units;
- shall be provided as wheelchair accessible accommodation whilst 10 % of all private and intermediate residential units and 5 % of student accommodation rooms (in addition to the 5 % of student accommodation rooms referred to above) shall be "easily adaptable" for residents who are wheelchair users. Reserved matters applications that include such accommodation shall demonstrate that these minimum targets for accessible and easily adaptable rooms and units will be achieved.

Reason: To ensure that the development is suitably accessible.

- 31 Details of any proposed counter-terrorism measures shall be submitted to and approved in writing by the Local Planning Authority in consultation with the MET Police prior to the commencement of works on the superstructure on the relevant part of the development and the approved details shall be implemented in full prior to completion of the relevant part of the development hereby approved.

Reason: To ensure that the development accords with Policy 7.13 of the London Plan.

- 32 Any plant shall be installed, together with any associated ancillary equipment, so as to minimise the transmission of noise and vibration into neighbouring premises. The rated noise level from all plant and ancillary equipment shall be 10dB(A) below the measured background noise level when measured at the nearest noise sensitive premises. Prior to the installation of plant, an

assessment of the expected noise levels of any plant shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall be carried out in material compliance with BS4142:2014 'Methods for rating and assessing industrial and commercial sound.' and shall include any mitigation measures necessary to achieve the above required noise levels. The plant shall thereafter be installed and maintained in accordance with the approved details.

Reason: To protect acceptable local noise levels in the interest of the amenities of sensitive uses, and in accordance with Brent Policy EP2.

- 33 A scheme of sound insulation measures to address potential noise transfer between commercial uses and residential uses within the building shall be submitted to and approved in writing by the Local Authority prior to the commencement of works on the superstructure of buildings that include both commercial and residential uses. The approved measures shall thereafter be implemented in full.

Reason: To protect acceptable local noise levels in the interest of the amenities of sensitive uses, and in accordance with Brent Policy EP2.

- 34 Prior to the commencement of construction works to the superstructure on the relevant part of the development, details shall be submitted to and approved in writing by the local planning authority demonstrating that residential units, rooms of student accommodation, and hotel rooms (unless the relevant part does not include such uses) will be constructed so as to provide sound insulation against externally generated noise such that:

- For facades identified as being affected by stadium and/or rail noise, the resultant internal noise levels between the hours of 11.00pm and 7.00 am shall not exceed 33 dB LAeq, 15 min and 38 LAeq, 15 min from 7.00am to 11.00pm;
- For all other facades the resultant internal noise levels between the hours of 11.00pm and 7.00 am shall not exceed 30 dB LAeq, 8hr and 35 LAeq, 16 hr from 7.00am to 11.00pm;

These criteria apply with windows shut and with an appropriate ventilation system installed. Any mechanical ventilation system shall not give rise to a noise level greater than the above internal noise standards or a sound level in any 1/3 octave band in the range 50Hz to 8kHz that is more than 5 dB above immediate adjacent 1/3 octave bands.

The development shall be constructed in accordance with the approved details and any noise mitigation measures shall be retained for the life of the development.

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

- 35 Prior to the commencement of works on the superstructure of any relevant part of the development that within which an educational establishment is proposed, details shall be submitted to and approved in writing by the Local Planning Authority demonstrating that sound insulation against externally generated noise has been incorporated such that the resultant internal noise levels during the hours of operation of the school are in compliance with recommended levels within BB93 acoustic design of schools unless otherwise agreed in writing by the Local Planning Authority. The relevant part of the development shall be constructed in accordance with the approved details.

Reason: To safeguard the amenities of users of the educational establishment(s).

- 36 Details demonstrating that the relevant part of the development will be designed to ensure the following vibration levels stated in BS6472:2008 Evaluation of human exposure to vibration in buildings (1Hz to 80 Hz), as set out below, are not exceeded in relation to residential development (Use Class C3) or Student Accommodation (Sui Generis) shall be submitted to and approved in writing prior to the commencement of works on the superstructure of the relevant part of the development and the relevant part of the development shall be carried out in accordance with the approved details.

Place	Vibration dose values - Low probability of adverse comment (m/s ^{1.75})
Residential buildings 16 h day	0.2 to 0.4
Residential buildings 8 h night	0.1 to 0.2

Reason: To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of excess vibration from transportation sources

- 37 Prior to the commencement of the relevant part of the development, a Construction Method Statement (CMS) shall be submitted to and agreed by the Local Planning Authority outlining measures that will be taken to control dust, noise and other environmental impacts of the development. The CMS shall include details of a dust monitoring plan, to be implemented during construction and demolition works. The CMS shall confirm that:
- The best practical means available in accordance with British Standard Code of Practice BS5228-1:2009 shall be employed at all times to minimise the emission of noise from the site;
 - The operation of the site equipment generating noise and other nuisance causing activities, audible at the site boundaries or in nearby residential properties shall only be carried out between the hours of 08:00 – 18:00 Mondays-Fridays, 08:00 -13:00 Saturdays and at no time on Sundays or Bank Holidays unless otherwise agreed in writing by the Local Planning Authority;
 - Vehicular access to adjoining and opposite premises shall not be impeded;
 - All vehicles, plant and machinery associated with such works shall be stood and operated within the curtilage of the site only;
 - A barrier shall be constructed around the site, to be erected prior to demolition;
 - A suitable and sufficient means of suppressing dust must be provided and maintained.
 - A wheel washing facility shall be installed and operated to ensure that dust/debris is not carried onto the road by vehicles exiting the site.
- The approved plan, or a revised plan as subsequently approved pursuant to this condition, shall be fully implemented throughout the demolition and construction of the proposed development.

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

- 38 An Air Quality Neutral Assessment that is in accordance with relevant guidance published by the Greater London Authority (GLA), and which includes mitigation measures should the development be found to not be air quality neutral, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works to the superstructure on the relevant part of the development. The approved assessment shall be carried out in full in relation to the relevant part of the development.

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

- 39 Prior to the installation of the Combined Heat and Power (CHP) unit, details demonstrating the emissions standards of the CHP unit, which shall meet or improve upon the emissions standards and technical details described in the Air Quality Impact Assessment, shall be submitted to and approved in writing by the Local Planning Authority and the unit shall be installed in full accordance with the approved details and the unit shall be maintained thereafter in such a way as to ensure that these standards continue to be met.

Reason: To protect local air quality, in accordance with Brent Policies EP3 and EP4

- 40 Prior to the commencement of the use of the CHP unit (other than use required to undertake testing of the unit), details of tests undertaken on the installed unit to demonstrate that the emissions standards have been met shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To protect local air quality, in accordance with Brent Policies EP3 and EP4.

- 41 Prior to the installation of any boilers within the development (other than the CHP unit), details of the boilers installed demonstrating that the rated emissions of Oxides of Nitrogen (NOx) do not exceed 40 mg/kWh shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full and the boilers shall be maintained in accordance with the manufacturers specifications.

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

- 42 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 prior to the commencement of works, 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.

- 43 Prior to first occupation of, or the commencement of the use within the relevant part of the development hereby approved unless a verification report, written by a suitably qualified person, has been submitted to and approved in writing by to the Local Planning Authority stating that remediation has been carried out in accordance with the remediation scheme approved pursuant to condition **42** and the site is safe for end use.

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

- 44 Details of the extract ventilation system and odour control equipment for any commercial kitchens, including all details of external ducting, shall be submitted to and approved in writing by the Local Planning Authority prior to the installation of any such equipment. The approved equipment shall be installed prior to the commencement of the relevant use and shall thereafter be operated at all times during the operating hours of the relevant use and maintained in accordance with the manufacturer's instructions.

Reason: To protect the amenity of existing and future residential occupiers.

- 45 Prior to the commencement of works on the superstructure on the relevant part of the development, a drainage strategy detailing any on and/or off site drainage works, shall be submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

Reason - The development may lead to 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. Should the Local Planning Authority consider the above recommendation is inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Control Department (telephone 0203 577 9998) prior to the Planning Application approval.

- 46 No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.

- 47 Prior to the commencement of works on the superstructure on the relevant part of the development, a detailed surface water drainage scheme for the site, based on the 'Wembley Park Masterplan Flood Risk Assessment' reference 033770 Revision 03 dated 30 November 2015 produced by Burohappold Engineering shall be submitted to and approved in writing by the Local Planning Authority. The drainage strategy shall include a restriction in run-off and surface water storage on site as outlined in the Flood Risk Assessment. The scheme shall subsequently be implemented in accordance with the approved details prior to first occupation of the development unless otherwise agreed in writing by the Local Planning Authority.

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

- 48 Applications for the approval of Reserved Matters relating to plots that include residential floorspace (Use Class C3) shall demonstrate how the following design standards are met for the residential development to ensure that a good standard of residential accommodation is provided (unless details are submitted to and approved in writing demonstrating that a good standard of residential accommodation will be achieved despite not fully complying with the below standards having regard to relevant planning policy and guidance at the time of submission in relation to this condition):
- No more than 8 units provided per core per floor;
 - Floor to ceiling height at a minimum of 2.5 m;
 - No studio units shall have a sole aspect;
 - All habitable have adequate ventilation, privacy and daylight;

Reason: To ensure a satisfactory standard of residential accommodation.

- 49 Prior to the commencement of works on the relevant part of the development hereby approved, details of an indicative phasing plan, including projections for the commencement and completion, as they relate to that part of the development shall be submitted to the Local Planning Authority, either within the Reserved Matters applications (if specifically referenced within that submission) or under separate cover.

Reason: to allow the local planning authority to understand the projected phasing of the development and to define the extent of a CIL phase for the purposes of the CIL Regulations 2010 as amended.

- 50 In relation to Plot W06 only, details of communal facilities to be provided for residents of the residential units within Plot W06 hereby approved shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the residential units within Plot W06. Such details shall include the location, type and size of communal facility, hours of access and details of access arrangements including hours of access, which residents will be able to access those facilities and any other restrictions associated with access to the facilities. The facilities shall be provided prior to the first occupation of units or in accordance with a programme of delivery that has been submitted to and approved in writing by the Local Planning Authority. The facilities shall thereafter be retained and made available for the residents of the development as set out in the details approved pursuant to this condition.

Reason: To ensure a satisfactory standard of accommodation for future residents having regard to the Mayor's Housing Supplementary Planning Guidance and the development specification hereby approved.

INFORMATIVES

- 1 Environmental Health advise that, given the age of the building to be demolished it is possible that asbestos may be present. The applicant should be reminded of their duties under the Control of Asbestos Regulations and must ensure that a qualified asbestos contractor is employed to remove all asbestos and asbestos-containing materials and arrange for the appropriate disposal of such materials.
- 2 Thames Water requests that the Applicant should incorporate within their proposal, protection to the property by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.
- 3 Thames Water advise that there are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the options available at this

site.

- 4 Thames Water advise that they would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality."
- 5 Thames Water advise that a Trade Effluent Consent will be required for any Effluent discharge other than a 'Domestic Discharge'. Any discharge without this consent is illegal and may result in prosecution. (Domestic usage for example includes - toilets, showers, washbasins, baths, private swimming pools and canteens). Typical Trade Effluent processes include: - Laundrette/Laundry, PCB manufacture, commercial swimming pools, photographic/printing, food preparation, abattoir, farm wastes, vehicle washing, metal plating/finishing, cattle market wash down, chemical manufacture, treated cooling water and any other process which produces contaminated water. Pre-treatment, separate metering, sampling access etc, may be required before the Company can give its consent. Applications should be made at <http://www.thameswater.co.uk/business/9993.htm> or alternatively to Waste Water Quality, Crossness STW, Belvedere Road, Abbeywood, London. SE2 9AQ. Telephone: 020 3577 9200.
- 6 Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.
- 7 Thames Water recommends the installation of a properly maintained fat trap on all catering establishments. We further recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses.
- 8 This is a phased development for the purposes of the CIL Regulations (2010 as amended). A phase can comprise: site preparation and demolition works, sub-structures, and/or buildings, plots or groups of plots. The extent of the CIL phase will be defined on the relevant phasing plan.
- 9 Superstructure is defined the part of a building or structure above its foundations.

Any person wishing to inspect the above papers should contact Hilary Seaton, Planning and Regeneration,
Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 1427

This page is intentionally left blank

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

15 August, 2018
07
17/2068

SITE INFORMATION

RECEIVED	9 May, 2017
WARD	Kilburn
PLANNING AREA	Kilburn Neighbourhood Forum
LOCATION	1A Dyne Road, London, NW6 7XG
PROPOSAL	Conversion of the existing music school to 21 self-contained flats (5 x 3 bed, 11 x 2 bed and 5 x 1 bed) (Use class C3); including additional floor at roof level; four storey side extension; associated external alterations, plant room and provision for cycle parking and bin stores
PLAN NO'S	J3023-50/P7; 51/P6; 52/P7; 1000/P5; 1001/P5; 1002/P7; 1003/P6; 1004/P6; 1005/P5; 1006 Air Quality Statement Energy Statement Noise Assessment
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_134177</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 "17/2068" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab

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 review mechanism: prior to practical completion, carry out a review of financial viability assessment on agreed baselines and pay if necessary an offsite affordable housing contribution
- Highway works under section 278 of the Highways Act to reinstate the redundant crossover to Dyne Road to footway and extend adjoining on-street parking bays. This is to be undertaken at the developer's expense prior to occupation of the development
- Training and employment plan targeting Brent residents;
- Contribution of £33,138 towards a local carbon off-setting scheme to achieve the targets for carbon reduction set out in the Energy Statement by UK Building Compliance (June 2017, ref 109532, 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. Landscaping scheme
4. That the homes are "parking permit restricted"
5. Withdrawal of permitted development rights
6. Details of external materials
7. Details of cycle and waste provision
8. Construction Methods Statement
9. Site investigation
10. Soil contamination remediation
11. Air Quality Assessment
12. Air quality neutral

Informatives

1. Party Wall Act
2. CIL liability informative
3. Fire safety
4. London Living Wage
5. Notify Brent Highways

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 **15/11/2018** (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.

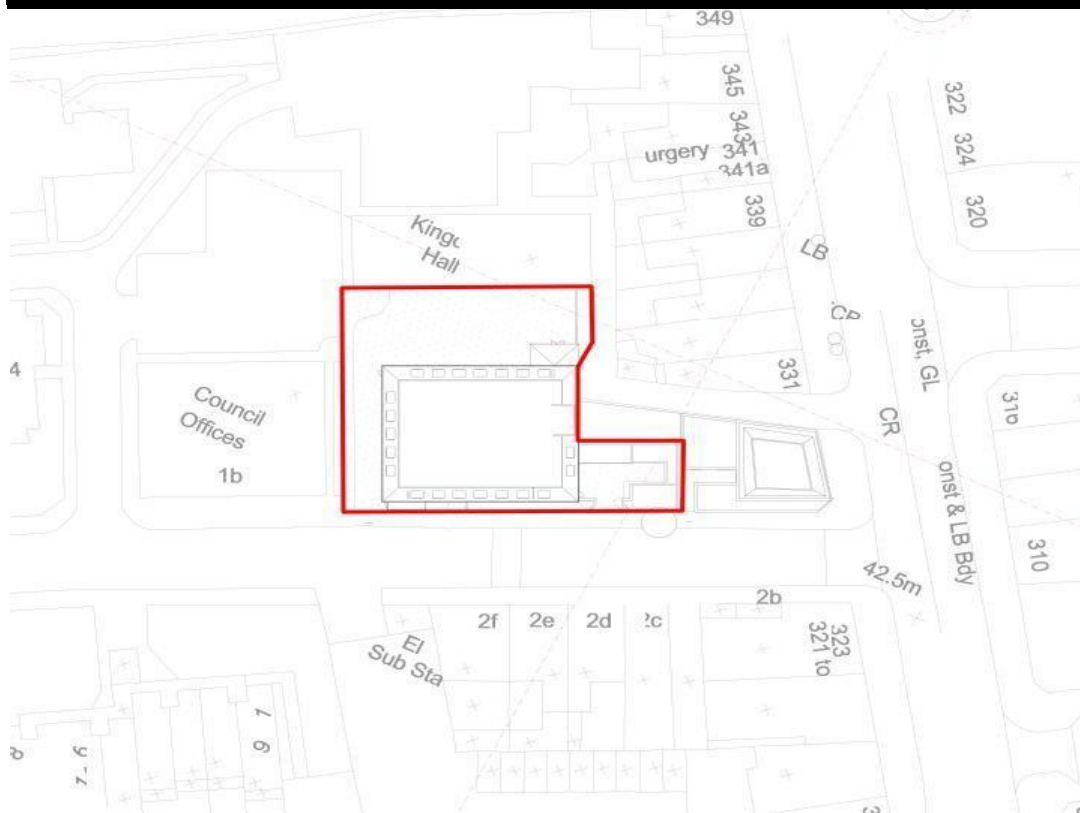
SITE MAP



Planning Committee Map

Site address: 1A Dyne Road, London, NW6 7XG

© Crown copyright and database rights 2011 Ordnance Survey 100025260



This map is
indicative only.

PROPOSAL IN DETAIL

The current application seeks planning permission for the conversion of the existing music school to 21 self-contained flats (5 x 3-bed, 11 x 2-bed and 5 x 1-bed) (Use class C3); including three storey side extension; associated external alterations, plant room and provision for cycle parking and bin stores

EXISTING

The application site comprises a large four-storey private educational building with a footprint of approximately 390sqm, a rear carpark and access driveway, located on the north side of Dyne Road it is situated about 25m west of its junction with Kilburn High Road. The building is currently occupied by The Institute of Contemporary Music Performance (ICMP), an independent, specialist music school which also occupies the sister building at 1B Dyne Road.

Dyne Road is a broad tree lined unclassified road that runs generally north east to south west between Kilburn High Road (A5) in the north and Willesden Lane (A4003) in the south. It is a mature and attractive suburban street characterised by large two and three storey Edwardian and Victorian houses although the typology breaks down toward the junction with Kilburn High Road where there are a number of more recent developments of three and four storey flatted blocks and commercial buildings.

The property is not located within a conservation area and does not affect any listed buildings. It is located just outside of the designated Kilburn Town Centre.

AMENDMENTS SINCE SUBMISSION

SUMMARY OF KEY ISSUES

Principle: There is no objection to the loss of the music school in principle. The school is private and not deemed to community use. Moreover, the school is to be relocated within the adjacent 1b Dyne Road. Acceptable levels of family housing have been provided. The development does not offer any affordable housing, due to concerns over the financial viability of the scheme. This has been justified and confirmed independently by the Council. To ensure that if this viability situation changes the development would deliver the maximum amount of affordable housing, the applicant has agreed to enter into a s106 agreement for a post-implementation review.

Representations received: One objection was received from a local resident regarding noise and disturbances during construction. This is not a material planning consideration that can be given any significant weight and can be managed by environmental health legislation.

Character 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.

Standard of Accommodation: The living conditions of future occupiers of the development would be acceptable.

Impact on Neighbouring Amenity: The development has been assessed against loss of light, outlook and privacy as well as any increased sense of enclosure to all neighbouring properties. It has been found that the relationship between the proposed development and all surrounding properties is, on balance, acceptable.

Parking & Highways No additional off street car parking has been provided. In regards to on-street parking, the applicant has agreed to a permit free development. Cycle parking proposed accords with standards. Access for pedestrians is considered to be acceptable.

Environment: The principles and methodology outlined in the environmental reports regarding air quality and contamination are considered acceptable. Further details in terms of mitigation will be secured by condition.

RELEVANT SITE HISTORY

07/1080: Change of use of third floor from offices (Use Class B1) to music school (Use Class D1). **Approved.**

12/1807: Creation of toilet, shower and kitchen facilities, a sound proofed recording studio and a storage space within part of ground floor undercroft car park. **Approved.**

CONSULTATIONS

Individual notification letters were sent to the occupiers of 115 neighbouring properties. One letter of objection has been received. The issues raised can be summarised as follows:

- Noise and disturbances during construction.

Officer Response:

- This matter is managed by other primary legislation and cannot be given any significant weight in the assessment of a development of this type and scale.

POLICY CONSIDERATIONS

National Planning Policy Framework (2018)

London Plan (2016)

- 3.3: Increasing Housing Supply
- 3.4: Optimising Housing Potential
- 3.5: Quality and Design of Housing Developments
- 3.10: Definition of Affordable Housing
- 3.11: Affordable Housing Targets
- 3.12: Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes
- 3.13: Affordable Housing Thresholds
- 5.2: Minimising carbon dioxide emissions
- 5.3: Sustainable Design and Construction
- 6.1: Strategic Approach
- 6.3: Assessing Effects on Transport Capacity
- 6.10: Walking
- 6.11: Tackling Congestion
- 6.12: Road Network Capacity
- 7.1: Lifetime Neighbourhoods
- 7.2: Inclusive Environment
- 7.4: Local Character
- 7.5: Public Realm
- 7.6: Architecture

Core Strategy (2010)

- CP 1 Spatial Development Strategy
- CP2 Population and Housing Growth
- CP6: Design and Density
- CP17 Protecting and Enhancing the Suburban Character of Brent
- CP19 Brent Strategic Climate Change Mitigation and Adaptation Measures
- CP21 A Balanced Housing Stock

Local Plan (2016)

- DMP 1 Development Management General Policy
- DMP 11 Forming an Access on to a Road

DMP 12 Parking
DMP 15 Affordable Housing
DMP 18 Dwelling Size and Residential Outbuildings
DMP 19 Residential Amenity Space

Supplementary Planning Guidance

Supplementary Planning Guidance 17: Design Guide for New Development (2001)
Mayor of London Housing SPG (2016)

DETAILED CONSIDERATIONS

1.0 Land Use

Loss of School

1.1 Core Strategy Policy CP23 states that in order to ensure that the continuing needs of Brent's diverse community are met, existing community and cultural facilities, that support community participation and development will be protected, or their loss mitigated where necessary.

1.2 The subject site has been used as a private music school for a number of years. It is the school's intention to relocate completely to the neighbouring building 1B Dyne Road next door, which it also occupies, and this move has been facilitated by a number of extensions which the Council have recently approved (ref: 16/0492 and 16/2794).

1.3 Whilst the loss of D1 facilities across the Borough is generally resisted, the school in question is private and there are no site designations for its retention. Officers have also noted that the music school (Institute of Contemporary Music Performance) will be relocating next door, confirmed by recent planning applications at the site. The proposal to convert 1A Dyne Road into residential accommodation is therefore considered in general accordance with the Development Plan, creating a modest but not insignificant contribution towards the Borough's housing targets in a sustainable urban location.

1.4 The principle of the change of use is therefore considered acceptable, subject to the finer considerations of quality of accommodation, housing mix, and impact on the amenity of neighbours, design/impact on character of the area and highways impacts. These issues are dealt with below.

Residential Development

1.5 The National Planning Policy Framework identifies the need for additional housing. London Plan Table 3.1 sets an annual target of 1,525 net additional dwellings for Brent. This is supported by Core Strategy Policy CP2 and Local Plan Policy DMP 16.

1.6 The application seeks to provide a total of twenty one net additional residential units, contributing towards local and national housing targets.

Residential Mix

1.7 London Plan Policy 3.8 states new developments offer a range of housing choices, in terms of the mix of housing sizes and types. Meanwhile, Core Strategy Policy CP21 seeks 25% of units in residential developments of ten units or more to be family sized (three bedrooms or more).

1.8 Of the 21 proposed unit, five of them, or 24%, are family sized. Despite being marginally under the minimum requirement, the proposed units are of a good size and quality. When considering the constraints of the site it would be difficult to provide additional large units of a high quality and this amount is acceptable.

Density

1.9 London Plan Policy 3.4 and Core Strategy Policy CP6 seek to ensure that proposals achieve the

optimum intensity of use compatible within the local context, with consideration for the density ranges set out in Table 3.2 of the London Plan. This is supported by Local Plan Policy DMP1 and SPG 17.

1.10 The site is located in Public Transport Accessibility Level (PTAL) 5 using Transport for London's methodology, indicating that it has good accessibility by public transport. According to the London Plan density matrix, the site is considered to be set in an urban area with predominantly dense development and located within 800 metres walking distance of a District centre (Kilburn Town Centre) or along main arterial routes (Kilburn High Road). This would support a density of between 200 and 700 habitable rooms per hectare (Hrha).

1.11 Based on the information submitted it the proposed residential development site comprises of 0.0895 hectares and would have a total of a 63 habitable rooms, including bedrooms, living rooms, dining rooms and large kitchens. This would result in a residential density of 703hr/ha, which is only marginally over the limit of what is deemed acceptable in terms of density. It should be noted that the site is four storeys high and all of the flats are of an appropriate size and provide high levels of internal amenity. As such Officers conclude that despite being slightly above the guided limits, the proposal would not result in overdeveloped site.

1.12 In conclusion, the proposed development would not result in an excessive built environment on site, and layout and provides a satisfactory quality of residential environment and an acceptable level of accommodation for future occupiers of the development, complying with The London Plan 3.4, Policy CP6 of the Core Strategy, Policy DMP1 of the Local Plan and SPG17.

Affordable Housing

1.13 London Plan Policy 3.13 requires affordable housing provision on a site which has capacity to provide 10 or more homes. Meanwhile Policy 3.11 and 3.12 require boroughs to maximise affordable housing provision and seek the maximum reasonable amount of affordable housing when negotiating on private residential schemes. Core Strategy Policy CP2 and Local Plan Policy DMP15 state the borough will aim to achieve the London Plan target of 50% of new homes to be affordable. Local Plan Policy DMP 15 summarises the overall policy position:

"Brent's Core Strategy policy CP2 sets the target that 50% of new homes delivered in the borough will be affordable. The maximum reasonable amount of affordable housing will be sought on individual residential and mixed use developments on sites with the capacity to provide 10 or more homes.

Where a reduction to affordable housing obligations is sought on economic viability grounds, developers should provide a development appraisal to demonstrate that schemes are maximising affordable housing output. The Council will rigorously evaluate such appraisals."

1.14 An initial financial viability assessment was submitted by the applicant which concluded that affordable housing provision was not viable with the scheme. Following this, the Council undertook an independent assessment of the applicant's viability submission with BNP Paribas, and their appraisal is currently showing a deficit of circa £600k against the benchmark. However it was noted that an increase in sales values of just 8.5% is needed to break into a surplus, and as such the development is therefore deemed viable whilst providing affordable housing in the view of the Council.

1.15 As the scheme would still be delivering affordable housing at a level well below Local Plan policy (50%), and as it is accepted the Council would also require an appropriate s106 post implementation review mechanism. BNP Paribas in their assessment also explicitly recommend that Brent Council secure an appropriate s106 post implementation affordable housing review mechanism. This will ensure that if the development becomes more and eligible for a affordable housing contribution in the future, a payment can be made to the Council to fund an offsite provision. This has been agreed to by the applicant.

2.0 Quality of Residential Accommodation

2.1 London Plan Policy 3.5 'Quality and Design of Housing Developments' says that housing developments should be of the highest quality. The Mayor has prepared Supplementary Planning Guidance entitled 'Housing' (herein referred to as the Housing SPG) which is clear that new housing must also enhance the environment, improve choice and affordability and provide better quality homes.

Size and Aspect

2.2 Local Plan Policy DMP 1 and DMP18 state that it is important that development provide high levels of internal amenity and create a high quality environment, and should be consistent with London Plan Policy 3.5, Table 3.3 'Minimum Space Standards for New Dwellings' and 'Technical Housing Standards'. This is supported by Supplementary Planning Guidance 17.

2.3 The proposal includes the creation of 5 x three bedroom properties (family sized units), 11 x two bedroom units, and 5 x one bedroom units. All of the proposed flats are considered to provide a good standard of accommodation for potential residential occupiers and be in accordance with the policies outlined above.

2.4 All residential units would meet minimum space guidelines. The proposed flats would be acceptable in terms of layout, room size, and storage. All flats would be either multi-aspect or south facing and the internal living spaces would receive good levels natural light, outlook and ventilation. Whilst a number of the units include windows which look immediately onto the neighbouring 1b Dyne Road, these windows serve bedrooms or are secondary windows to living rooms. The habitable rooms of all of the units provide acceptable levels of outlook. The proposal complies with the Local Plan Policy DMP 1 and DMP18 and SPG17

Outdoor Amenity

2.5 Local Plan Policy DMP1 and DMP19 requires that family sized units provide 50sqm metres of private outdoor amenity space and all other units provide 20sqm.

2.6 Although the development would not meet this standard, all of the flats are provided with some sort of private outdoor amenity space, either through a garden, terrace or balconies, varying from 7sqm up to 39sqm. The site also includes a good sized communal garden at the rear, which measures approximately 70sqm.

2.7 Of the five family sized units, the two ground floor flats would be provided with the least amount of private garden space (16sqm and 20sqm), and as these gardens are located to the front of the units, and face onto the street, they would not be private. However, both ground floor properties are located immediately next to the communal rear garden, which helps compensate for this.

2.8 Whilst it is acknowledged that this provision is not exceptional, it is judged that on balance the overall living conditions of the proposed units would be good.

3.0 Design

3.1 Paragraph 58 of the NPPF requires planning decisions to ensure that development will add to the overall quality of the area, to respond to local character and history and reflect the identity of local surroundings. London Plan Policy 7.1, 7.2, 7.4, 7.5 and 7.6 requires all new development to be of high quality that responds to the surrounding context, and enhances the character, legibility, permeability and accessibility of the surrounding neighbourhood.

3.2 Core Strategy Policy CP17 states that the distinctive suburban character of Brent will be protected from inappropriate development. Local Plan Policy DMP1 states that development will be acceptable provided it is of a location, use, concentration, siting, layout, scale, type, density, materials, detailing and design and complements the local area. This is supported by Supplementary Planning Guidance 17 which provides additional detail for new development.

3.3 The existing character of this end of the street consists of traditional 3-storey brick buildings with pitched (or mansard) roofs. The current building matches the adjacent no. 1B and buildings opposite in terms of style, materials and roof scape. Adjacent buildings on Kilburn High Street are also traditional terraces with some heritage buildings. Dyne Road itself is characterised by 2.5-storey, traditional, pitched roof residential buildings within the Conservation Area to the west.

3.4 The proposal would not harm the existing character of the street. The change in height from a 4-storey façade (including dormers within the roof) to a 5-storey building, is considered acceptable, especially

considering and additional floor has recently been approved at the adjacent 1b Dyne Road (ref: 16/2769). Especially as the additional floor is set back from the boundary edge and is to be clad in slate, ensuring the additional floor remains subservient in scale and appearance in comparison to the building below. Due to there being some existing variation within the streetscene the proposal would not appear out of place or too prominent.

3.5 The three storey side extension is to be constructed of matching materials and include corresponding fenestration. The extension is deemed to be acceptable in height and scale and relates well to both the existing building and the existing streetscape, allowing for a stepped raise in height between the rear of 325 Cricklewood Broadway and the main building of 1a Dyne Road.

3.6 At ground floor level, the scheme would create an active frontage along Dyne Road while creating a clear private/public separation and maintaining sufficient privacy for future occupiers of the ground floor flats.

3.7 In conclusion, the works are regarded as being appropriate in scale and sympathetically designed. Furthermore the proposal is deemed as being compatible with its neighbours and setting. It is therefore considered to be visually acceptable and in accordance with Core Strategy Policy CP17, Local Plan Policy DMP1 and SPG17.

4.0 Neighbouring Residential Amenity

4.1 Local Plan Policy DMP1 seeks to ensure new development, amongst other things, provides high levels of external amenity and does not unacceptably increase exposure to noise, light and general disturbance. This is supported by SPG 17.

Daylight and Sunlight Assessment

4.2 The proposed development could potentially impact residential properties, most notably Nos. 325 and 331 Kilburn High Road

4.3 In considering this, the Council has regard to the guidance set out in Building Research Establishments' (BRE) Report 2011 "Site Layout Planning for Daylight and Sunlight - A guide to good practice". This guidance is used as aid to prevent and/or minimise the impact of a new development on the availability of daylight and sunlight in the environs of the site

4.4 Due to the relationship between the application building and nearby residential properties the application has been submitted with a BRE sunlight and daylight assessment. The report assessed the impact of the scheme on the neighbouring habitable windows of Nos. 325, 325a, 331 and 333 Kilburn High Road. The report demonstrated that the proposal would not result in an unacceptable loss of either daylight or sunlight at most of the neighbouring dwellings. Largely the impacts of the proposal would be within the tolerances of the BRE guidance and not materially affect the majority of surrounding properties. The report does however show that there would be a material loss of daylight to a window to 325a Kilburn High Road, with a VSC reduction over the BRE limit of 20%. Although the reduction in light to this window would be noticeable. It would be a 25% reduction and is not considered to be significantly harmful when considering the other windows to this property and the overall living conditions for the occupiers. Therefore the loss of daylight to neighbouring properties would be acceptable and not out of character of an urban setting.

Overbearing / Outlook

4.5 To ensure that development does not appear overly dominant or appear overbearing for any nearby occupiers, SPG 17 states that in general, the building should be set below a line of 30 degrees from the nearest rear habitable room window of adjoining existing property, and should normally be set below a line of 45 degrees at the garden edge, measured from a height of 2m.

325 Kilburn High Road

4.6 The nearest affected residential properties are the second and third floor units at 325 Kilburn

High Road, which are located in the outrigger of the property. To the west/rear elevation (which faces the development) there are two large windows, and a third smaller window. Due to the location of the larger rear windows (which appear to be at split level) and following a communication with the resident at 325a it appears that these windows serve a staircase/landing. The third smaller window appears to serve a bedroom. However, these are complimented at both second and third floor level by south facing windows, which look out onto Dyne Road. From the location of the south facing windows and the correspondence with the resident, Officers are convinced beyond reasonable doubt that the south facing windows form the primary outlook for the habitable rooms of No. 325a.

4.7 Whilst the size and location of the three storey side extension would affect the outlook and light to the rear window at second floor level, by enclosing it to the south, the window appears to only serve a landing/staircase and not a habitable room. When considering the other windows and different vantage point to this property, the living conditions of the unit as a whole would not be significantly harmed.

4.8 The third floor rear window would be less enclosed, being located above the side extension. However it would be affected by the additional floor and the creation of the roof terrace for Flat 17. In this instance though outlook is already severely constrained by the existing school building and Officers are satisfied that the additional floor would not harm outlook significantly enough to justify withholding planning permission. Moreover, the terrace would remain over 5m away and would be enclosed with a lightweight balustrade measuring 1.7m. The cumulative impact would be noticeable, but as the larger window is deemed to serve a staircase/landing, and the smaller bedroom window is supplemented by a secondary south facing window, the overall impact is therefore deemed to be acceptable on balance.

4.8 There are a further three more rear windows at No. 325, located to the rear of the main building, which appear to belong to at least one residential unit. At first floor level the window appears obscured. At second floor level the window would be partially enclosed by the side extension, but decent outlook is still maintained and the proposal would comply with the 30 degree line. The third floor rear window is less affected and any impact at this level is regarded as negligible.

327 Kilburn High Road

4.9 325 Kilburn High Road is separated from the rest of the terrace by a small service road/alleyway which turns off the High Road and runs along the rear of the properties, in between them and the application site. Nestled in between the 1a Dyne Road and No. 325 is No. 327a Kilburn High Road. No. 327a faces northerly onto the side alley and by virtue of its location and orientation, already suffers from limited light and outlook. Moreover, the building would be located behind the proposed side extension, which would have no significant further harm upon it. Finally, due to the property's location and orientation, the proposed additional floor is also not expected to have any significant impact upon the amenities of its occupiers.

331 Kilburn High Road

4.10 To the north of No. 325 and 327 is 331 Kilburn High Road, an end of terrace property which faces onto the main building of the site. Although a commercial unit at ground floor level, No. 331 contains residential units at first and second floor levels (Nos. 331a and 331B). The property is separated from the site by an alleyway/service road mentioned above, and located behind a very high wall. The additional floor would comply with the 45 degree line taken from the top of the existing wall. Meanwhile, in regards to the 30 degree line taken from the rear windows, the first floor window is obscured, and the proposal complies with the 30 degree line taken from the second floor. Consequently, no harm is expected to the residents of 331 Kilburn High Road.

Other Properties

4.11 To the south of the site is 2C-2F Dyne Road, a row of mixed use terraced properties containing commercial premises at ground floor level with residential units above. As these units are located a streets width apart and have been located opposite the existing large three storey music school, it is felt that in this instance, the erection of an additional floor, and the creation of a three storey side extension will not result in the dwellings being significantly over-dominated or suffering from a loss of outlook that would warrant the withholding of planning permission.

4.12 To the west is the 1B Dyne Court, which is a similarly sized commercial building which is to be

house the existing music school. Immediately to the north is Kingdom Hall, a single storey Jehovah's Witness church, and beyond that 52-54 William Dromey Court, a residential block. As the application site is over 20m away from the houses within the Court, the development is not considered to have a significant impact on the occupiers and use of this building.

Privacy

4.13 The new build would remain a road's distance away from the residential units at 2C-2F Dyne Road. No loss of privacy is expected to those properties. Meanwhile, any loss of privacy to 325-331 Kilburn High Road would be prevented by the inclusion of 1.7m high balustrades around the terraces of the east facing balconies. No significant loss of privacy is expected into neighbouring windows.

Noise

4.14 It is difficult to predict the likely level of noise that may emanate from a roof terrace. This is dependent on a number of factors, most importantly the size of the terrace. The largest proposed terrace or balcony, at 35sqm, would be of a modest size, meanwhile the communal garden is no larger than many private gardens seen around the borough. Reasonable use of the proposed units should not result in any significant disturbance to the neighbouring occupiers. The potential for the creation of unacceptable noise and disturbance would therefore be negligible.

5.0 Traffic Generation, Car Parking, Cycle Parking and Access

5.1 The NPPF requires developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. Policy 6.1, 6.3, 6.10, 6.11 and 6.13 of the London Plan support development that reduces the need to travel or that locate development with high trip generation in proximity of public transport services. The policies also provide guidance for the establishment of maximum car parking standards.

Car Parking

5.2 As the site is very well served by public transport, any new off-street parking for the existing college would need to be justified by a Transport Assessment. The same rule applies to the community hall situated behind the site that shares use of the car park. The existing car park is therefore surplus to requirements, when assessed against current car parking standards.

5.3 With the community hall unaffected by this proposal, the reduction in the size of the rear car park to one disabled parking space for the hall (as required to fulfil legal contractual requirements) in order to provide amenity space for the new flats could displace parking onto adjoining roads, particularly in the evening when the local CPZ restrictions are not in operation. However, there is no record of any objections having been received from the operators of Kingdom Hall and on this basis, the removal of the car park can be accepted under current parking standards. Visitors to the hall have plenty of alternative public transport options available to them.

5.4 As the site has very good access to public transport services, the lower residential car parking allowances set out at Appendix 1 of the adopted DMP apply. Up to 17 car parking spaces would therefore be allowed for the 21 proposed flats and the proposed retention of just one disabled space within the rear car park (which is actually for the use of the hall) would accord with maximum standards.

5.5 However, Policy DMP12 requires that any overspill parking generated on-street can be safely accommodated. In this respect, Dyne Road is already noted as being heavily parked at night, so does not have the spare capacity to cater for additional demand from these proposed flats. Policy DMP12 does also encourage 'car-free' housing development in areas with good access to public transport services though, such as this. It is therefore recommended that a 'car-free' agreement be secured through a condition withdrawing the right of future residents to on-street parking permits and ensuring the owner of the building properly notifies all prospective residents of this restriction before they agree to take the flat. This has been acknowledged in the applicant's Design & Access Statement.

Access

5.6 The vehicular access to the rear of the site remains unaltered and is fine to serve just one car parking space. The pedestrian footway alongside it to access the hall is also to be retained as it is.

5.7 There is a redundant crossover and associated single yellow line on Dyne Road towards the eastern end of the site. Whereas this may have formerly served an off-street parking court, the proposed extension to the building will remove any potential for future use as a vehicular access. The crossover should therefore be removed and reinstated to footway at the developer's expense as a condition of any approval. The adjoining parking bays could then be extended to provide an additional on-street parking space.

Cycle and Refuse Provision

5.8 The London Plan requires a secure bicycle parking space for each one-bedroom flat and two spaces for larger flats. This gives a total requirement for 38 spaces. The proposed provision of just 10 spaces on external stands at the rear of the building falls well short of requirements both in terms of the number of spaces and the lack of shelter and security. Amended details are therefore sought as a condition of any approval.

5.9 Bin storage is proposed on the western side of the building, adjoining the driveway to the side. The store will be within 10m of Dyne Road, allowing refuse to be collected from the public highway without vehicles needing to enter the site. These arrangements are considered fine.

6.0 Energy and Sustainability

6.1 London Plan policy 5.2 seeks to minimise carbon emissions through the 'Be lean, Be Clean and Be Green' energy hierarchy. As outlined in the Housing SPG from 1 of October 2016 a zero carbon standard will be applied to new residential development. The Housing SPG defines 'Zero carbon' homes as homes forming part of major development applications where the residential element of the application achieves at least a 35 per cent reduction in regulated carbon dioxide emissions (beyond Part L 2013) on-site. The remaining regulated carbon dioxide emissions, to 100 per cent, are to be off-set through a cash in lieu contribution to the relevant borough to be ring fenced to secure delivery of carbon dioxide savings elsewhere (in line with policy 5.2E).

6.2 A resident has raised concerns with the amount of CO₂ that could potentially be emitted. However the Energy and Sustainability Statement submitted in support of the application indicates that the development meets the London Plan requirement of at least a 35% (33.6%) reduction in emissions against Part L 2013 (with the remaining emissions offset with a proposed Carbon Offset Payment of £33,138) and therefore complies with Brent's energy reduction policies.

Air Quality

6.3 London Plan Policy 7.14 and Local Plan Policy DMP1 seek to reduce the potential adverse air quality impacts of new major developments by requiring all major developments to provide an air quality assessment that considers the potential impacts of pollution from the development on the site and on neighbouring areas and requiring mitigation measures to be implemented to reduce emissions where assessments show that developments could cause a significant worsening of local air quality or contribute to exceedances of the Government's air quality objectives.

6.4 The development is within an Air Quality Management Area and located very close to other residential properties. Construction therefore has the potential to contribute to background air pollution levels and cause nuisance to neighbours. Conditions have therefore been attached to minimise the impact on local air quality and protect the amenity of neighbours during construction.

6.5 Considering the need for the whole house installation with mechanical ventilation due to the exceedance of NO₂ and the use of individual low NO_x boiler in addition to the use ASHP and Photovoltaic technology as alluded in the applicant consultancy AQ and Energy report, there will be a need to minimize any negative impact of the development during the construction and operational phase due to onsite construction vehicle emissions and dust generation as well as to ensure that the proposed end user are not exposed to poor Air Quality. Conditions are recommended to secure these requirements.

Construction Management

6.6 A Demolition and Construction Management Plan (CMP) and Construction Logistics Plan (CLP) would be required to ensure that there is no harmful impact on neighbours and on the local highways network. The Demolition and CMP shall include demolition details, contractors' construction method statements, waste classification and disposal procedures and locations, dust and noise monitoring and control, provisions within the site to ensure that all vehicles associated with the construction works are properly washed and cleaned to prevent the passage of mud and dirt onto the highway, and other matters relating to traffic management to be agreed. The CLP shall be in accordance with Transport for London (TfL) requirements, which seeks to minimise the impact of construction traffic on nearby roads and restrict construction trips to off peak hours only.

Other Matters

6.7 Core Strategy Policy CP15 states that before granting planning permission for major proposals, the council will have to be satisfied that the infrastructure requirements arising from the scheme will be met by the time it is needed. Contributions noted within the recommendation will be sought from development giving rise to the need for new infrastructure.

Disable Access

6.8 The site would have relatively level access and a condition is recommended to ensure that not less than 10% of residential units shall be constructed to wheelchair accessible requirements Building Regulations M4(3), with private units provided as Easily Adaptable. This would be in accordance with London Plan standards at Policy 3.8. A disabled parking space would be provided which is considered acceptable.

6.9 The proposals would therefore ensure that accessible and adaptable accommodation and space are provided within the development and would meet the principles of inclusive design. The proposals therefore comply with Brent and London Plan policy regarding accessibility and inclusive design

CIL DETAILS

The proposal is liable to pay CIL as set out below despite providing less than 100sqm of new floorspace because the proposal comprises at least one new residential unit, in accordance with Reg 42(2) of the CIL Regulations 2010 (as amended), the provisions of which supersede the provisions of Reg 42(1) 'exemption for minor development'.

This application is liable to pay **£592,666.18*** 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): 2002 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	2002	0	2002	£200.00	£35.15	£504,075.00	£88,591.18

BCIS figure for year in which the charging schedule took effect (Ic)	224	224
BCIS figure for year in which the planning permission was granted (Ip)	282	
Total chargeable amount	£504,075.00	£88,591.18

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

****Eligible** means the building contains a part that has been in lawful use for a continuous period of at least

six months within the period of three years ending on the day planning permission first permits the chargeable development.

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

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 17/2068

I refer to your application dated **09/05/2017** proposing the following:

Conversion of the existing music school to 21 self-contained flats (5 x 3 bed, 11 x 2 bed and 5 x 1 bed) (Use class C3); including additional floor at roof level; four storey side extension; associated external alterations, plant room and provision for cycle parking and bin stores

and accompanied by plans or documents listed here:

J3023-50/P7; 51/P6; 52/P7; 1000/P5; 1001/P5; 1002/P7; 1003/P6; 1004/P6; 1005/P5; 1006

Air Quality Statement
Energy Statement
Noise Assessment

at **1A Dyne Road, London, NW6 7XG**

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: 03/08/2018

Signature:

Alice Lester
Head of Planning, Transport and Licensing

Notes

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

DnStdG

SUMMARY OF REASONS FOR APPROVAL

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

National Planning Policy Framework (2018)
 London Plan (2016)
 Mayor of London Housing SPG (2016)
 Core Strategy (2010)
 Local Plan (2016)
 SPG17: Design Guide for New Development (2001)

Core Strategy and Development Management Policies:
 CP 1 Spatial Development Strategy
 CP2 Population and Housing Growth
 CP6: Design and Density
 CP17 Protecting and Enhancing the Suburban Character of Brent
 CP19 Brent Strategic Climate Change Mitigation and Adaptation Measures
 CP21 A Balanced Housing Stock
 DMP 1 Development Management General Policy
 DMP 11 Forming an Access on to a Road
 DMP 12 Parking
 DMP 15 Affordable Housing
 DMP 18 Dwelling Size and Residential Outbuildings
 DMP 19 Residential Amenity Space

- 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):

J3023-50/P7; 51/P6; 52/P7; 1000/P5; 1001/P5; 1002/P7; 1003/P6; 1004/P6; 1005/P5; 1006

Air Quality Statement
 Energy Statement
 Noise Assessment

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

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

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

- 4 Occupiers of the residential development, hereby approved, shall not be entitled to a Residents Parking Permit or Visitors Parking Permit to allow the parking of a motor car within the Controlled Parking Zone (CPZ) operating in the locality within which the development is situated unless the occupier is entitled; to be a holder of a Disabled Persons Badge issued pursuant to Section 21 of the Chronically Sick and Disabled Persons Act 1970. For the lifetime of the development written notification of this restriction shall be included in any licence transfer lease or tenancy agreement in respect of the residential development. For the lifetime of the

development a notice, no smaller than 30cm in height and 21cm in width, clearly informing occupants of this restriction shall be displayed within the ground floor communal entrance lobby, in a location and at a height clearly visible to all occupants. On, or after, practical completion but prior to any occupation of the residential development, hereby approved, written notification shall be submitted to the Local Highways Authority confirming the completion of the development and that the above restriction will be imposed on all future occupiers of the residential development.

Reason: In order to ensure that the development does not result in an increased demand for parking that cannot be safely met within the locality of the site.

- 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 and in view of the restricted space in the front garden to accommodate additional bin or cycle storage

- 6 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 does not exceed a target of 105 litres or less per person per day, using a fittings-based approach to determine the water consumption of the development in accordance with requirement G2 of Schedule 1 to the Building Regulations 2010 (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. This is to accord with relevant policies in the London Plan (2016), Brent's Core Strategy (2010) and Brent's Development Management Policies (2016).

- 7 Not less than 10% of residential units shall be constructed to wheelchair accessible requirements (Building Regulations M4(3), with the private units meeting easily accessible/adaptable standards (Building Regulations M4(2)).

Reason: To ensure suitable facilities for disabled users and to future proof homes.

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

(a) the identification and protection of existing trees and shrubs not directly affected by the building works and which are to be retained;

(b) proposed walls and fences indicating materials and heights;

(c) adequate physical separation, such as protective walls and fencing between landscaped and paved areas;

(d) areas of hard landscape works and proposed materials;

Any planting that is part of the approved scheme that within a period of *five* years after planting is removed, dies or becomes seriously damaged or diseased, shall be replaced in the next planting season and all planting shall be replaced with others of a similar size and species and

in the same positions, unless the Local Planning Authority first gives written consent to any variation.

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

- 9 No occupation of the building hereby approved shall occur until the developer has reinstated the redundant crossover to Dyne Road to footway and extended adjoining on-street parking bays. This is to be undertaken at the developer's expense prior to occupation of the development.

Reason: To ensure adequate vehicle and pedestrian movement and safety.

- 10 Occupation of the approved flats shall not commence until both the refuse provision of 8 bins and cycle-storage suitable for storing a minimum of 38 bicycles has been installed in accordance with the agreed details. They shall thereafter be retained for the life of the development.

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

- 11 Prior to the commencement of the development a Construction Method Statement shall be submitted to and agreed by the Local Planning Authority outlining measures that will be taken to control dust, noise and other environmental impacts of the development.

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

- 12 Prior to the commencement of building works, a site investigation shall be carried out by competent persons to determine the nature and extent of any soil contamination present. The investigation shall be carried out in accordance with the principles of BS 10175:2011. A report shall be submitted to the Local Planning Authority, that includes the results of any research and analysis undertaken as well as an assessment of the risks posed by any identified contamination. It shall include an appraisal of remediation options should any contamination be found that presents an unacceptable risk to any identified receptors. The written report is subject to the approval in writing of the Local Planning Authority.

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

- 13 Any soil contamination remediation measures required by the Local Planning Authority shall be carried out in full. A verification report shall be provided to the Local Planning Authority, stating that remediation has been carried out in accordance with the approved remediation scheme and the site is 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

- 14 The proposed development is in an Air Quality Management Area and therefore prior to the commencement of use an air quality impact assessment shall be submitted for approval to the Local Planning Authority. The assessment shall include the impact of the building works and operation of the development on local air quality, as well as the impact of local air quality on the future residents of the development. The assessment shall include mitigation proposals for any identified adverse impacts. All approved mitigation measures shall be implemented in full, and this must be ensured through the use of appropriate conditions. The assessment should be in line with the methodology within the IAQM Planning for Air Quality dated January 2017.

Reason: To protect acceptable local air quality, in accordance with DMP1.

- 15 An Air Quality Neutral Assessment must be undertaken in accordance with guidance published

by the Greater London Authority (GLA) and submitted to the Local Planning Authority for approval. The assessment shall include mitigation proposals should it be found that the development is not air quality neutral and shall include building and transport emission assessments.

Reason: To protect acceptable local air quality, in accordance with DMP1.

- 16 Details of the privacy screening on the balconies/roof terraces shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of any of the development hereby approved. The development shall be constructed in accordance with the approved details prior to the occupation of the residential units and retained for the lifetime of the development.

Reason: To safeguard the neighbouring amenity.

INFORMATIVES

- 1 The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk
- 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 The Council recommends that the maximum standards for fire safety are achieved within the development.
- 4 Brent Council supports the payment of the London Living Wage to all employees within the Borough. The developer, constructor and end occupiers of the building are strongly encouraged to pay the London Living Wage to all employees associated with the construction and end use of development.
- 5 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. Should Application for such works should be made to the Council's Safer Streets Department, Brent Civic Centre, Engineers Way, Wembley HA9 0FJ Tel 020 8937 1234. 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.

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

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

15 August, 2018
08
18/0236

SITE INFORMATION

RECEIVED	17 January, 2018
WARD	Brondesbury Park
PLANNING AREA	
LOCATION	Thanet Lodge, Mapesbury Road, London, NW2 4JA
PROPOSAL	Erection of a 3 storey 6-bedroom dwellinghouse plus basement level and lightwells to the north of Thanet Lodge including pedestrian access from Mapesbury Road
PLAN NO'S	Received 18/1/18: 1721/TP03; 1721/TP05; 1721/TP06; 1721/TP07; 1721/TP08; 1721/TP09; 1213/L21; Received 3/3/18: 1721/TP01; Received 24/3/18: Tree report; 14142LS; Received 4/5/18: 1721/TP04 revB; 1721/TP010; 1721/TP10 (2); 1721/TP11; 1721/TP12; 1721/TP21; 1721/TP22
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_138172</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 "18/0236" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab

RECOMMENDATIONS

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

1.2 Conditions

1. Time
2. Built as per the approved drawings
3. Landscaping-compliance
4. Materials- submission of details
6. Car free condition- no CPZ permits: compliance
7. Cycle parking and refuse provided prior to occupation- compliance
8. Removal of permitted development rights to convert to C4 HMO.
9. Landscaping and planting of trees

1.3 Informatives:

1. CIL liability
2. Building near boundary
3. Party wall
4. Basement- structural integrity & building regulations
5. Construction works- noise and vibration.
6. Construction works- requirement for licences
7. Construction works near highway- requirement of Highways Act 1980
8. Piling operations- code of practice refs vibration
9. Construction- air quality, dust, environmental requirements
10. Fire safety
11. London Living Wage
12. Highways to be contacted refs vehicle crossing

1.4 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: Thanet Lodge, Mapesbury Road, London, NW2 4JA

© Crown copyright and database rights 2011 Ordnance Survey 100025260



This map is indicative only.

PROPOSAL IN DETAIL

3.0 The proposal is for the erection of a 3 storey, 6-bedroom dwellinghouse, plus basement level and lightwells to the north of Thanet Lodge including pedestrian access from Mapesbury Road. The proposal is an amendment to a previously approved application ref: 15/1205, to add a third floor which would be set back from the south edge of the building by approximately 2.8m. Also the bedrooms increase from 4 to 6. In other respects the proposal is largely unchanged.

EXISTING

4.0 The application site is a piece of land which forms part of a communal garden that services a four storey mid-twentieth century apartment complex (Thanet Lodge) to the south of the site. The site is located on Mapesbury Road and the property is located within the Brondesbury Conservation Area.

The existing apartment complex (Thanet Lodge) consists of 40x self-contained 1x/2x bed flats, including the 4x 2xbed flats at fourth floor level approved in 2003 and completed in 2006.

SUMMARY OF KEY ISSUES

2.0 The principle of a house on this plot has already been established. The proposal would provided a new dwelling that complies with national and local standards, with sufficient amenity space, and cycle and refuse storage.

2.2 The key issue to be considered is whether the loss of outlook from the four flats that would be affected by the proposal, on the north face of the Thanet Lodge building, is of sufficient harm to the neighbour amenity of those occupants to warrant a refusal, despite the fact that the proposal complies with policy in respect of the relationship between the proposed building and Thanet Lodge. Loss of a view is not a material planning consideration, however it is material to consider whether the proposal would have an acceptable impact on outlook, which relates to the positioning of a structure in close proximity to a habitable window.

RELEVANT SITE HISTORY

5.0 12/2813: The erection of three flats (1x Two Bed and 2 x One Beds) to the North of Thanet Lodge. Refused and appealed, appeal dismissed on 3/11/13, on the basis of lack of a 'car-free' agreement, and on overbearing impact on residents of flats in the north elevation of Thanet Lodge. It is to be noted that the distance between the proposal and those flats would have been 3m, not 5m as on the current proposal.

14/3463: Erection of a 2 storey 1 x 4 bedroom dwellinghouse to the north of Thanet Lodge involving direct pedestrian access from Mapesbury Road. Granted, 27/10/14. (The plans were revised to move the development further away from Thanet Lodge)

15/1205: Erection of a 2 storey 4x bedroom dwellinghouse plus basement level and lightwells to the north of Thanet Lodge including pedestrian access from Mapesbury Road (amendment to approved application ref: 14/3463 to include a basement level) Granted, 31/7/15.

CONSULTATIONS

6.0 96 adjoining and nearby residents were consulted, including all residents of Thanet Lodge. A site notice was displayed from 12th April 2018, and a press notice was also published on the same date. Ward councillors and Mapesbury Residents' Association were consulted. 15 objections were received. All were from nearby residents except one which was from a ward councillor in their official capacity. These are summarised below and will be considered in the assessment.

Issue	No. of mentions	Discussed in paragraph
Loss of open/green space	5	8.4, 8.8, 8.9
Building problems with other previous developments	5	2.0
Parking/traffic issues	3	8.15
Noise issues (basement media room)	3	8.12
Smells from cooking in garden	1	8.12
Pressure on existing sewage infrastructure	2	8.12
Building would be overcrowded on plot	2	8.3
Proposal is out of character for the CA	2	8.3, 8.5
Flooding risk	1	8.4
Impact on outlook to the north facing flats of Thanet Lodge	6	2.0, 8.10, 8.11, 8.13,
Brick wall would be damaged	1	8.3
Glare from basement lightwells	1	8.12
Loss of sun from Thanet Lodge	1	8.11
Previous application 12/2813 was appealed and dismissed and this is similar	1	2.0, 5.0, 8.2, 8.7
Applicant has made several applications	2	6.0
Conditions of a previous permission should be imposed	1	The previous conditions are not all necessary and some have been superseded by current guidance.

POLICY CONSIDERATIONS

7.0 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the Development Plan in force for the area is the 2010 Brent Core Strategy, the 2016 Brent Development Management Policies Document and the 2016 London Plan (Consolidated with Alterations since 2011). The specific policies applicable to this application are:

National Planning Policy Framework (2018)

The London Plan (2016): Policy 3.5 – Quality and Design of Housing Developments and 7.6: Architecture
 Core Strategy 2010: CP17- Protecting and Enhancing the Suburban Character of Brent, and CP21- a
 Balanced Housing Stock
 Brent Development Management Policy 1- General Planning Policy, 12- Parking, 19- Residential Amenity
 Space

SPG17 – Design Guide for New Developments, and draft guidance SPD1.
 The London Plan Housing SPG (2012)
 Brent Basements SPD
 Technical housing standards: nationally described space standard
 Listed Buildings and Conservation Areas Act 1990

DETAILED CONSIDERATIONS

8.0 Principle of the Development

8.1 The principle of the development was already established under planning permissions 15/1205 and 12/2813. The proposed development is different to that proposed within application 12/2813 in that it has a greater distance from the boundary and neighbouring building to the south.

Design and Character/ Context

8.2 The design of the building would be contemporary and would complement the streetscene. It would be proportionate with the scale of other nearby buildings. Above ground the proposed dwelling has been well designed and the additional storey over the previous permission would have a balanced appearance within the streetscene. The proposal would be set back from the road to the front and would not appear overly prominent or out of place. The basement's lightwells exceeds the criteria of 80cm depth, and is therefore not compliant with Brent's Basements SPD adopted in 2017. However as one basement lightwell would be to the rear, and the other 9.3m from the pavement, the parts of the dwelling would not be viewed prominently from surrounding vantage points and are not considered to be harmful to the character of the street or the conservation area.

8.3 An objection was received stating that the boundary wall would be damaged; it is not suggested in the proposal that this is removed; it is marked as existing, i.e. being retained, on the proposed plans. The design aspect of the proposal is satisfactory and although it would introduce a new building in the streetscene, the character of the conservation area would be preserved. Further details of materials will be required via submission condition should the application be granted.

8.4 The amenity space for the proposal is well designed and complies with DMP12 (Parking) requirement for 50% soft landscaping. It would present well to the streetscene. There would be sufficient soft landscaping to mitigate the risk of flooding as mentioned in one objection. The use of the section of garden as a building plot would remove 10% of the amenity space available to Thanet Lodge, that being the less attractive and less useable amenity space next to the road. This aspect is discussed in more detail in paragraph 8.9.

8.5 In terms of design and context, overall the proposal is acceptable and would preserve the character of the conservation area in accordance with the requirements if the Listed Buildings and Conservation Areas Act 1990.

Neighbour Amenity

8.6 The impact on the neighbouring plots is tested with the 45 degree guidance as outlined in SPG17, and also the 30 degree rule. The height of the proposal would increase by 3.25m above the previously granted scheme, with the extra height set back by approximately 2.8m.

8.7 The development would involve the creation of a new boundary which would abut the boundary of Thanet Lodge's garden area. The principle is already established under approved proposal 15/1205 and is considered to be acceptable.

8.8 Taking the measurement at a height of 2m from the ground level on the Thanet Lodge side according to the plans, the angle would be 55 degrees. However the rule relates to amenity space, not the interior of buildings. The area of amenity space to the side of Thanet Lodge, nearest to the street, is not the most likely area to choose for sitting out, it being facing the street and not providing a private garden space. The larger amenity area to the rear of Thanet Lodge would still be available for residents to use and is more attractive as an amenity space having more privacy. This privacy would improve as a result of the proposal (as would security) as the rear garden of Thanet Lodge would not have unfettered access, with open views from, the street.

8.9 Although the proposal involve a reduction in the outside space surrounding Thanet Lodge significant amenity space would remain and its quality would not be reduced as a result of the proposal.

8.10 The proposal also satisfies the 30 degree rule due to the setback of the second floor by 2.87m from the flank wall of the first floor, and the distance from the neighbouring windows of the north elevation of Thanet Lodge is more than 5m and therefore the proposal complies with policy. The raised ground and first floor of Thanet Lodge would have a changed outlook, from enjoying a relatively open aspect, to facing a white rendered wall at a distance of 5.13m (raised ground) and 8m (first floor). Although visible this impact would

not have an adverse impact on the overall outlook and living conditions of the neighbouring property.

8.11 Proposal complies with policy in terms of distance and height, and would be north, not south, of the nearest habitable room windows in Thanet Lodge. The proposal also would have ensured that the additional bulk of the development is set away from the boundary, therefore not having a significantly greater impact than the permitted scheme. The proposed dwelling would be sited to the north of Thanet Lodge and therefore would not result in any significant impact to direct sunlight. Due to the layout and siting of the neighbouring properties the proposal would not result in a significant loss of daylight to the main living areas and would not harm the overall living conditions of the adjoining occupiers.

8.12 Further objections were received which can be examined under the matter of neighbour amenity: Noise issues from basement / media room: this would be covered under building regulations requirements for insulation. . Subject to reasonable use, it is not considered that there would be any significant noise externalities from a family dwellinghouse. As with other types of excessive noise or disturbance, unreasonable impacts would be covered by requirements of the Environmental Health Legislation.

- Smells from cooking in the garden: This objection appears to refer to barbeque activities in the grounds of Thanet Lodge. Reasonable use of the property would not result in an adverse impact in terms of disturbance from cooking within the garden.
- Glare from basement lightwells: These would be of a moderate size to have obscured glass. The nearest properties to the lightwells would be 8m (rear lightwell) and 11m (front lightwell) away. The front lightwell would be 9.3m from the pavement. It is therefore not considered that any light they omit would have a significant impact on neighbouring occupiers or the surrounding public vantage points.
- Pressure on sewage infrastructure: This matter is managed by the utility provider and under Building Regulations, and for a small development of this size, is not a planning matter that can be given any significant weight.

8.13 Officers consider that the objection regarding the impact on outlook upon the north-facing flats of Thanet Lodge is material, however the proposal complies with policy which is why this proposal is brought before the Committee due to the number of objections received.

Standard of Accommodation

8.14 The proposed floor space overall would be 328m², with all bedrooms complying with London Plan 3.5 and National Housing Technical Standards. Sufficient amenity space would be provided and ventilation and light within the property would be acceptable. In this respect the proposal would be satisfactory and would provide a good standard of accommodation.

Parking/ Bins/ Cycle Storage

8.15 Amendments were received showing the bins stored at the top of the stairs down to the basement. This arrangement is considered to be acceptable and would ensure easy collection. There were no objections from Highways to the proposal, subject to a condition removing the right of future occupants of the dwelling to on-street parking permits. Subject to this condition the proposed development would have an acceptable impact on the safety and free flow of the surrounding highway network.

Trees/ Arboricultural Impacts

8.16 The feedback of the borough Tree Officer was obtained and plans for replacement trees obtained. It is considered that this aspect of the proposal was satisfactory. Conditions are recommended to ensure that the tree planting is implemented.

Conclusion

8.17. The proposal has an acceptable design and appearance which would preserve the character of the surrounding conservation area. Although the development would be noticeable from neighbouring properties the design and distance from the boundary have overcome issues with the refused scheme under reference 12/2813. The application complies with the Development Plan and is recommended for grant.

CIL DETAILS

9.0 The proposal may be eligible for self-build relief. The figures quoted here do not include any discount for relief because an application for relief must be made after planning permission has been issued and be received in the proper form and decided before any works commence.

This application is liable to pay **£107,774.29*** 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): 328 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	328	0	328	£200.00	£35.15	£91,664.29	£16,110.00

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	£91,664.29	£16,110.00

*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.

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 18/0236

I refer to your application dated **17/01/2018** proposing the following:

Erection of a 3 storey 6-bedroom dwellinghouse plus basement level and lightwells to the north of Thanet Lodge including pedestrian access from Mapesbury Road

and accompanied by plans or documents listed here:

Received 18/1/18: 1721/TP03; 1721/TP05; 1721/TP06; 1721/TP07; 1721/TP08; 1721/TP09; 1213/L21;

Received 3/3/18: 1721/TP01; Received 24/3/18: Tree report; 14142LS; Received 4/5/18: 1721/TP04 revB; 1721/TP010; 1721/TP10 (2); 1721/TP11; 1721/TP12; 1721/TP21; 1721/TP22

at **Thanet Lodge, Mapesbury Road, London, NW2 4JA**

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: 03/08/2018

Signature:

Alice Lester

Head of Planning, Transport and Licensing

Notes

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

DnStdG

SUMMARY OF REASONS FOR APPROVAL

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

National Planning Policy Framework (2018)

The London Plan (2016): Policy 3.5 – Quality and Design of Housing Developments and 7.6: Architecture

Core Strategy 2010: CP17- Protecting and Enhancing the Suburban Character of Brent, and CP21- a Balanced Housing Stock

Brent Development Management Policy 1- General Planning Policy, 12- Parking, 19- Residential Amenity Space

- 1 To assist applicants the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website, and a pre-application advice service is available. The scheme complies with guidance, and no pre-application discussions were entered into.

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

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

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

Received 18/1/18: 1213/L21; 1721/TP03; 1721/TP05; 1721/TP07; 1721/TP08; 1721/TP09;

Received 3/3/18: 1721/TP01; Received 24/3/18: 14142LS; Construction method statement

[Goddard Consulting, February 2018]; Tree survey and arboricultural method statement

[TreeTec, October 2014]; Received 4/5/18: 1721/TP04 revB; 1721/TP10; 1721/TP11; Received 9/11/18: Tree protection plan

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

- 3 The landscape works and planting shown on the approved plans shall be carried out:-

(a) prior to the occupation of any part 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 with others of a similar size and species and in the same position, unless the Local Planning Authority first gives written consent to any variation.

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

- 4 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 any existing or future Controlled Parking Zone (CPZ) operating in the locality within which the development is situated unless the occupier is entitled; to be a holder of a Disabled Persons Badge issued pursuant to Section 21 of the Chronically Sick and Disabled Persons Act 1970. For the lifetime of the development written notification of this restriction shall be included in any licence transfer lease or tenancy agreement in respect of the residential development. For the lifetime of the development a notice, no smaller than 30cm in height and 21cm in width, clearly informing occupants of this restriction shall be displayed within the ground floor communal entrance lobby, in a location and at a height clearly visible to all occupants. On, or after, practical completion

but prior to any occupation of the residential development, hereby approved, written notification shall be submitted to the Local Highways Authority confirming the completion of the development and that the above restriction will be imposed on all future occupiers of the residential development.

Reason: In order to ensure that the development does not result in an increased demand for parking that cannot be safely met within the locality of the site.

- 5 The refuse and recycling facilities and cycle parking facilities as approved shall be provided in full prior to occupation of the relevant part of the development and shall thereafter be permanently retained and maintained.

Reason: In order that the local planning authority may be satisfied with the provisions for refuse storage and cycle parking and in the interests of safeguarding the amenities of occupiers and the area in general.

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

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

- 7 Details of materials for all external materials to include (but not limited to) boundary treatments, doors and windows, in the form of high quality colour photomontage keyed to elevational drawing(s), including specification of products and RAL nos as appropriate, shall be submitted to and approved in writing by the Local Planning Authority before any work excluding demolition 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 visual amenity of the locality.

INFORMATIVES

- 1 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at www.brent.gov.uk/CIL.
- 2 The applicant must ensure, before work commences, that the treatment/finishing of flank walls can be implemented as this may involve the use of adjoining land and should also ensure that all development, including foundations and roof/guttering treatment is carried out entirely within the application property.
- 3 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 **STRUCTURAL INTEGRITY**
The applicant is advised that Building Regulations control these works and compliance is required when converting an existing basement to habitable use, excavating a new basement or extending an existing basement. Building Regulations control matters such as structure, fire safety, ventilation, drainage, waterproofing, insulation, sound proofing, heating systems and access.

For the avoidance of doubt, the granting of planning permission does not provide any warranty against damage of adjoining or nearby properties, and the responsibility and any liability for the safe development of the site rests with the developer and/or landowner.

5 NOISE

The applicant is advised that noise and vibration is controlled by the Control of Pollution Act 1974 and statutory nuisance provisions contained within the Environmental Protection Act 1990 and the British Standard Codes of practice 5228:1997 Parts 1 to 4. Key issues relating to noise from construction sites include: (i) prior consent may be sought from the Council relating to noise from construction activities (s.61 of COPA 1974); (ii) if no prior consent is sought, the Authority may serve a notice on the site/works, setting conditions of permitted work (s.60 of COPA 1974); (iii) an action in statutory nuisance can be brought by a member of the public even if the works are being carried out in accordance with a prior approval or notice (s.82 of the EPA 1990). In particular, the normal hours of work shall be between the following hours:

Monday to Friday - 08.00 to 18.30

Saturdays – 08.00 to 13.00

Sundays and Bank Holidays – No noisy works at all

No work or ancillary operations, which are audible at the site boundary, will be permitted outside these hours unless fully justified and any such works shall be kept to an absolute minimum.

6 LICENCES

The applicant is advised that some aspects of construction are subject to licences. For example, the developer/contractor will be required to obtain licences from the Local Authority before: (i) erecting any scaffolding, hoardings, gantry, temporary crossing or fence on the highway; (ii) depositing a skip; or (iii) operating a mobile crane, aerial platform, concrete pump lorry or any such equipment. The contractor has a duty to inform local residents likely to be affected by such activities at least 14 days prior to undertaking the works, as well as applying for the appropriate permits and licences. The most suitable method of informing residents is through newsletters. Such newsletters should also update neighbours on site progress and projected activities that might cause loss of amenity, e.g. road closures for delivery or use of mobile cranes or abnormal deliveries to the site.

7 HIGHWAYS

The applicant is advised that the Highways Act 1980 (particularly Part IX) sets out requirements relating to construction work on or near the highway. Key requirements of the 1980 Act include: (i) permission by formal agreement from the Highway Authority (London Borough of Brent except for the North Circular Road) is required for any works to highways; (ii) licences are required for permission to place temporary obstructions on the highway (e.g. hoardings, fenced storage areas, temporary cross-overs, scaffolding, gantries and skips); (iii) deposition of mud or other such materials on the highway is prohibited. Measures to prevent this (e.g. wheel washing) can be required by order; (iv) surface drainage from a construction site must not be allowed to run across the footway part of a public highway; (v) the contractor is responsible for any damage caused by their activities to roads, kerbs or footpaths in the vicinity of the work site; (vi) any street furniture (electrical or non-electrical) cannot be removed or relocated by the developer or any of its contractors. This may only be carried out by the Highway Authority or its appointed contractor.

The applicant is also advised of their responsibility to apply to the Council for parking bay suspension:

www.brent.gov.uk/services-for-residents/parking/suspending-a-parking-bay-and-dispensations

8 VIBRATION

The applicant is advised to adhere to the following guidance in respect of vibration to ensure measures are taken to protect the residents and users of buildings close by and passers-by from nuisance or harm and protect buildings from physical damage: (i) human exposure: the contractor should refer to BS5228:1992 Part 4 'Code of Practice for Noise and Vibration Control Applicable to Piling Operations' for guidance; and (ii) protection of structures: the contractor should carry out demolition and construction activities in such a way that

vibrations arising will not cause significant damage to adjacent structures and should refer to BS7385 'Evaluation and Measurement of Vibration in Building - Part 2 Guide to Damage Levels from Groundborne Vibration' for guidance.

9 **AIR QUALITY**

The applicant is advised that the Environmental Act 1995, Clean Air Act 1993, the Health and Safety at Work Act 1974 etc, the Environmental Protection Act 1990 all control air quality and that the EPA 1990 controls dust under the 'statutory nuisance' provisions. The contractor should: (i) take all necessary measures to avoid creating a dust nuisance during both demolition and construction works including excavations; (ii) not burn any materials on the site; (iii) avoid the occurrence of emissions or fumes from the site including from plant and ensure off-road vehicles (e.g. bulldozers, excavators etc) with compression ignition engines comply with emission standards set in EC Directive 97/68/EC, meeting Stage II limits where possible and run on low sulphur diesel; (iv) ensure on-road vehicle emissions are in line with the provisions of the Road Vehicles (Construction and Use) Regulations (as amended) and the Motor Vehicles (Type Approval) (Great Britain) Regulations made under the Road Traffic Act 1988 and the EURO standards.

10 The Council recommends that the maximum standards for fire safety are achieved within the development.

11 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.

12 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. Should Application for such works should be made to the Council's Safer Streets Department, Brent Civic Centre, Engineers Way, Wembley HA9 0FJ Tel 020 8937 1234. 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.

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

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

15 August, 2018
09
18/1636

SITE INFORMATION

RECEIVED	30 April, 2018
WARD	Kensal Green
PLANNING AREA	
LOCATION	74 Park Parade, London, NW10 4JB
PROPOSAL	Conversion of a vacant commercial unit into 2 No. residential flats (2 x 2 bed) with associated internal alterations; new front flat doors, external fence and winter garden
PLAN NO'S	Please see Condition 2
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_139729</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 "18/1636" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab

RECOMMENDATIONS

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

Conditions:

1. Time
2. Approved Drawings
3. Materials to Match
4. Restriction of access to residential parking permit
5. Mix/Size of unit
6. Details of Railings
7. Details of Landscaping
8. Details of Cycle Storage

Informatives:

1. Party Wall Act
2. CIL Liability
3. London Living Wage
4. Fire Safety Standards

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: 74 Park Parade, London, NW10 4JB

© Crown copyright and database rights 2011 Ordnance Survey 100025260



This map is indicative only.

PROPOSAL IN DETAIL

Conversion of a vacant commercial unit into 2 No. residential flats (2 x 2 bed) with associated internal alterations; new front flat doors, external fence and winter garden.

EXISTING

The site comprises of a vacant ground floor corner commercial unit with residential (1-21 Freestone Court) above, on the corner of Park Parade and Willows Terrace. Immediately to the east, on the junction with Leghorn Road is 1-12 St Josephs Court, a purpose-built block of flats.

The site is not located within a Conservation Area or contains any heritage assets. In addition, it is not within the Harlesden District Centre.

SUMMARY OF KEY ISSUES

The key planning issues for Members to consider are:

The loss of a vacant retail unit, albeit outside of the designated Harlesden District Centre boundary, any resulting impact on the vitality and viability of the Harlesden District Centre, and whether this is outweighed by the provision of additional residential accommodation.

The quality of accommodation of the proposed units.

RELEVANT SITE HISTORY

Planning permission (ref: 13/3702) was granted in April 2014 for the erection of a part three, four and five storey building with a set back fifth storey accommodating 21 flats and ground floor A1 retail use, together with associated cycle storage, landscaping and amenity space subject to a Deed of Agreement dated 2nd April 2014 under Section 106 of the Town and Country Planning Act 1990, as amended. This scheme provided for 100% affordable rent and the commercial unit was restricted to A1/A2 Uses (excluding betting shops/bookmakers).

Planning permission (ref: 13/0507) was granted in June 2013 for the erection of a four and five storey building accommodating 22 flats, ground floor A1 and/or D1 floorspace and retention of electricity sub station and subject to a Deed of Agreement dated 31st May 2013 under Section 106 of the Town and Country Planning Act 1990, as amended.

Planning permission (ref: 12/0915) was granted in July 2012 for the erection of a four and five storey building accommodating 22 flats, ground floor A1 and/or D1 floorspace and retention of electricity sub station and subject to a Deed of Agreement dated 24 July 2012 under Section 106 of the Town and Country Planning Act 1990, as amended.

CONSULTATIONS

Letters were sent to the occupiers of 50 neighbouring and nearby properties on 16/05/2018.

Ten objections have been received raising some or all of the points below, together with officers' responses:

Comment	Response
I have not seen a public notice associated with the property	The consultation undertaken complies with statutory requirements and no press notice or site notice is required in the case of minor developments outside of conservation areas. However, due to the significant number of residents in the immediate vicinity who would not

	have received a letter, two site notices were also posted: on Park Parade and Willows Terrace.
The conversion of commercial to residential causes a high street to lose its vitality, having a detrimental effect on community cohesion.	As part of a borough wide review of town centre boundaries, the Harlesden Town Centre boundary was adjusted to strengthen its vitality and viability.
The conversion is contrary to the new London Plan/the current London Plan/SPG/Neighbourhood plans.	As set out within the report, the application has sufficient regard to policies within the London Plan (adopted and draft) and the draft Neighbourhood Plan.
This stands against all efforts of Harlesden Area management, neighbourhood groups and the SPG to attract investment and an interest new businesses to establish themselves in this area	The town centre boundary was adjusted to strengthen its vitality and viability.
We need more commercial properties to improve the community on Park Parade not more tiny residential flats too small for people to live in	The two residential units exceed minimum standards and are of a size identified within the draft Neighbourhood Plan as being of greatest need.
The Harlesden Neighbourhood Forum has identified Harlesden's commercial areas (Station Road/High Street Harlesden/Park Parade) as areas which should be encouraged to convert current ground floor residential use back to commercial use and to strongly discourage any change of use away from current commercial	The NP only identifies Station Road as the only exception where the net loss of housing would be acceptable, particularly where former ground floor commercial units have been converted to residential use. This is to support the aim of the extension of the town centre to Willesden Junction Station (draft NP, para.6.36).
This will set an unwanted precedent	The local planning authority must assess each application in accordance with the policies in the adopted Development Plan, with each application assessed on its own merit. The proposal would bring a vacant section of a building into use and provide 2 homes.
For many of the reasons set out in the pre application advice, the units are poorly designed and lack meaningful outdoor amenity space, unlike the purpose built units in the remainder of the building.	The pre-application advice suggested that the internal layout could be improved. The internal space proposed is not unacceptable. It is not always possible to provide amenity space in conversion schemes.
The incorporation of the restricted forecourt to form a so-called Winter Garden is totally unusable as outdoor space for residents and will serve only as a litter bin for pedestrians	The "winter "garden" is not private amenity space but provides defensible space in front of the units to assist in providing some privacy for the occupiers. This area adds to the quality and of the proposed dwellings. It is not dissimilar to the space in front of St Joseph's Court.
Losing active frontage will lead to increased anti-social behaviour at a location subject to various Met Police/Council dispersal orders.	The units has been vacant since completion, therefore there is no loss of active frontage. Having a residential use will increase activity and passive surveillance.

POLICY CONSIDERATIONS

The London Plan

Policy 3.3	Increasing housing supply
Policy 3.4	Optimising housing potential
Policy 3.5	Quality and design of housing developments
Policy 3.8	Housing choice
Policy 5.1	Climate change mitigation
Policy 5.2	Minimising carbon dioxide emissions
Policy 5.3	Sustainable design and construction
Policy 5.15	Water use and supplies
Policy 6.3	Assessing the effects of development on transport capacity
Policy 6.9	Cycling
Policy 6.12	Road network capacity
Policy 6.13	Parking
Policy 7.1	Lifetime neighbourhoods
Policy 7.2	An inclusive environment
Policy 7.3	Designing out crime
Policy 7.4	Local character
Policy 7.6	Architecture
Policy 7.19	Biodiversity and access to nature

Core Strategy

CP1	Spatial Development Strategy
CP2	Population and Housing Growth
CP3	Design and Density in Place Shaping
CP17	Protecting and Enhancing the Suburban Character of Brent
CP19	Brent Strategic Climate Change Mitigation and Adaptation Measures

Development Management Policies

DMP1	Development Management General Policy
DMP2	Supporting Strong Centres
DMP9B	Onsite Water Management and Surface Water Attenuation
DMP12	Parking
DMP18	Dwelling Size and Outbuildings
DMP19	Residential Amenity Space

Other Relevant Policy Considerations

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)
draft National Planning Practice Guidance (2018)
Technical housing standards - nationally described space standards (2015)
draft London Plan (2017)
draft Harlesden Neighbourhood Plan (2017)
LB Brent S106 Planning Obligations SPD (2013)
LB Brent Design Guide for New Development (SPG17) (2001)
LB Brent Shopfronts SPD (SPD3) (2018)
LB Brent Waste Planning Guide SPG
Community Infrastructure Levy Regulations 2010
London Cycling Design Standards

DETAILED CONSIDERATIONS

Principle

1. The site, which was known as the Former Willesden Social Club & St Joseph's Court, was initially allocated in 2011 in the Site Specific Allocations document for mixed use (residential and new community facility or contributions). Subsequently, the committee report for application reference 13/3702 demonstrated that the social club use had long ceased (the building had been demolished) and that case law had established that when a building has been demolished, there was no obligation for the former uses to be re-established and the permission granted included an A1/A2 unit for the ground floor.
2. In broad terms, the proposals would be consistent with the aims of the London Plan and policies within the Core Strategy, the Development Management Policies and the draft Harlesden Neighbourhood Plan,

which seek to support development which contributes to the strategic housing needs of Greater London and the Borough. However, notwithstanding the in-principle support for additional housing, it is equally important that all other relevant planning considerations which seek to ensure that appropriate regard is given to the loss of a retail unit, design, the character of the area, neighbour and occupier amenity, traffic generation and highway safety, are properly considered.

Loss of Retail

3. Town Centre boundaries were reviewed throughout Brent in 2015 (Town Centre Policies Background Report) to ensure that the boundaries were robust and based on a clear definition of primary and secondary frontages. The boundary of the Harlesden District Centre was accordingly adjusted south towards Willesden Junction, and two additional units were included within the primary frontage, and 44 units included within the secondary frontage primarily along Station Road. It was also noted that some town centre uses extended beyond the designated frontage along various roads (inclusive of Park Parade) but these are considered peripheral and the high proportion of vacancies suggested insufficient demand to sustain the units.
4. Policy DMP2 (Supporting Strong Centres), seeks to ensure that town centres offer customer choice and a diverse retail offer. The Policy advises that the conversion of peripheral secondary frontage to residential will be permitted where it does not impact on the vitality and viability of the town centre, and frontage will be considered peripheral where it is outside the primary frontage and its conversion would not result in residential between frontage in main town centre use.
5. Whilst the application site sits opposite shop units on Park Parade, the unit, and those shops opposite, are not part of the Harlesden District Centre, which is located approximately 35m east of the site. Moreover, it does not sit between main town centre uses because immediately to the east is St Joseph's Court, a residential development, and to the west on the opposite side of Willows Terrace is an office building. In addition, the unit has been vacant since the building was completed, and prior to this, the site remained undeveloped as the former social club had been demolished. As such, the unit has never contributed to the vitality and viability of the Harlesden District Centre.
6. It should be noted that the conversion to residential would contribute to the identified housing need of the Harlesden NP area, where the Housing Needs Assessment identifies a target of 2249 new homes to be provided in Harlesden between 2015 and 2037 (para. 6.17). Amongst the recommendations of the Assessment is that the NP seeks to deliver an increase in social housing, and the majority of flatted provision should be 2-bed (para.6.18). It should also be noted that the application is supported by the Council's Empty Properties team, who will use the accommodation for temporary social housing for families in housing need.

Quality of Accommodation

7. The conversion of existing shops to residential will need to satisfy internal floorspace requirements for the size of unit proposed and other policies and guidance which seek to ensure an acceptable level of accommodation and amenity for the occupiers and neighbours. To this end, each unit would be approximately 77sqm and bedrooms range in size between 12.5sqm and 17.8sqm, denoting 2b4p units. The proposed Flats and their bedrooms exceed the minimum standard of 70sqm and 11.5sqm (for double/twin rooms) contained within the Technical Standards. As discussed above, the provision of two, 2-bed units will accord with one of the goals contained within the draft Harlesden Neighbourhood Plan which seeks flats of this size (para.6.18).
8. The layout of individual units should be carefully considered in order to achieve the appropriate stacking or laying out of rooms to minimise noise and disturbance between incompatible uses, as per the guidance within SPG17. On this element, it is considered acceptable that the living rooms/kitchens are adjacent to each other. It is noted that the existing first floor accommodation would have a living/dining room above the corner bedroom of proposed Flat 2 and both bedrooms of Flat 1 will sit beneath the kitchen, living/dining room, and a bathroom of the flat above. Notwithstanding, insulation between floors should be sufficient to overcome any potential harm.
9. The upper floors overhang the ground floor element by approximately 1m, and it is this which demarcates the site boundary. Being a purpose-built commercial unit, the shopfront directly adjoins/opens onto the footway. One metre high railings will be erected around the perimeter of the site, behind which some plantings are also proposed. This will help to create some defensible space and some privacy for the occupiers of the two units. It should be noted that railings are also present at the adjacent site, St

Josephs Court, so would not appear out of keeping. Details of the railings and the planting can be secured by an appropriately worded condition.

Amenity Space

10. In relation to amenity space provision, flats should be providing 20sqm. The submitted drawings show the space between the building façade and the proposed railings as being a “winter garden”, however this space cannot be directly included as it is not private space. The lack of private amenity space is considered acceptable in this instance when weighed against the internal accommodation being in excess of the minimum requirements, the provision of additional housing, and the overall quality of the living space. Whilst it is noted that a financial contributions was received to compensate for the shortfall in amenity space for the units above, from a scheme of this scheme the provided areas are considered sufficient and the cost of pursuing any in-lieu payment would outweigh the benefit of any money received.

Highways Considerations

11. Policy 6.3 of the London Plan confirms that the impact of development proposals on transport capacity and the transport network are fully assessed. The proposal must comply with policies relating to better streets (Policy 6.7), cycling (Policy 6.9), walking (Policy 6.10), tackling congestion (Policy 6.11), road network capacity (Policy 6.12) and parking (Policy 6.13). Policies DMP11 and 12 provide the criteria upon which developments will be assessed with regard to layout and access / servicing / parking standards.

Parking / Access

12. Whilst it was indicated at pre-application stage that the undercroft space at the eastern end of the building could be used as a parking space, concerns were raised in relation to visibility splays. As a consequence, the scheme will be car-free, which is considered acceptable in this location. However, to ensure that there is no additional pressure placed on on-street parking, a condition is proposed to restrict potential residents from gaining access to parking permits.
13. Due to the change in level between the pavement and internal floor thresholds, internal ramps are proposed. This is considered acceptable.

Cycle Parking

14. Cycle parking should be provided in line with the current cycle parking standards set out in the London Cycling Design Standards and the London Plan which requires a minimum of 2 spaces per 2-bed or greater. Drawing No. XEVA/74PP/102 Rev.A shows two spaces within each unit. Whilst these are not ideal, it is not uncommon for some cycle storage to take place informally within flats and there is nowhere else they can reasonably be located. Wall mounted racks may be a better solution but in any event, details will need to be secured by condition.

Refuse and Servicing

15. Drawing No. XEVA/74PP/102 Rev.B shows bin storage areas near to the front doors of each unit, facing Park Parade. This is acceptable for the size of containers that are required and the proposed plantings should help to screen the bins.

Sustainable Design & Construction

16. Chapter five of the London Plan sets out a comprehensive range of policies to underpin London’s response to climate change. This is supported by policies within the Core Strategy and the DMP (Chapter 7). Being a minor conversion scheme, it will not be possible to implement the full range of measures normally sought for new-build schemes, however some plantings are proposed along the frontage and the D&A Statement confirms the use of energy efficient materials and appliances.

CIL DETAILS

This application is liable to pay **£51,455.65*** 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): 156.6 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	156.6		156.6	£200.00	£35.15	£43,764.11	£7,691.54

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	£43,764.11	£7,691.54

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

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

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

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 18/1636

I refer to your application dated **30/04/2018** proposing the following:

Conversion of a vacant commercial unit into 2 No. residential flats (2 x 2 bed) with associated internal alterations; new front flat doors, external fence and winter garden

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

at **74 Park Parade, London, NW10 4JB**

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: 03/08/2018

Signature:

Alice Lester
Head of Planning, Transport and Licensing

Notes

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

DnStdG

SUMMARY OF REASONS FOR APPROVAL

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

Brent Development Management Policies
Council's Supplementary Planning Guidance 17 - Design Guide for New Development

- 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 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved drawings and/or documents:

APL-001	Site Location and Block Plan
APL-002	Existing Ground Level and Basement Level Plans
APL-003	Existing Levels 01 and 02 Plans
APL-004	Existing Level 03 and Roof Plans
APL-005	Existing Section
APL-006	Front and Internal Rear Elevations
APL-007	Proposed Ground Level and Basement Level Plans
APL-008	Proposed Levels 01 and 02 Plans
APL-009	Proposed Levels 03 and 04 Plans
APL-010	Proposed Roof Plan
APL-011	Proposed Section
APL-012	Proposed Front and Internal Rear Elevations

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

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

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

- 4 Occupiers of the residential units hereby approved, shall not be entitled to a Residents Parking Permit or Visitors Parking Permit to allow the parking of a motor car within the Controlled Parking Zone (CPZ) operating in the locality within which the development is situated unless the occupier is entitled; to be a holder of a Disabled Persons Badge issued pursuant to Section 21 of the Chronically Sick and Disabled Persons Act 1970. For the lifetime of the development written notification of this restriction shall be included in any licence transfer lease or tenancy agreement in respect of the residential development. On, or after, practical completion but prior to any occupation of the residential development, hereby approved, written notification shall be submitted to the Local Highways Authority confirming the completion of the development and that the above restriction will be imposed on all future occupiers of the 1-bed unit.

Reason: In order to ensure that the development does not result in an increased demand for parking that cannot be safely met within the locality of the site.

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

Local Planning Authority.

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

- 6 Details of the proposed boundary railings shall be submitted to the Local Planning Authority for approval in writing. The boundary railings shall be installed in accordance with the approved details prior to first occupation of either of the units hereby approved and permanently maintained.

Reason: In the interest of visual amenity and to protect the privacy of the occupiers of the units.

- 7 Details of the proposed soft landscaping shown on Drawing No. XEVA/74PP/203 REV.A shall be submitted to the Local Planning Authority for approval in writing. The soft landscaping shall be provided in accordance with the approved details prior to first occupation of either of the units hereby approved and permanently maintained. Any planting which dies, becomes severely damaged or diseased within five years of completion of the development shall be replaced with new planting in accordance with the approved details, or an approved alternative to the satisfaction of the Local Planning Authority.

Reason: In the interest of visual amenity and to protect the privacy of the occupiers of the units.

- 8 Prior to any internal works commencing, details of the design, type and siting of the two cycle spaces to be provided per flat shall be provided to the Local Planning Authority for approval in writing. The approved cycle storage shall be provided prior to first occupation of the either of the units approved and permanently maintained, kept free from obstruction, and available for the parking of cycles only.

Reason: To provide secure cycle storage facilities free from obstruction in the interest of promoting sustainable travel

INFORMATIVES

- 1 The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk
- 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 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.
- 4 The Council recommends that the maximum standards for fire safety are achieved within the development

Any person wishing to inspect the above papers should contact Sean Newton, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5166