



Planning Committee

Tuesday 6 November 2018 at 6.00 pm

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

Membership:

Members

Councillors:

Denselow (Chair)
Johnson (Vice-Chair)
Chappell
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: Nikoleta Nikolova, Governance Officer
nikoleta.nikolova@brent.gov.uk; 020 8937 1587

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democracy.brent.gov.uk

The press and public are welcome to attend this meeting

Members' briefing will take place at 5.00pm in room 3M-003

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

Notes for Members - Declarations of Interest:

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

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

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

***Disclosable Pecuniary Interests:**

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

****Personal Interests:**

The business relates to or affects:

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

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

- (b) The interests 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 - 10 October 2018 | | 1 - 8 |
| APPLICATIONS FOR DECISION | | |
| 3. 18/3317 Garages rear of 1-4 Keats Court, Byron Road | Northwick Park | 13 - 30 |
| 4. 18/0696 Access to 78A Harlesden Road & Yard rear of 1A, Parkfield Road, London, NW10 | Willesden Green | 31 - 44 |
| 5. 18/1217 78A Harlesden Road & Yard rear of 1A, Parkfield Road, London, NW10 | Willesden Green | 45 - 62 |

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 December 2018



Please remember to switch your mobile phone to silent during the meeting.

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

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LONDON BOROUGH OF BRENT

MINUTES OF THE PLANNING COMMITTEE Wednesday 10 October 2018 at 6.00 pm

PRESENT: Councillor Johnson (Vice-Chair, in the Chair) and Councillors Ahmed (substitute for Councillor Lo), S Butt (substitute for Councillor Denselow), Colacicco, Chappell, Hylton and Sangani.

Apologies for absence were received from Councillors Denselow, Lo and Maurice

1. **Declarations of interests**

None.

Approaches.

The following approach was reported:

18/2335 Byron Court Primary School, Spencer Road, Wembley, HA0 3SF.

Councillor Johnson was approached by residents in connection with the application.

2. **Minutes of the previous meeting - 12 September 2018**

RESOLVED:-

that the minutes of the previous meeting held on 12 September 2018 be approved as an accurate record of the meeting.

3. **18/2335 Byron Court Primary School, Spencer Road, Wembley, HA0 3SF**

PROPOSAL: Installation of 3G sports pitch on the south side in place of the grassed sports field of Byron Court Primary School

RECOMMENDATION: To grant planning permission subject to the conditions set out within the report and that the Head of Planning be granted delegated authority to issue the planning permission and impose conditions and informatives to secure the matters set out within the report.

That the Head of Planning be granted delegated authority to make changes to the wording of the Committees 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.

That the Committee resolve to GRANT planning permission subject to any direction by the Secretary of State pursuant to the Consultation Direction.

Ms Victoria McDonagh (Team Leader, North) introduced the report and answered members' questions. In reference to the supplementary report, she informed members that most of the additional concerns raised since the report was published had been addressed within the main report. In response to new concerns about ecology, she advised that the ecology report was produced by suitably qualified persons and carried out in line with an appropriate and recognised methodology. Having considered the information provided within the report, it was considered that the loss of ecological value (identified as being negligible) on site would not outweigh the benefit of the 3G pitch in terms of enabling play and providing additional community facilities. Ms McDonagh added that the proposed wildlife area within the school and the substantial hedgerows along the edges of the school site were to be retained as higher value areas for local significant wildlife species.

Mr Andrew Lloyd (applicant's agent) highlighted the merits of the provision of sports facilities for the benefit of on-site school children and members of the wider community without material detriment to surrounding residential amenities in respect of appearance, visual impact and local highway. He continued that the ecology report considered that the site was of negligible ecological significance, if any.

In response to members' enquiries, Ms McDonagh provided the following; the 3G pitch had been designed with comprehensive drainage infrastructure to prevent any increase in the severity or contributing to local flood events. She added that the current playing field had been shown to be of negligible ecological value given its frequent use and short grass length. In terms of highways, she advised that the proposal would not materially affect local highways and parking capacities, given that the community uses would take place during off-peak periods and with staggered arrival times associated with booked time slots. Additionally, a travel plan was in place to work towards the reduction in car use for attending the school which already had a community access arrangement approved (relating to internal sports facilities and an outdoor multi use games area).

In welcoming the report, Members asked that the travel plan be added as a further condition.

DECISION: Granted planning permission as recommended with an additional condition for a travel plan.

(Voting on the recommendation was unanimous: For 7, Against 0)

4. 17/0637 Flats 1-17 INC and 18 Prospect House, North Circular Road, Stonebridge, London, NW10 7GH

PROPOSAL: Erection of four additional floors over existing mixed used building comprising 28 self-contained flats (8 x 1bed, 16 x 2bed and 4 x 3bed) to include internal children's play area at ground floor level, cycle parking, roof terrace with associated screening, timber ramp access, landscaping and alterations to the external facade of the building.

RECOMMENDATION: To grant planning permission, subject to the completion of a satisfactory Section 106 or other legal agreement, and the conditions and informatives recommended in this report, and to delegate authority to the Head of Planning or other duly authorised person to agree the exact terms thereof on advice from the Chief Legal Officer.

That the Head of Planning be granted delegated authority to negotiate the legal agreement indicated within the report.

That the Head of Planning be granted delegated authority to issue the planning permission and impose conditions and informatives to secure the matters set out within the report.

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

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 be granted delegated authority to refuse planning permission.

Ms Victoria McDonagh (Team Leader, North) introduced the report and answered members' questions. She explained that the scheme which was subject to a S106 legal agreement would deliver 7 units of affordable rented accommodation. The height of the scheme was in keeping with the general character of the area. In response to a member's enquiry, Ms McDonagh advised that flood risk assessment reviewed by the Environment Agency confirmed that there was adequate flood emergency plan in place. She also advised that the proposed development, due to its design, size, scale and siting, would not unduly detract from the character and appearance of the street scene or the surrounding area.

DECISION: Granted planning permission as recommended.
(Voting on the recommendation was unanimous: For 7, Against 0)

5. **18/2183 Car Park North East of Morrisons, Honeypot Lane, NW9 & Vacant Land at the junction of Westmoreland Road, NW9 and Cumberland Road, Stanmore, HA7**

PROPOSAL: Erection of three buildings at 4, 5, and 7 storeys providing 194 residential units (76 x 1 bed, 75 x 2 bed and 43 x 3 bed), 60 car parking spaces (including disabled parking spaces), private and communal landscaped amenity areas, landscaped podium deck, secure cycle parking, recycling and refuse stores, access improvement and other associated developments.

RECOMMENDATION: To GRANT planning permission subject to:

- A. Referral to the Mayor of London (stage 2 referral)
- B. The prior completion of a legal agreement to secure the planning obligations set out within the report.
- C. The conditions and informatives recommended in the Committee report and supplementary

That the Head of Planning be granted delegated authority to issue the planning permission and impose conditions and informatives to secure the matters set out within the report.

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

That, if by 3 months of the Committee date the legal agreement has not been completed, the Head of Planning be granted 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.

Ms Victoria McDonagh (Team Leader, North) introduced the report and answered members' questions. She clarified that the proposal would deliver 194 dwelling units, 35.1% of which would be affordable housing by habitable room. With reference to the supplementary report, she explained the discrepancies on car parking facilities, the proposed habitable room numbers and the applicant's redesign of the habitable room windows to protect outlook to Morrisons site. In view of the latter, Ms McDonagh recommended an amendment to condition 3 to enable both the obscure glazing of secondary windows and the submission and approval of revised details showing suitable projecting (oriel) window arrangements of the primary habitable room windows along the façade.

Mr Robert Dunwell spoke in objection on behalf of Queensbury Area Residents' Association (QARA) on the following grounds;

- a. Excessive housing density

- b. Overlooking to properties in Winchester Avenue.
- c. Gross reduction in the number of car parking spaces
- d. Lack of report from the Metropolitan Police on potential crime increase.
- e. No quantification of the impact of the proposed CPZ.
- f. Lack of local amenity access report
- g. Lack of assessment against the Public Sector Equality Duty and consequent threat of a judicial review.

Mr Mark Jackson (applicant) stated that the proposed development would deliver 194 new dwelling units and affordable housing and about 10% designed in accordance with the London Plan accessibility standards for people with disabilities. He added that the development which would be permit free, would maintain clear distance to Winchester Avenue and deliver highways improvements to the area. He referenced the positive feedback from the exhibitions held prior to submission. In response to a Member's enquiry on travel plan, Mr Jackson stated that Fairview Homes would promote travel by public transport and cycling and in addition, there would be a 3 year free membership for Car Club.

In responding to issues raised by the objector, Ms McDonagh advised that the density of the scheme had been reviewed by GLA officers and considered to offer high quality homes with good space standards, close to public transport on a brownfield site. She added that the distance to Winchester Avenue of 78metres would be in excess of SPG standards and prevent any severe overlooking. Members were advised that the residential units would afford natural surveillance onto Westmoreland Road and enhance the residential feel of the area, hence there was no requirement for Metropolitan Police assessment report. She reiterated the highways impact which had been robustly assessed by Highways officers in respect of improvements, encouragement for modal change to public transport use, permit free scheme and a Car Club. Ms McDonagh advised that the scheme complied with the Equality Act as it would not adversely impact on or prejudice any particular group.

DECISION: Granted planning permission, subject to planning obligations set out in the committee report and the additional condition and alteration to the heads of terms specified within the supplementary report.

(Voting on the recommendation was unanimous: For 7, Against 0)

6. 15/5564 Trinity House, Heather Park Drive, Wembley, HA0 1SU

PROPOSAL: Demolition of existing building known as Trinity House and erection of a 4 storey building comprising 47 self-contained flats plus basement level comprising 708sqm of office space, car and cycle parking spaces, bin stores, amenity space and landscaping.

RECOMMENDATION: To grant planning permission, subject to the completion of a satisfactory Section 106 or other legal agreement, and the conditions and informatives recommended in this report, and to delegate authority to the Head of Planning or other duly authorised person to agree the exact terms thereof on advice from the Chief Legal Officer.

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

That the Head of Planning be granted delegated authority to issue the planning permission and impose conditions to secure the matters set out within the report.

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

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.

Ms Victoria McDonagh (Team Leader, North) introduced the report and answered Members' questions. Members heard that the development for 47 new homes would not deliver any affordable housing as the financial viability appraisal had confirmed that this would not be viable. She advised that this position should be reviewed, post construction, in order for the Local Planning Authority (LPA) to capture any uplift in values to go towards offsite affordable housing provision. Ms McDonagh continued that the lack of affordable housing should also be balanced against the 30% provision of family size accommodation which was in excess of the policy target of 25%. She added that the residential redevelopment to contribute towards the Borough's housing targets would be appropriate to the character of the area and on balance, officers supported the loss of employment floorspace and residential redevelopment of this site.

In the discussion that ensued, Members expressed concerns about the lack of affordable housing and to overcome that, suggested that additional housing units could be provided in place of the office space and 37 car parking spaces proposed in the basement area. Concern was also expressed about refuse waste arrangement and potential obstruction.

Ms McDonagh responded that additional dwelling units would result in poor relationship, drawing Members' attention to the merit of the scheme to provide 14 family size units. She reiterated that the viability assessment would be reviewed post construction in order for the LPA to capture any uplift in values to go towards offsite affordable housing provision. She continued that Highways officers had reviewed the scheme and considered that it complied with parking standards without over-provision of parking spaces.

Members however were minded to refuse the application contrary to the recommendation for approval on grounds of lack of affordable housing,

notwithstanding the advice. A motion to defer the application was proposed by Councillor Butt and seconded by Councillor Colacicco. This was put to the vote and declared carried. The application was therefore deferred to another meeting for the reasons to be assessed by officers in a follow-up report.

DECISION: Deferred to another meeting for the reasons for refusal to be assessed by officers in a follow-up report.

Voting on the decision was unanimous and recorded as follows:

| | | |
|----------|---|-----|
| For: | Councillors Johnson, Ahmed, S Butt, Chappell, Colacicco, Hylton, and Sangani | (7) |
| Against: | None | (0) |

7. Any Other Urgent Business

None.

The meeting closed at 7.10 pm

COUNCILLOR R. JOHNSON
Vice Chair (in the Chair)

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APPLICATIONS FOR DECISION

Introduction

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

Material planning considerations

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

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

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

Provision of infrastructure

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

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

Further information

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

Public speaking

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

Recommendation

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

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COMMITTEE REPORT

Planning Committee on
Item No
Case Number

6 November, 2018
03
18/3317

SITE INFORMATION

| | |
|---|--|
| RECEIVED | 23 August, 2018 |
| WARD | Northwick Park |
| PLANNING AREA | |
| LOCATION | Garages rear of 1-4, Keats Court, Byron Road, Wembley |
| PROPOSAL | Erection of a terrace of 3x two storey one bedroom dwellinghouses with associated car parking, cycle and refuse stores, landscaping and outdoor amenity space |
| 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_141532</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 "18/3317" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab |

RECOMMENDATIONS

That the Committee resolve to GRANT planning permission.

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

Conditions


1. Time Limit (3 Years)
2. Approved drawings / documents
3. Provision of parking spaces, cycle parking and access to highway
4. Obscure glazing of side stairwell windows for privacy
5. Restriction of permitted development rights to convert to a C4 HMO
6. Bin store provided and management arrangements within design and access statement adhered to
7. Provide details and sample of external materials
8. Submit landscaping and tree planting plan for approval
9. Submit construction method statement for approval
10. Submit flood mitigation and drainage strategy for approval

Informatives

1. Party Wall
 2. Building within site boundary
 3. Development is CIL Liable
 4. Contamination vigilance advisory note
3. That the Head of Planning is delegated authority to make changes to the wording of the committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the committee nor that such change(s) could reasonably have led to a different decision having been reached by the committee.

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

SITE MAP

| | |
|---|---|
|  | <p>Planning Committee Map</p> <p>Site address: Garages rear of 1-4, Keats Court, Byron Road, Wembley</p> <p>© Crown copyright and database rights 2011 Ordnance Survey 100025260</p> |
|---|---|



This map is indicative only.

EXISTING

The site is located on the western side of Byron Road and currently comprises of land adjacent to number 5 & 6 Keats Court and 6 garages behind 1-4 Keats Court which have recently been demolished. The court itself has 10 maisonette flats – four at the front of the site fronting Byron Road and six to the rear.

The site is not within a conservation area, nor is it a listed building.

SUMMARY OF KEY ISSUES

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

1 Representations received

Individual objection letters from 3 nearby properties and a petition containing signatures from occupiers of 11 nearby properties were received by the Council. The objections to the proposal were made on the following basis: that the proposal would lead to overcrowding, confinement, loss of daylight and sunlight to neighbours, overlooking issues, loss of amenity space and local detriment as a result of noise and pollution related to additional car movements. Your officers have considered all of these comments but do not consider that the proposal will result in undue detriment in any of the above aspects.

2 Principle

The principle of a residential development on this land has been established within previous planning applications. It was previously noted that the area being built upon is not used as communal amenity space for any of the existing residential units and that a garage cluster has been located on this plot until recently. The land parcel is adjacent to existing residential dwellings and the proposal adheres to the established building line of the surrounding developments.

3 Quality of accommodation

Overall, the proposed indoor and outdoor spaces are considered to provide a good standard of amenity and general environment for future occupants of the site and are considered acceptable. This is when tested against the relevant standards within SPG17 and draft SPD1 and the London Plan. There are no instances of standards being breached.

4 Impact of extension on the character of the house and street

The design of the building is sympathetic to surrounding building design and integrates effectively into the local area. The design is considered to meet the aims of SPG17 and draft SPD1 guidance.

5 Impact on neighbouring amenity

When tested against all immediately adjoining properties, the terrace of houses is not deemed to give rise to unduly detrimental amenity impacts on nearby residents, in accordance with the relevant SPD2 and SPG17/Draft SPD1 design parameters.

6 Parking & transport considerations

The development provides 1 disabled parking space to the front of the building and 6 parking spaces to the rear of the building in accordance with parking standards. The car parking spaces meet standard for both the existing maisonettes (5-10 Keats Court) and the new houses. The car parking spaces also replace a previous garage court that was in a state of disrepair. The layout is acceptable and appropriately manoeuvrable. Individual cycle storage is provided within the houses' rear gardens in accordance with standards.

7 Environmental Health

A construction method statement is to be secured to minimise nuisance to neighbouring properties during construction. The applicant is to be advised to be vigilant for land contamination during construction.

8 Landscaping

A number of on-site trees were lost recently during the demolition of the garage court. A landscaping and tree planting plan is to be required which achieves a similar tree canopy coverage to that of the previous situation.

9 Flooding

Part of the site sits within West London SFRA Zone 3a. A flood mitigation strategy and drainage strategy will be required by condition to mitigate the risks associated with this.

MONITORING

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

Floorspace Breakdown

| Primary Use | Existing | Retained | Lost | New | Net Gain (sqm) |
|-----------------|----------|----------|------|-------|----------------|
| Dwelling houses | 0 | 0 | 0 | 183.6 | 183.6 |

Monitoring Residential Breakdown

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

RELEVANT SITE HISTORY

Relevant planning history

18/1846. Full Planning. Granted. 09/07/2018.

Erection of a two storey building comprising 2 self-contained flats (2 x 1 bed) with associated provision for car parking, bin stores, landscaping and amenity space.

CONSULTATIONS

External

34 properties were consulted on 24/08/2018. 3 letters of objection were received and a petition of objection were received. The petition was signed by residents of 13 nearby properties, although 2 of these properties had also seen their occupants send separate letters of objection. Two of the objectors within the petition later withdrew their objection, meaning that the petition is considered to contain signatures from residents of 11 nearby properties.

The Garden Court Residents Association were also consulted regarding this proposal although no response was received.

Objections received are summarised as follows:

| Ground of objection | Officer response |
|---------------------|------------------|
|---------------------|------------------|

| | |
|---|--|
| The development would lead to overcrowding | The additional number of residents that would be accommodated by this proposal can be delivered within guidance parameters for internal floor space and external amenity space. The building proposed is also a comfortable addition in terms of the surrounding built form. Officers do not therefore consider that the proposal would result in overdevelopment. |
| The development would make the area feel confined and cramped | In addition to the above comments, officers note that the proposal meets all guidance parameters in respect of privacy/overlooking/outlook distances to and from neighbours' properties and would therefore consider that the development is acceptable in this regard. |
| The development of this site has and may continue to cause disturbance for residents | This is not a material planning consideration. Nonetheless, a condition will require the applicants to demonstrate how construction will be managed to minimise disturbance to residents, by condition. |
| Works on site have resulted in residents' water supplies becoming contaminated with mud | This is not a material planning consideration. |
| The addition of a car park next to the garden of no. 35a Byron Road causes emissions of petrol fumes into the garden. | Officers would note that this area has continually been in use as a car parking area (previously a garage site) |
| The development would cause the loss of daylight and sunlight | The development meets all guidance parameters in relation to losses of light and is not considered to be unduly detrimental to neighbouring properties. |
| The development would result in neighbours' properties being overlooked | All guidance parameters in relation to this are met, officers consider the proposal is acceptable in this regard. |
| The development would result in the loss of external amenity space | It has been established in previous applications that the land forming the application site did not function as communal amenity space for any of the existing residential dwellings. The redevelopment will bring a significant part of this land into functional amenity space use as new gardens for the development. |
| The development would incur noise and pollution as a result of additional car movements | The area has long been used as a car parking area formed of hardstanding. It is not considered that this will change significantly under the development proposal. |

Internal

Environmental Health – No objections subject to conditions relating to construction management and sound insulation.

POLICY CONSIDERATIONS

Core Strategy (2010)

CP17 – Protecting the Suburban Character of Brent

Development Management Policies (2016)

DMP 1 – General Development Management Policy

DMP 11 – Forming an Access on to a Road

DMP 12 – Parking

DMP 18 – Residential Accommodation

DMP 19 – Amenity Space

Supplementary Planning Guidance

SPG17 – Design Guide for New Development (2001)

Draft SPD1 – Design Guide for New Development (2017)

SPD2 – Domestic Extensions Guidance (2018)

DETAILED CONSIDERATIONS

Principle of development

1. The principle of a residential development on this land has been established within previous planning applications. It was previously noted that the area being built upon is not used as communal amenity space for any of the existing residential units and that a garage cluster has been located on this plot until recently. The land parcel is adjacent to existing residential dwellings and the proposal adheres to the established building line of the surrounding developments. The new development will be viewed in the context of the neighbouring developments and, subject to the development meeting other policy objectives, the principle can be accepted.

Design, scale and massing

2. The new building will be 2 storeys high with a hipped pitched roof. It will be of a very similar scale to the surrounding buildings at 1 to 10 Keats Court, although the terrace of houses created will be much narrower (about 11.5m wide) than the established terrace of maisonettes to the west (about 25m wide).
3. The new building will sit 0.5m forward of the existing building line established by the terrace of maisonettes at 5-10 Keats Court. Given that the current building line along the frontage of the property has only been set by a single terrace of maisonettes (5-10 Keats Court) and that the frontage of the property is comprised of a pedestrian walkway off of Byron Road rather than a more formal highway front location, this minor offset with the surrounding built form (in terms of the building line) is accepted. As at the front, the rear of the building sits 0.5m further back than the building line of Nos. 5-10 Keats Court; subject to meeting the relevant tests of rear garden amenity impact below (as discussed below), this is supported and it is not considered that this would have significant implications for the character and appearance of the building as seen in its surroundings.
4. The new building is proposed to be clad in brick with a tiled roof, these materials will match with the surrounding Keats Court properties. There will be some additional interest provided through sections of protruding brick headers within parts of the façade. This is acceptable subject to a condition recommending further details of materials (including samples) to be provided. The proposed fenestration broadly follows the proportions and design of No. 5 to 6 Keat Court from the street frontage although the spacing of the fenestration has been lessened compared to its neighbour which will result in a somewhat different character for this terrace compared to the neighbours. All of the entrance doors to the houses are located on the front elevation, mirroring the arrangement along this building line.
5. Overall, despite a variation in the approach to window spacing, the proposed building will accord very closely with its neighbours in respect of scale, massing, design, materiality and fenestration proportions. The proposed design of the building is considered to be acceptable.

Quality of accommodation

Size

6. The scheme proposes 3 x 1 bedroom 2 person houses each with dedicated access from the pedestrian street. Each house has a floor area of 59sqm, with 29.5sqm on the ground floor and 29.5sqm on the first floor. These floor spaces meet London Plan standards for 1 bedroom, 2 person dwellings across two storeys. The 12sqm bedrooms on the upper floors also meet minimum space requirements.

Outlook

7. All units have at least dual aspect, with good outlook to the front and back which will provide a high quality living standard. Given that private rear gardens are to be formed and edged with high level fences, this has the potential to limit rear garden outlook at ground level. However, the fences are located between 4.8m (house 3) and 5.5m (houses 1 and 2) behind the rear ground floor windows of each house which will provide a moderate, if somewhat limited, level of outlook when tested against guidance within SPD17/Draft SPD1 standards. However, it is noted that the ground floors of each house are fully open plan and provide front and rear outlook to the combined kitchen/living/dining space. Given that these rooms on the ground floor will benefit from dual aspect outlook, the somewhat limited outlook at the rear can be accepted. Some defensible planting is proposed in front of this window to maximise privacy for the occupants. It is acknowledged that a disabled car parking space near to the front of the window will sometimes impede the outlook of this window, but on balance this is unlikely to render the quality of the bedroom's accommodation unacceptable. The first floor will have very good outlook from all habitable room windows. Overall, it is considered that the outlook provided should be accepted as good quality.

External amenity space

8. Three individual gardens forming the development's external amenity space are proposed. The gardens are directly accessed from within each house and are about 5m in depth and between 4.5m and 7m in width, resulting in garden sizes of 50sqm (house 1), 20.7sqm (house 2) and 20.5sqm (house 3). All of these garden spaces are in exceedance of the 20sqm standard for amenity space within SPG17/draft SPD1 guidance and are considered to provide good quality usable amenity spaces for residents.
9. Further details on the layout and boundary treatment of the external amenity spaces will be conditioned to any forthcoming consent.

Impact on neighbouring amenity

10. The new building will project rearward of No. 5 & 6 Keats Court by 0.5m. It is also noted that the new building will be set in from the boundary with no. 5 and 6 Keats Court by 3.2m and from the centre of the nearest rear facing habitable room window at 5/6 Keats Court by nearly 5.7m. The protrusion of the building to the rear is very minor given the lateral separation between the proposed building and the neighbouring properties. The relationship, whilst affecting the rear garden amenity of no. 5 and 6 Keats Court to a small extent, would comfortably comply with the Council's 1:2 guidance (used to assess acceptability of upper storey rear extensions in a domestic setting). Given the protrusion alongside the neighbours' rear garden of just 0.5m in the context of a 3.2m set in from the garden boundary, officers do not consider that it is reasonable to give weight to the 45 degree line test as set out in SPG17/Draft SPD1 which would otherwise be used to assess the impact of new development on sensitive residential premises).
11. Beyond the rear garden relationship, it is noted that No. 5 to 6 Keats Court has windows on the flank elevation that will face the new building. Previous applications have noted that the upper floor windows serve landing and bathroom/toilet (evident by the soil pipes). The ground floor has a window which appears to serve a kitchen (waste pipe from sink and vent) but there are also French doors on the rear elevation to this room, suggesting that this room has dual aspect. The new building will be set in by 4m from the flank wall window. As such, given the separation between the buildings and that layout which suggest that the ground floor unit at 5 to 6 Keats Court has dual aspect, the new building is not considered to adversely impact on their amenity.
12. The new building will sit within the 45 degree line from the rear garden of No. 1 to 4 Keats Court and as such will not be overbearing. A distance of over 13m will be maintained from rear habitable room windows to no. 35a Byron Road to prevent unacceptable privacy breaches. There is a window on the

flank wall of the new building that overlooks the access road to the new car parking spaces and the rear gardens of 1 to 4 Keats Court. As this window serves a staircase/landing only, it can acceptably be obscure glazed and non-opening at low levels, as proposed on the drawings. A condition will require this, so as to ensure the development complies with the requirements of Brent's Draft SPD1 and are not considered to compromise privacy for existing units at 1 to 4 Keats Court. The same obscure glazing requirements will be imposed on the west facing side window serving house 1, which looks towards the side wall of no. 5 and 6 Keats Court at a distance of 4m.

Highway considerations

13. As the site does not have good access to public transport services, the higher residential car parking allowances set out at Appendix 1 of the adopted DMP 2016 apply.
14. It is assumed that existing flats 1-10 Keats Court are all 1-1/2-bedroom flats, giving a maximum parking allowance for the existing site of 10 spaces. The six former garages would have provided parking in accordance with the maximum allowance.
15. The three proposed 1-bed houses would increase the parking allowance to 13 spaces and the provision of seven spaces would be within the maximum allowance, with the provision of a disabled space meeting requirements for Blue Badge parking.
16. However, Policy DMP12 requires that any overspill parking that is generated can be safely accommodated on-street. In this case, Byron Road is too narrow to safely accommodate parking on both sides and is thus already noted as being heavily parked at night. It is therefore considered essential that adequate parking is able to be retained within the site to satisfy future demand from the existing and proposed flats.
17. As a general rule, parking demand is estimated to average 75% of the maximum standard, which would equate to ten cars in this case. To verify this, car ownership data from the 2011 Census has been examined for flats in the area and this also suggests that nine cars could expect to be owned by residents (average car ownership 0.77 cars/flat). An overspill of four cars from the site is therefore predicted following this development.
18. As with the earlier approved schemes though, it is noted that flats 1-4 have sufficiently sized front gardens to accommodate their own off-street parking spaces if they so wish. Those flats do not form part of the application site, so it is not possible to require additional parking in their front gardens as part of this application. However, if parking for the flats as a whole does become oversubscribed, there is the means available to address the problem.
19. The provision of 7 off-street parking spaces meets 78% of the maximum parking standard for the six existing and two proposed flats at the site and can therefore be supported.
20. It should also be noted that hardstanding car parking spaces tend to be better used for parking than garages, so the replacement of the garages with a parking court may help to relieve some of the pressure for on-street parking in the area. Indeed, the design and access statement forming part of a previous application at this site (14/3971) suggested that the garages had long been in a state of disrepair and had not been rented out for use for a number of years. Recent photographs taken before the demolition of the garages also indicates that the garages were in a poor and unused state.
21. The access to the parking spaces accommodates only single-file traffic, so does not provide space for cars entering and leaving the site to pass one another. This is far from ideal, as it would lead to cars waiting in and reversing out into Byron Road. However, this is an existing situation that pre-existed for the garage court and is not made worse by this proposal.
22. The London Plan requires a secure bicycle parking space for each of the proposed houses and a secure store has been indicated alongside the parking court, accessed from the main pedestrian route, that more than satisfies this requirement in a secure and sheltered manner.
23. Bin storage is proposed to the rear of the new houses, which is thus located more than the maximum refuse carrying distance of 20m from Byron Road. The access road is not wide enough to facilitate access by refuse vehicles.
24. To address this, the Design & Access Statement states that bins will be moved to the front of the site on

collection days, as happens for flats 5-10 Keats Court. This is not ideal, as evidenced by Google Streetview images showing bins left untidily along the public highway on either side of the access. Consideration should therefore be given to providing a proper bin storage area at the front of Keats Court. However, as this proposal simply replicates an existing arrangement that was previously accepted, this issue is not considered to be of sufficient concern to justify the refusal of the application.

25. The houses would both be within 45m of Byron Road to allow fire hoses to reach the premises in the event of a fire.

26. The development is acceptable from a highways perspective.

Environmental Health

Contamination

27. Given that derelict garages previously occupied the site, there is the potential for underlying contamination to exist. As such, an informative relating to contamination would be part of any consent given.

Construction Impacts

28. The proposed development is located close to residential properties and the developer needs to be mindful of the impacts of noise and dust on neighbours, during demolition and construction works. As such a Construction Method Statement should 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 as a condition of any approval. This would be important in safeguarding the amenity of the neighbours by minimising impacts of the development that would otherwise give rise to nuisance.

Landscape considerations

29. Whilst the site has been cleared, there were, until recently, a number of trees within the site. It is noted that some basic indication of replacement tree planting is shown on the plans. Due to the premature removal of a number of mature trees and vegetation on site, the tree officer requires any future tree replacement scheme to be commensurate with the previous canopy cover of the pre-existing trees on site. In relation to this, a condition requiring the submission and approval of a landscaping plan with specified tree species and sizes will form part of any approval.

Flooding considerations

30. The site partly falls within flood zone 3a in accordance with the West London Strategic Flood Risk Assessment criteria. The actual habitable property is outside the Flood Zone but the car park and rear garden areas fall within flood zone 3a.

31. The developer will be required to flood proof the property by ensuring the floor level is 600mm above the flood level and also take appropriate Flood Resilience measures, ie, installing flood gates and sign up to EA Flood Warning system. The developer will also be required to demonstrate that a surface water discharge from the site can be limited to 5 litres per second.

32. The demonstration of these requirements will be required by means of a pre-commencement condition.

Comparison between the previously approved development and the currently proposed development

| Aspect of development | Previously approved development (18/1846) | Proposed development (18/3317) |
|-----------------------|---|---|
| Housing | <ul style="list-style-type: none"> 2 x 1 bed 2 person flats | <ul style="list-style-type: none"> 3 x 1 bed 2 person houses |
| Development footprint | <ul style="list-style-type: none"> 8.3m wide 7.89m deep 5m away from neighbouring flats (5/6 Keats Court) Directly accords with established front and rear building line of | <ul style="list-style-type: none"> 11.26m wide 9m deep 2.6m away from side wall of neighbouring flats (5/6 Keats Court) ~0.5m forward of established front building line and ~0.5m behind established rear building |

| | | |
|------------------------|--|--|
| | neighbours at 5/6 Keats Court | line |
| Height and appearance | <ul style="list-style-type: none"> Eaves and ridge height to match neighbours Hipped roof to match surrounding buildings Brick walls and tile roof, windows to match neighbours | <ul style="list-style-type: none"> Eaves and ridge height to match neighbours Hipped roof to match surrounding buildings Brick walls and tile roof, windows to match neighbours |
| Amenity impact | <ul style="list-style-type: none"> Complies with all relevant tests: 1:2 rule, 45 degree line, 30 degree line and privacy distance buffers from neighbouring windows and gardens | <ul style="list-style-type: none"> Complies with all relevant tests: 1:2 rule, 45 degree line, 30 degree line and privacy distance buffers from neighbouring windows and gardens |
| Internal floor space | <ul style="list-style-type: none"> Flat 1: 51.1sqm Flat 2: 53.1sqm | <ul style="list-style-type: none"> House 1: 58.9sqm House 2: 58.9sqm House 3: 58.9sqm |
| External Amenity space | <ul style="list-style-type: none"> Flat 1: 49sqm garden (direct access) Flat 2: 72sqm garden (indirect access) | <ul style="list-style-type: none"> House 1: 50sqm garden (direct access) House 2: 20.7sqm garden (direct access) House 3: 20.5sqm garden (direct access) |
| Parking and refuse | <ul style="list-style-type: none"> 1 disabled space at front 1 parking space at side of building 4 parking spaces at rear of site Cycle stores individually provided in rear gardens Refuse stored at western side of building and moved to highway threshold for collection on relevant days | <ul style="list-style-type: none"> 1 disabled space at front 6 parking spaces at rear of site Communal cycle store at side of building Refuse stored at eastern side of terrace and moved to highway threshold for collection on relevant days |
| Environmental Health | <ul style="list-style-type: none"> Construction Method Statement secured by condition | <ul style="list-style-type: none"> Construction Method Statement secured by condition |
| Landscaping and Trees | <ul style="list-style-type: none"> Landscaping plan (with trees) secured by condition | <ul style="list-style-type: none"> Landscaping plan (with trees) secured by condition |
| Flooding | <ul style="list-style-type: none"> No obligations required as West London SFRA not adopted | <ul style="list-style-type: none"> Flood risk mitigation and drainage plan secured by condition |

Conclusions

33. For the reasons discussed above, the proposal is acceptable and should be granted planning permission subject to conditions.

Equalities

In line with the Public Sector Equality Duty, the Council must have due regard to the need to eliminate discrimination and advance equality of opportunity, as set out in section 149 of the Equality Act 2010. In making this recommendation, regard has been given to the Public Sector Equality Duty and the relevant protected characteristics (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation).

CIL DETAILS

This application is liable to pay **£60,327.31*** 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): 183.6 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 |
|-----|-------------------------------|------------------------------------|-----------------------------------|-------------------------------|---------------------------------|-----------------|-------------------|
| | 183.6 | 0 | 183.6 | £200.00 | £35.15 | £51,309.64 | £9,017.67 |

| | | |
|--|-------------------|------------------|
| BCIS figure for year in which the charging schedule took effect (Ic) | 224 | 224 |
| BCIS figure for year in which the planning permission was granted (Ip) | 313 | |
| Total chargeable amount | £51,309.64 | £9,017.67 |

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

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

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

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 18/3317

To: Mr Bellis
Bellis Architects
RIBA Incubator
76 Portland Place
Marylebone
London
W1B 1NT

I refer to your application dated **23/08/2018** proposing the following:

Erection of a terrace of 3x two storey one bedroom dwellinghouses with associated car parking, cycle and refuse stores, landscaping and outdoor amenity space

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

at **Garages rear of 1-4, Keats Court, Byron Road, Wembley**

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

Date: 26/10/2018

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 Core Strategy 2010
Brent Development Management Policies 2016
Brent Supplementary Planning Guide 17 - Design guide for new development 2001
Brent Draft Supplementary Planning Document 1 - Design guide for new development 2017
Brent Supplementary Planning Document 2 - Domestic Extensions Guidance 2018

- 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):

0498-040.01
0498-140.01 Rev A
0498-140.02
0498-140.03
0498-340.01
0498-340.02
0498-340.03
0498-340.04
0498-DAS-03

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

- 3 The development shall not be occupied unless the car parking spaces and accesses within the site and to and from the adopted highway (both vehicular and pedestrian), as well as the bicycle store as detailed within the approved drawings and documents have been implemented in full accordance with the approved drawings and details and are available for use for the residents of the development. Thereafter, the car parking spaces and vehicular and pedestrian accesses and bicycle store shall be retained and maintained for the life of the development.

Reason: To ensure the development provides appropriate infrastructure for residents in accordance with policy requirements.

- 4 The west facing window serving the stairwell of maisonette 01 and the east facing window serving the stairwell of maisonette 03 shall be constructed with obscure glazing and shall not include openings below a height of 1.7m as measured from the floor level of the room which the respective windows serve. The windows shall be thereafter retained in this condition for the lifetime of the development.

Reason: To protect the privacy of adjoining residents.

- 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 development hereby approved, the bin stores as shown in the approved plans shall be built in accordance with the approved documents. The management arrangements as set out within the supporting Design and Access Statement (ref: 0498-DAS-03) shall be adhered to throughout the lifetime of the development.

Reason: In the interests of providing satisfactory refuse facilities.

- 7 Details of materials for all external work, including samples which shall be made available for viewing on site or in an agreed location, shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced above ground level. The development shall be carried out in accordance with the approved details.

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

- 8 Notwithstanding the submitted details otherwise approved, full details of landscaping within the site shall be submitted to and approved in writing by the Local Planning Authority within six months of commencement of development. Such details shall include:

- (a) Full details of all soft landscaping (including species, densities, numbers and position) including a scheme of tree planting with the proposed canopy cover of the trees commensurate with the previous canopy cover of the pre-existing trees on site.
- (b) Details of all boundary treatments (including materials and heights)
- (c) Details of all hard landscaping (including pathways and patios)
- (d) Details of any external lighting

The approved landscaped works shall be fully implemented prior to first occupation of the new residential unit hereby approved. Any trees, shrubs, flowers or grass planted in accordance with the landscaping scheme which, within 5 years of planting, are removed, dying, seriously damaged or become diseased, shall be replaced in similar positions by trees and shrubs of similar species and size to those originally planted unless otherwise agreed in writing with the Local Planning Authority.

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

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

- (i) The parking of vehicles of site operatives and visitors;
- (ii) Loading and unloading of plant and materials;
- (iii) Storage of plant and materials used in constructing the development;
- (iv) Measures to control the emission of dust and dirt during construction;
- (v) Resident access during the construction phase.

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

- 10 Prior to commencement of the development hereby approved, a flood mitigation strategy and drainage strategy shall be submitted to and approved in writing by the Local Planning Authority. The flood mitigation strategy shall outline flood resilience measures to be incorporated into the development, including the installation of flood gates, signing up to the Environment Agency's flood warning system as well as demonstration that the floor level of the development will be at

least 600mm above the flood event level. The drainage strategy shall outline attenuation measures that would result in a surface water discharge rate from the site which is limited to 5 litres per second.

Thereafter, the development shall be incorporated in full accordance with the approved details.

Reason: To ensure that local flood risk, as designated within the West London SFRA, is appropriately mitigated.

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 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
- 3 The applicant must ensure, before work commences, that the treatment/finishing of flank walls can be implemented as this may involve the use of adjoining land and should also ensure that all development, including foundations and roof/guttering treatment is carried out entirely within the application property.
- 4 It is important that the workers are vigilant for signs of potential contamination in the soil during excavation works. This may include obvious residues, odours, fuel or oil stains, asbestos, buried drums, buried waste, drains, interceptors, tanks or any unexpected hazards that may be discovered during site works. If any unforeseen contamination is found during works Regulatory Services must be notified immediately. Tel: 020 8937 5252. Email: ens.monitoring@brent.gov.uk

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

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COMMITTEE REPORT

Planning Committee on
Item No
Case Number

6 November, 2018
04
18/0696

SITE INFORMATION

| | |
|---|---|
| RECEIVED | 21 February, 2018 |
| WARD | Willesden Green |
| PLANNING AREA | Brent Connects Willesden |
| LOCATION | Access to 78A Harlesden Road & Yard rear of 1A, Parkfield Road, London, NW10 |
| PROPOSAL | Erection of new block to provide 2 self-contained flats (2 x 1 bed) with refuse and cycle store |
| PLAN NO'S | 0496-T-300.01 RevC 0496-T-100.04 RevB 0496-T-200.01 0496-T-000.01 |
| 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_138686</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 "18/0696" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab |

RECOMMENDATIONS

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

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

Conditions

1. Time Limit for commencement
2. Undertaken in accordance with approved drawings/documents
3. Car free development restriction
4. Works to reinstate footway
5. No use of flat roof as amenity area
6. Permitted Development Rights Restricted for C4 (small HMO) Change of Use
7. No clear glazing within the flank walls
8. Approval of materials
9. Details of cycle storage
10. Contaminated land investigation
11. Construction Method Statement
12. Landscaping scheme to be agreed
13. Details of surface water drainage to be agreed

Informatives

1. Works to be carried out to the specification of the Local Highways Authority
2. Contact Highways and Infrastructure regarding highway works
3. Fire safety
4. London Living Wage
5. Imported soil requires a certificate
6. Possibility of asbestos in the existing buildings
7. CIL liability

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 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.

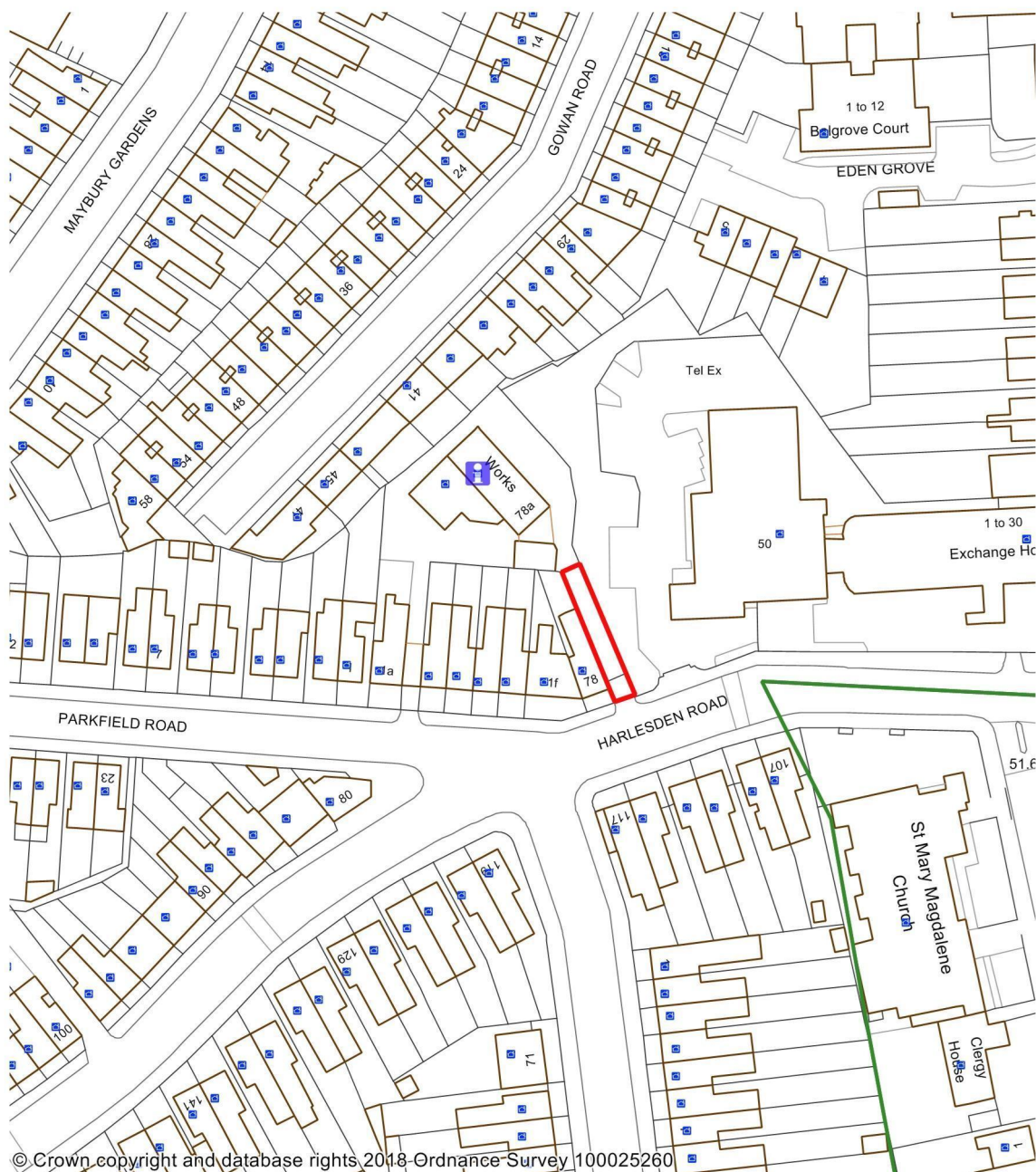
SITE MAP



Planning Committee Map

Site address: Access to 78A Harlesden Road & Yard rear of 1A, Parkfield Road, London, NW10

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This map is indicative only.

PROPOSAL IN DETAIL

The application seeks permission for the erection of a two-storey end of terrace building, to attach to the existing end of terrace house (no.78 Harlesden Road). The building would comprise two 1-bedroom flats, one on the ground floor and one on the first. The building and garden would occupy the width (4.1m) and depth (26m) of the now redundant access from Harlesden Road to the builder's yard to the rear Parkfield Road.

The proposed building's frontage would align with that of 78 and is designed with a pitched, gabled roof to its front section with the rear section set under a flat roof. The roof's front pitch would align with that of 78. The ridge height would be set 0.6m lower than that of 78 to enable the rear pitch to fall away beneath two side facing windows of 78's rear dormer extension. On the side elevation a small set back of 0.1m articulates the gable part of the building from the remaining flat roof rear part. The first floor of the flat roof section also falls away at a slight pitch to provide further visual delineation. The building's rear elevation would be set back from 78's rear building line by 0.3m.

The building is designed with full height front bay window with small gable to reflect the frontages of no.78 and the adjoining terrace. A frontage depth would match adjoining properties would provide space for bin and cycle storage.

Amended plans were received on 11/10/2018 which have slightly altered the roof design on the rear of the building to avoid the need for any alterations to the roof and eaves of number 78. Due to the minor nature of this alteration consultation was not necessary.

EXISTING

The application site comprises the length and width of an existing access from Harlesden Road to the builder's yard set to the rear of Parkfield Road (subject of concurrent application 18/1217). The area is defined by 78 Harlesden Road on its west boundary and its fence boundary with the telephone exchange premises on its east side. The access is not in use by the builder's yard and it appears to have been disused for a considerable period.

SUMMARY OF KEY ISSUES

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

Principle

The site comprises previously developed brownfield land. The proposal would add to the Borough's dwelling stock at a site with reasonable accessibility to public transport and located close to the facilities and services of Willesden District Centre.

Standard of accommodation

It is considered that the scheme would provide a good standard of accommodation, generally consistent with Development Plan policies in terms of internal and external space and quality of living environment.

Design / character and appearance

Subject to approval of details of proposed external materials, it is considered that the proposal would be in keeping with the appearance and character of its townscape context.

Impact on neighbouring amenity

It is considered that the proposal will result in no material harm to the amenities of neighbouring occupiers in terms of impacts on privacy, light and outlook.

Highways / parking

Subject to conditions to secure a parking permit restriction for future residents, reinstatement of the footway and cycle storage details, it is considered that the proposal is acceptable in highways and transport terms.

RELEVANT SITE HISTORY

18/0581: Prior approval of change of use from storage or distribution (Use Class B8) to five self-contained flats (Use Class C3).

Prior Approval granted 29 June 2018.

This application related to the rear builder's yard behind Parkfield Road, subject of concurrent application 18/1217, and the site included both accesses to the yard, one from Parkfield Road and one from Harlesden Road. The application site under consideration comprises the area of the Harlesden Road access (now not in use).

11/3115: Change of use from Use Class B8 (storage or distribution) to Use Class B2 (general industrial). Planning permission refused 26 April 2012.

CONSULTATIONS

External:

The owner/occupiers of 22 adjacent properties were notified by letter of the application.

A petition of objection was submitted stating adverse effects on neighbours and area. In addition 3 letters of objection were received. One of these though quoting reference 18/0696 was actually commenting on the impact of the development of the building yard to the rear of the site, and those comments are considered in the report on application 18/17. Comments and officer responses are set out below:

| Comment | Officer response |
|--|---|
| Harlesden Road has very limited parking, yellow lined, overloaded stretch of road, already very congested, unable to cope with existing volume and proposal will make parking impossible. | These comments are addressed in the assessment section of the report. A car free condition will secure that future occupants are not eligible for permits within the Controlled Parking Zone. |
| Suggest single unit with off street parking, applicant should submit joint scheme with yard to rear with fewer units and with off street parking, should be family units sympathetic to character of area. | The Council is required to consider the proposed development as shown within the application submission. The merits of the proposal have been considered and are set out in this report. |

Internal:

Transportation:

No objection subject to conditions to secure the following:

- (i) designate the flats as car-free and remove the right of future occupants to on-street parking in the vicinity of the site;
- (ii) reinstate the redundant crossover to the site to footway at the developer's expense prior to occupation of the development; and
- (iii) provide further details of secure, covered bicycle parking spaces for the flats, there would be no objections on transportation grounds to this proposal.

Environmental Health

No objection subject to the use of conditions to address:

- (i) potential contamination, given the present and historical uses of the site. These would require submission and approval of an intrusive investigation report, to include remediation measures where these are found to be necessary, and subsequent validation of implementation of any such measures approved; and
- (ii) construction impacts, through the approval and implementation of a construction method statement.

POLICY CONSIDERATIONS

For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the Development Plan comprises the London Plan 2016, Brent Core Strategy 2010 and the Brent Development Management

Policies DPD 2016.

The National Planning Policy Framework 2018 is also a material consideration.

Development Plan policies relevant to the application are set out below:

London Plan 2016

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 3.9: Mixed and balanced communities

Policy 7.4: Local character

Local Plan

Core Strategy 2010

CP 2: Population and Housing Growth

CP5: Placemaking

CP6: Design and density in placeshaping

CP17: Protecting and enhancing the suburban character of Brent

CP21: A balanced housing stock

Development Management Policies 2016

DMP1: Development Management General Policy

DMP12: Parking

DMP14: Employment sites

DMP18: Dwelling size

DMP19: Residential amenity space

Supplementary Planning Guidance

SPG17: Design guide for new developments 2001

Draft SPD1: Brent Design Guide 2018

Further material consideration:

Draft London Plan 2018

DETAILED CONSIDERATIONS

Principle

1. The site comprises previously developed brownfield land and as such its development is acceptable and encouraged in principle, subject to the assessment of the remainder of the material planning considerations. The proposal would add to the Borough's dwelling stock at a site with reasonable accessibility to public transport and located close to the facilities and services of Willesden District Centre. The site comprises an access to an employment site which appears to have been in disuse for some time. The occupier of the employment site intends to relocate and prior approval permission has been granted for residential use of that site. An application for full permission for a residential development is considered elsewhere on this agenda (application reference 18/1217).
2. The principle of development is accepted. The merits of the proposal are considered below.

Standard of accommodation

3. Policy 3.5 and Table 3.3 of the London Plan (and Policy DMP18 of the Local Plan) require the minimum gross internal area of a new 1b1p flat to be 37 sqm gross internal area (GIA) for a unit with a shower room (as is proposed). The ground floor flat would be 40.9sqm GIA and the first floor flat 48.0sqm GIA. The proposed internal space for each flat therefore exceeds the policy requirement.
4. Policy DMP19 of the Development Management Policies DPD seeks adequate provision of private external amenity space for new dwellings. For flats 20sqm is sought. The proposed ground floor flat would have access to a rear garden of 29.9sqm, exceeding the policy requirement. Given the constraints of the small, narrow site the first floor flat would have no external amenity space. While this does not meet the 20 sqm requirement, the unit is considerably larger (11 sqm) than the minimum space requirement and the provision of additional internal space is considered to mitigate the lack of external space in this specific instance, particularly given that the proposal is for a one person dwelling.
5. All the proposed dwellings would be dual aspect with pleasant outlooks. The new properties would have good internal areas with floor to ceiling heights of 2.5m are achieved in accordance with the Mayor's Housing SPG.
6. It is considered that the scheme would provide a generally good standard of accommodation and be generally consistent with relevant Development Plan policies.

Design / character and appearance

7. Due to the restricted width of the site the proposed house will be narrower than that of the existing terrace. Notwithstanding that it is considered that the design and street scene impact would be acceptable. The full height bay window with gable, and the roof pitch would mirror features of the neighbouring and adjacent properties. The main view of the building would be from the approach along Harlesden Road from where it would be largely obscured by mature trees along the telephone exchange's frontage, and when viewed would be seen against the existing bulk of no.78. A condition should reserve details of proposed brick and roof materials.
8. Subject to this it is considered that the proposal would be visually acceptable and comply with relevant Development Plan policies.

Impact on neighbouring amenity

9. The primary windows of the proposed flats face the front and rear. While such windows would allow oblique views of adjoining gardens, this situation is typical of terraced houses across the country and the level of overlooking is not considered to be unduly detrimental to adjoining residents. There are windows in the side elevation facing the telephone exchange. This would not result in a loss of privacy but could affect the development potential and operation of that property. It is therefore recommended that the flank wall windows are required to be obscure glazed and fixed closed or high level opening only.
10. The pitched roof is designed such that it falls away beneath the two side facing windows of 78's rear dormer extension so that no undue adverse impact on light or outlook to these would occur.
11. Given the new building's position on the west side of no.78 some impact on sunlight received by this neighbour's north facing garden is likely. However, it is considered that the design of the rear of the new building as flat roof with a slight setback from 78 will ensure that any impact is not unduly harmful. It is also the case that shading will already occur to some degree by the mass of the adjoining telephone exchange building and the trees along its frontage.
12. The proposal is considered acceptable in terms of neighbour amenity and to comply with relevant Development Plan policies.

Highways / parking

13. The site falls within a Controlled Parking Zone. Extensive double yellow lines are located in the vicinity of the site to protect highway safety close to adjacent road junctions and to maintain the free flow of buses. The impact of the proposal on parking conditions in the area is therefore a potential concern. The site has a moderate rating for public transport access (PTAL3), but is only marginally beyond the walking distance threshold of 960m to Willesden Green station that would lift its PTAL rating to 4. There are nine bus services within an eight minute walk. The site is close to the facilities and services of Willesden

District Centre. As such, it is considered that a car-free agreement is appropriate. A condition is proposed to secure this.

14. The London Plan requires a secure bicycle parking space for each flat and a bicycle stand for two bikes is proposed within the site frontage. However, this does not provide suitable shelter and security for the bikes and revised details showing a locker for the bicycles are sought as a condition of any approval.
15. Bin storage is also shown within the front garden of the site, allowing easy collection of refuse from Harlesden Road.
16. Subject to appropriate conditions, including a requirement for reinstatement of the access to footway with full height kerb, it is considered that the proposal is acceptable from a transportation viewpoint and would comply with relevant Development Plan policies.

Conclusion

17. The proposal is considered acceptable and it is recommended that permission be granted subject to the proposed conditions. The concern of local residents regarding parking congestion in the locality is acknowledged, but it is felt a condition to secure a car free development adequately addresses this concern.

Equalities

In line with the Public Sector Equality Duty, the Council must have due regard to the need to eliminate discrimination and advance equality of opportunity, as set out in section 149 of the Equality Act 2010. In making this recommendation, regard has been given to the Public Sector Equality Duty and the relevant protected characteristics (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation).

CIL DETAILS

This application is liable to pay **£30,557.95*** 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): 93 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 | 93 | 0 | 93 | £200.00 | £35.15 | £25,990.18 | £4,567.77 |

| | | |
|--|-------------------|------------------|
| 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 | £25,990.18 | £4,567.77 |

*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: 18/0696

To: Mr Ian Coward
Collins & Coward
The Courtyard
9A East Street
Coggeshall
CO6 1SH

I refer to your application dated **21/02/2018** proposing the following:

Erection of new block to provide 2 self-contained flats (2 x 1 bed) with refuse and cycle store

and accompanied by plans or documents listed here:

0496-T-300.01 RevC
0496-T-100.04 RevB
0496-T-200.01
0496-T-000.01

at **Access to 78A Harlesden Road & Yard rear of 1A, Parkfield Road, London, NW10**

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: 26/10/2018

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 Development Plan. The Development Plan comprises the London Plan 2016, Brent Core Strategy 2010 and Brent Development Plan Policies 2016.-
- 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 offers a pre planning application advice service. The applicant took pre-application advice and the proposal accords with policies and guidance.

CONDITIONS

- 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:

0496-T-300.01 RevC
0496-T-100.04 RevB
0496-T-200.01
0496-T-000.01

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

- 3 Occupiers of the dwellings 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 as 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 units.

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.

- 4 The development shall not be occupied unless the existing footway crossover to the site has been reinstated back to footway to the satisfaction of the Local Highway Authority.

Reason: In the interest of the streetscene and the amenity of the area, and of the free flow of pedestrians on the footway.

- 5 The flat roof part of the building hereby approved shall not at any time be used as an external amenity / sitting out area.

Reason: To protect the privacy of adjacent residents.

- 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 The windows in the flank walls of the building hereby approved shall be glazed with obscured glass and shall be fixed closed or high level opening only (at least 1.7 m above finished floor level in the associated room or space) and shall be maintained as such for the life of the development.

Reason: Due to the proximity of the windows to the property boundaries, to ensure that the development does not restrict the potential of the adjoining site.

- 8 Details of materials for all external work, including samples which shall be made available for viewing on site (or in another location as agreed), 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.

- 9 Notwithstanding the submitted plans, details of secure and covered cycle storage shall be submitted to the Local Planning Authority for approval in writing prior to first occupation of the development. The approved cycle storage shall be provided prior to first occupation of the development and permanently maintained, kept free from obstruction, and available for the parking of cycles only.

Reason: To provide adequate cycle storage facilities in the interest of promoting sustainable travel.

- 10 Part 1: Investigation

Prior to the commencement of building works (excluding any demolition or site clearance), 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 + A2:2017 and 'Model Procedures of for the Management of Land Contamination - Contaminated Land Report 11' (CLR 11). A report shall be submitted to the Local Planning Authority, that includes the results of any research and analysis undertaken as well as an assessment of the risks posed by any identified contamination. It shall include an appraisal of remediation options should any contamination be found that presents an unacceptable risk to any identified receptors. Works shall not commence (excluding any demolition or site clearance) unless the report has been approved in writing by the Local Planning Authority.

Part 2: Remediation and verification

Any soil contamination remediation measures required by the Local Planning Authority pursuant to part 1 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

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

- (i) The parking of vehicles of site operatives and visitors;
- (ii) Loading and unloading of plant and materials;

- (iii) Storage of plant and materials used in constructing the development;
- (iv) Measures to control the emission of dust and dirt during construction;

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

- 12 A scheme for the hard and soft landscaping of the site shall be submitted to and approved in writing prior to first occupation of the development hereby approved and the approved scheme shall be completed in accordance with the approved scheme prior to first occupation of the approved development. The scheme shall include details of:
1. Planting, including a planting plan detailing plant species, size, location and number/density;
 2. Walls / fences / means of enclosure;
 3. Any levels or contouring within the site;
 4. Hard landscaping, including materials and any proposed furniture;
 5. Drainage;

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

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

- 13 Prior to the commencement of above ground works, details of surface water drainage associated with the development shall be submitted to and approved in writing by the Local Planning Authority and the development shall be completed in accordance with the approved details prior to first occupation of the development.

Reason: In the interest of surface water management and localised flooding.

INFORMATIVES

- 1 Any works to the adopted highway must be undertaken by the Council as the Local Highway Authority. Should the development be carried out, the applicant should contact the Council's Highways and Infrastructure service to arrange for the works to be undertaken at the applicant's expense.
- 2 The applicant is advised to notify the Council's Highways Service of the intention to commence works prior to commencement. They shall contact Mark O'Brien (Public Realm Monitoring Manager) at Mark.O'Brien@brent.gov.uk, and include photographs showing the condition of highway along the site boundaries.
- 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 The quality of imported soil must be verified by means of in-situ soil sampling and analysis. We do not accept soil quality certificates from the soil supplier as proof of soil quality.
- 6 Given the age of the 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 remove all asbestos and asbestos-containing materials and arrange for the appropriate disposal of such materials.

- 7 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.

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

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

6 November, 2018
05
18/1217

SITE INFORMATION

| | |
|---|--|
| RECEIVED | 29 March, 2018 |
| WARD | Willesden Green |
| PLANNING AREA | Brent Connects Willesden |
| LOCATION | 78A Harlesden Road & Yard rear of 1A, Parkfield Road, London, NW10 |
| PROPOSAL | Demolition of all buildings on site and erection of a two storey building comprising of 3 dwellinghouses and 2 self-contained flats, provision for cycle and refuse storage, one disabled parking bay, shared amenity space and associated landscaping |
| PLAN NO'S | 0496-H-000.01E 0496-H-000.02Rev G 0496-H-000.03Rev F 0496-H-105.05Rev F 0496-H-400.02F 0496-H-400.03E 0496-H-400.04E 0496-H-400.05E 0496-H-400.06E 0496-H-400.07Rev G |
| 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_139257</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 "18/1217" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab |

RECOMMENDATIONS

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

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

Conditions

1. Time Limit for commencement
2. Undertaken in accordance with approved drawings/documents
3. Car free development restriction
4. Works to reinstate footway
5. Permitted Development Rights Restricted for Extensions, Roof additions and Outbuildings
6. Permitted Development Rights Restricted for C4 (small HMO) Change of Use
7. No clear glazing within the flank walls
8. Landscaping scheme to be agreed
9. Approval of materials
10. Contaminated land investigation
11. Construction Method Statement
12. Details of surface water drainage to be agreed


Informatives

1. Works to be carried out to the specification of the Local Highways Authority
2. Contact Highways and Infrastructure regarding highway works
3. Fire safety
4. London Living Wage
5. CIL liability

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

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

SITE MAP

| | |
|---|--|
|  | <p>Planning Committee Map</p> <p>Site address: 78A Harlesden Road & Yard rear of 1A, Parkfield Road, London, NW10</p> <p>© Crown copyright and database rights 2011 Ordnance Survey 100025260</p> |
|---|--|



This map is indicative only.

PROPOSAL IN DETAIL

The proposed development comprises a two storey building forming a short terrace sited towards the rear (north east) of the plot. It would provide a mix of three house and two flats. Two 2 bedroom houses (4 persons) and one 3 bedroom house (6 persons) are proposed. Two 1 bedroom flats would occupy the ground and first floors at the south end of the building.

No.1A Parkfield Road and its access are included within the application site, but no development relating to this building is proposed as part of this application. No.1A now has a lawful residential use (Use Class C3) by virtue of a lawful development certificate (first floor flat) and a recent prior approval for change from office to two flats at ground floor. (See History section below).

EXISTING

The site comprises a backland area to the rear of Victorian terrace residential properties fronting Parkfield Road to the south and Gowan Road to the north west, with a telephone exchange complex adjoining to the east. The site is occupied by a builder's yard (B8), and a terrace property (1A Parkfield Road) fronting Parkfield Road. The latter currently has a lawful use of ground floor office and first floor residential. Access to the site is via a drive through 1A Parkfield Road (arch entrance). There is a second, disused access from Harlesden Road, approximately 40m to the east. The builder's yard area comprises two single storey storage/workshop buildings and open storage space.

A short distance to the north is the Willesden Green District Centre. The site does not fall within a conservation area.

SUMMARY OF KEY ISSUES

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

Principle

A prior approval permission (18/0581) for change of use of the site from a builder's yard (Use Class B8) to residential (Use Class C3) has recently been granted. The principle of residential development at the site has therefore been accepted in principle. The applicant is now seeking full planning permission for a new-build residential scheme.

Dwelling mix and density

The proposed mix and density are considered to be acceptable and accord with Development Plan policies.

Standard of accommodation

It is considered that the proposal would provide a good standard of accommodation in terms of internal and external space, outlook and environment, and would be consistent with relevant Development Plan policies in this respect.

Impact on neighbouring amenity

It is considered that the proposal would cause no undue harm to the amenities of adjacent residents, in terms of those occupiers' light, outlook and privacy. The development would comply with Development Plan policies in this respect.

Design / appearance and character

The proposed design and impact on character and appearance are considered acceptable and to comply with Development Plan policies.

Highways / parking

Subject to the proposed conditions it is considered that the scheme would be acceptable in terms of transport and highway impacts and would comply with relevant Development Plan policies.

Conclusion

The principle of the development is conceded, and subject to appropriate conditions it is recommended that permission be granted. The proposal would add to the Borough's housing stock, making use of brown field land in a relatively central urban area, with no undue harmful impact on the amenity or character of the area.

RELEVANT SITE HISTORY

18/0581: Prior approval of change of use from storage or distribution (Use Class B8) to five self-contained flats (Use Class C3).

Prior Approval granted 29 June 2018.

This application related to the application site subject of the present application but also included the existing, second, disused access to the site from Harlesden Road. The present application excludes that access. That access forms the application site of the concurrent application to erect a new building comprising two flats considered elsewhere on this agenda under reference 18/0696.

18/0579: Prior approval for change of use of the ground floor offices (B1(a) at 1A Parkfield Road to residential (C3) (two self contained one bedroom flats), pursuant to Class O of Part 3 of Schedule 2 of the Order.

Prior approval granted 15 June 2018.

CONSULTATIONS

External:

The occupiers of 25 adjacent properties were notified by letter of the application.

A petition of objection (16 signatures) and three letters of objection were received. The grounds of objection and officer response are set out below:

| <i>Comment</i> | <i>Officer response</i> |
|---|---|
| Parkfield Road is already congested, new cars cannot be accommodated, on site parking should be included. | The development will be a parking permit restricted scheme with a condition preventing future occupiers obtaining permits for parking within the CPZ which covers the area. |
| Building is too high and too close to 41 Gowan Road, would cause loss of privacy, claustrophobic, dominant and shading impact, due to size, proximity and change in level, loss of sunlight to south facing garden, | The relationship of the proposed development to surrounding properties has been carefully assessed in terms of impacts on light, outlook and privacy - see Assessment section of report. In terms of 41 Gowan Road there would be no facing windows in the new building's side facing elevation, and 30 degree and 45 degree tests set out in supplementary planning guidance to assess light and outlook impact accompanied the application. |
| Disturbance and possible damage to 1B Parkfield Road from use of narrow access at all times compared to present business hours use; side and rear access would reduce security. | Access is not to be used by cars - see Assessment section of report; the residential use of the site would introduce natural surveillance throughout more of the day than a commercial use which is likely to improve security. |
| Proposal is too dense and is ill thought out for size and limitations of site. | The density and merits of the development are considered in the Assessment section of the report. |
| Adverse impacts of construction; possible drainage runoff to 41 Gowan Road. | All development can result in some forms of disturbance. However, a condition is recommended to require details of a Construction Method Statement to mitigate the potential impact |

| | |
|--|---|
| | where feasible. conditions are also recommended regarding landscaping and drainage details. |
|--|---|

Internal:

Transportation:

Transportation recommended a revised site layout which has now been submitted. This included the removal of the proposed disabled parking space within the site, all vehicular access to the site and the relocation of the bin store so that it is within 20 m of Parkfield Road. To mitigate the potential impact of over-spill parking, Highways recommended that the new homes are "parking permit restricted" and the reinstatement of the redundant crossover to footway, which are recommended to be secured through condition.

Environmental Health:

Environmental Health advise two conditions should be imposed to deal with potential contamination, given the present and historical uses of the site. These require submission and approval of an intrusive investigation report, to include remediation measures where these are found to be necessary, and subsequent validation of implementation of any approved measures. Conditions are also recommended to mitigate construction impact.

Officer comment: Suggested conditions are recommended.

POLICY CONSIDERATIONS

For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the Development Plan comprises the London Plan 2016, Brent Core Strategy 2010 and the Brent Development Management Policies DPD 2016.

The National Planning Policy Framework 2018 is also a material consideration.

Development Plan policies relevant to the application are set out below:

London Plan 2016

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 3.9 – Mixed and balanced communities

Policy 7.4 – Local character

Local Plan

Core Strategy 2010

CP 2 – Population and Housing Growth

CP5 – Placemaking

CP6 – Design and density in placeshaping

CP17 – Protecting and enhancing the suburban character of Brent

CP21 – A balanced housing stock

Development Management Policies 2016

DMP1 – Development Management General Policy

DMP12 – Parking

DMP14 – Employment sites

DMP18 – Dwelling size

DETAILED CONSIDERATIONS

Principle

1. The site is currently in lawful use as a builder's yard (Use Class B8). Policy DMP14, 'Employment Sites', seeks to protect where necessary strategic employment land within Strategic Industrial Land (SIL) and Locally Significant Industrial Sites (LSIS). The site is not within a SIL or LSIS designation but is a Local Employment Site and also subject to DMP14 which states:

'The Council will allow the release of Local Employment Sites to non-employment uses where:

a) continued wholly employment use is unviable; or

b) significant benefits consistent with the wider objectives of the Development Plan are achieved.'

2. To demonstrate no demand exists for continued employment use DMP14 supporting text requires a thorough marketing exercise at a realistic price reflecting genuine market value for a 24 month period. The applicant has not carried out this exercise. The applicant instead contends that in respect of parts a) and b) above, the premises are no longer fit for purpose for their expanding business; that the site is not suitable for B8 or other employment uses given it is largely surrounded by residential properties; and that the provision of additional dwellings constitutes a significant benefit consistent with the wider objectives of the Development Plan. This policy looks to ensure that a sufficient supply of employment land is maintained within the borough rather than looking at whether a building or site is suitable for the current specific user. However, the points raised regarding the relationship with the surrounding residential properties are considered to be valid in relation to this particular site.
3. Class P of Part 3 of the General Permitted Development Order 2015 permits the change of use of storage or distribution premises (Be use, including builder's yards) to residential use, subject to approval by the local planning authority through the prior approval procedure. This procedure requires, inter alia, an assessment of whether the site is important for providing storage or distribution services and whether the introduction of residential use would have an adverse impact on the sustainability of these services. The aim of this is to prevent loss of land required to meet the Borough's employment requirements. A prior approval application was made by the applicant for change of use of the site under Class P (18/0581) to residential use earlier in 2018. A view was taken in assessing that prior approval application that the loss of this small employment site would not adversely affect the Borough's strategic employment land position, and that residential use would be appropriate here. Prior approval was granted in June 2018.
4. The prior approval permission has established the principle of residential development of the site, and the applicant now seeks full planning permission for a new-build residential scheme.

Dwelling mix and density

5. Policy CP2 of the Core Strategy sets out that 25% of new homes in the borough should be family sized (3 bedrooms or more). However, Policy CP21 only requires the provision of family sized (3+ bedroom) homes within schemes of 10 or more dwellings and flat conversion schemes. The single family house proposed is 20% of the total five units proposed. The 25% figure relates to the Borough area as a whole and the 20% figure is considered acceptable in this instance.
6. The site falls within an urban typology as defined at Table 3.2 of the London Plan. It has a Public Transport Accessibility Level (PTAL) of 3 (moderate). For such a site London Plan Table 3.3 recommends as an indicative guide an appropriate density of 200-450 hr/ha. The density of the proposal is 128hr/ha. This is significantly lower than the lower end of the recommended range. London Plan policy 3.4 and Table 3.3 seek to optimise housing potential but also emphasis that density should not be applied

mechanistically, and context, design and transport capacity will dictate appropriate density for an individual site. In this case the site is constrained by its setting and the need to maintain appropriate distances to side boundaries and neighbouring properties. It is also a product of the internal design of the houses which are shown with a single open ground floor room to accommodate living, dining and kitchen areas.

7. The proposed mix and density are considered to be acceptable and to generally accord with Development Plan policies.

Standard of accommodation

8. Policy 3.5 and Table 3.3 of the London Plan (and Policy DMP18 of the Local Plan) require the minimum gross internal area of a 2b4p house to be 79sqm; that of a 3b6p house to be 121.9sqm; and that of a 1b2p flat to be 50sqm. The two proposed 2b4p houses would both be 83.6sqm GIA and the proposed 3b4p house would be 102sqm GIA. The two proposed 1b2p flats would be 59.8sqm (ground floor) and 55.8sqm (first floor).
9. The accommodation GIA areas would therefore comfortably exceed Development Plan minimum requirements.
10. Policy DMP19 of the Development Management Policies DPD seeks adequate provision of private external amenity space for new dwellings. For flats 20sqm is sought and for family housing (3 beds plus) 50sqm. The single 3 bed house at the north end of the short terrace would have a rear, side and front garden totalling 102sqm, well in excess of the 50sqm standard. The two 2 bed houses would both have relatively generous rear gardens of 39.2sqm and 45.8sqm. Of the two flats at the south end of the building, as originally submitted the ground floor flat was to have a large amenity area of 113sqm at its rear, side and front, while the upper floor flat was to have a significantly smaller area: though 39sqm in area this was shown in a position divorced from the building and set adjacent to the shared area in front of the dwellings, which was not considered conducive to being attractive, useable space. The site layout has since been amended to show a more equitable share of space for each flat and a more useable space for the upper floor flat.
11. All the proposed dwellings would be dual aspect with good outlooks. Floor to ceiling heights of 2.5m are achieved in accordance with London Plan policy.
12. It is considered that the scheme would provide a good standard of accommodation consistent with relevant Development Plan policies.

Impact on neighbouring amenity

13. The properties which will be affected are those facing Parkfield Road to the south and Gowan Road to the north west, whose rear garden boundaries adjoin the site. The proposed building is designed and sited such that its narrower side boundaries come closest to these properties. The north west side boundary would be set 2.94m from the common boundary with 41 Gowan Road, the property most directly affected. This would provide a separation to the rear elevation of this neighbour of 9.28m. The south side elevation would be set off the common boundary with Parkfield Road properties by 2.9m, giving an overall separation of 10.5m to the rear elevation of the nearest properties 1D and 1E Parkfield Road. At first floor level there would be a setback of 0.7m from the ground floor footprint on both side elevations which would increase the separation distances at upper floor level.
14. Section drawings are submitted which assess the impact on light and outlook of adjoining properties in Parkfield and Gowan Roads against the tests set out in emerging SPD1, Brent Design Guide. These show that the 30 degree (rear elevation) test is met and the 45 degree (garden boundary) test is only marginally failed, with an area crossing this parameter by approximately 0.4m to the rear of 1E Parkfield Road. Although the outlook from the rear of these properties will be altered due to the altered siting and height of the proposed building compared to the existing structures on the site, it is considered that the relationship would be acceptable and would not cause any undue harm in respect of light and outlook for neighbours. The outlook from the rear of 43 Gowan Road would become more open as a result of the movement of the built form on site towards the rear of the plot, compared to the more central position of the site's existing buildings.
15. The side end elevations of the building contain no windows and the scheme would therefore not result in any loss of privacy to occupants of adjacent dwellings.

16. It is considered that the proposal would cause no undue harm to the amenities of adjacent residents.

Design and layout / appearance and character

17. The proposed building is two storey with a crescent shaped footprint to allow best use of the site's layout and minimise impact on outlook and light to neighbouring properties. The footprint comprises 50sqm less than that of the site's existing buildings. The maximum height of the proposed building would be 0.75m higher than the maximum height of the site's existing buildings. The building would have a standing seam zinc clad flat roof, with set back sections of the first floor also clad in this material. At ground floor brick is proposed with sections of brickwork extending upwards to first floor level on the front and rear elevations to alternate with the set back cladding sections. This would delineate the boundaries between the dwellings and provide articulation and visual interest.
18. The new building would not be highly visible from surrounding public areas, being screened by existing surrounding development. It would be visible from the rear of properties adjoining the site.
19. A car free development (see below) has enabled a significant increase in soft landscaping within the communal area to the front of the new building. This enhances the visual quality of the development and enhances natural drainage.
20. The proposed design and impact on character and appearance are considered acceptable and to comply with Development Plan policies.

Highways / parking

21. The site has moderate access to public transport (PTAL 3), and Parkfield Road is a heavily parked street. However, the site is only marginally beyond the walking distance threshold of 960m to Willesden Green station that would lift its PTAL rating to 4. There are nine bus services within an eight minute walk. As such, it is considered that a car-free agreement can be accepted. This can be secured by condition. Were parking to occur on site there would be congestion and safety problems arising from the narrow width of the access (3.5m) which would result in cars meeting and either waiting on or reversing back onto the highway. Transportation advise that as parking for the disabled would be exempt from the car-free agreement, and Blue Badge holders could park on Parkfield Road, the proposed on-site disabled space should be deleted from the scheme to prevent conflict with pedestrian movements at the access.
22. The application as originally submitted was therefore subsequently amended to show deletion of the parking space, expansion of landscaping within the communal area to the front of the building, and relocation of bin stores from within the site to the accessway (within 20m of the highway as required).
23. Cycle parking provision is shown in excess of the required standard (8 spaces): a total of 14 spaces would be provided including private provision for the family unit and communal provision to the front of the building for the other units.
24. It is considered that the scheme as amended is acceptable in terms of transport and highway impacts and would comply with relevant Development Plan policies.

Conclusion

25. The principle of the development is conceded, and subject to appropriate conditions it is recommended that permission be granted. The proposal would add to the Borough's housing stock, making use of brownfield land in a relatively central urban area, with no undue harmful impact on the amenity or character of the area.
26. It is noted that the site has a lawful B8 use and could be occupied at any time by an alternative operator to the present business which is looking to relocate. An alternative operator could potentially use the site more intensively than has been the case with attendant problems to adjacent residents. The applicant has referred to a previous application in 2011 (11/3115) which sought permission for a change from B8 use to B2 (general industrial): that application was refused on grounds of noise and disturbance to residents and adverse highway impacts. The applicant also states that their intention is to relocate their business within Brent thus retaining employment within the Borough: this is noted but it is not something that the council can condition or control.

Equalities

In line with the Public Sector Equality Duty, the Council must have due regard to the need to eliminate discrimination and advance equality of opportunity, as set out in section 149 of the Equality Act 2010. In making this recommendation, regard has been given to the Public Sector Equality Duty and the relevant protected characteristics (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation).

CIL DETAILS

This application is liable to pay **£26,943.57*** 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): 326 sq. m.

Total amount of floorspace on completion (G): 408 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 | 408 | 0 | 82 | £200.00 | £35.15 | £22,916.07 | £4,027.50 |

| | | |
|--|------------|-----------|
| 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 | £22,916.07 | £4,027.50 |

*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: 18/1217

To: Mr Ian Coward
Collins & Coward
The Courtyard
9A East Street
Coggeshall
CO6 1SH

I refer to your application dated **28/03/2018** proposing the following:

Demolition of all buildings on site and erection of a two storey building comprising of 3 dwellinghouses and 2 self-contained flats, provision for cycle and refuse storage, one disabled parking bay, shared amenity space and associated landscaping

and accompanied by plans or documents listed here:

0496-H-000.01E
0496-H-000.02Rev G
0496-H-000.03Rev F
0496-H-105.05Rev F
0496-H-400.02F
0496-H-400.03E
0496-H-400.04E
0496-H-400.05E
0496-H-400.06E
0496-H-400.07Rev G

at **78A Harlesden Road & Yard rear of 1A, Parkfield Road, London, NW10**

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: 26/10/2018

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 Development Plan, which comprises the London Plan 2016, the Brent Core Strategy 2010 and the Brent Development Management Policies 2016.

- 1 Proactive working statement: To assist applicants the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website and offers a pre planning application advice service. The applicant sought pre-application advice and the proposed development complies with policies and guidance.

- 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 document:

0496-H-000.01E
0496-H-000.02Rev G
0496-H-000.03Rev F
0496-H-105.05Rev F
0496-H-400.02F
0496-H-400.03E
0496-H-400.04E
0496-H-400.05E
0496-H-400.06E
0496-H-400.07Rev G

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

- 3 Occupiers of the dwellings 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 as 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 units.

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.

- 4 The development shall not be occupied unless the existing footway crossover to the site has been reinstated back to footway to the satisfaction of the Local Highway Authority.

Reason: In the interest of the streetscene and the amenity of the area, and of the free flow of pedestrians on the footway.

- 5 No further extensions or buildings shall be constructed within the curtilage of the dwellinghouses

subject of this application, notwithstanding the provisions of Classes A, B, D & E of Part 1 Schedule 2 of the Town & Country Planning (General Permitted Development) Order 2015, as amended, (or any order revoking and re-enacting that Order with or without modification) unless a formal planning application is first submitted to and approved by the Local Planning Authority.

Reason: In view of the restricted nature and layout of the site for the proposed development, it is necessary prevent an over development of the site and undue loss of amenity to adjoining occupiers.

- 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 within the site to accommodate additional bin or cycle storage.

- 7 No windows or glazed doors (other than any shown in the approved plans) shall be constructed in the first floor north or south flank walls of the building as extended without the prior written consent of the Local Planning Authority through the submission of an application for planning permission.

Reason: To minimise interference with the privacy of the adjoining occupiers.

- 8 A scheme for the hard and soft landscaping of the site shall be submitted to and approved in writing prior to first occupation of the development hereby approved and the approved scheme shall be completed in accordance with the approved scheme prior to first occupation of the approved development. The scheme shall include details of:

1. Planting, including a planting plan detailing plant species, size, location and number/density;
2. Walls / fences / means of enclosure;
3. Any levels or contouring within the site;
4. Hard landscaping, including materials and any proposed furniture;
5. Drainage, including the consideration of Sustainable Urban Drainage;

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

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

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

10 CONTAMINATED LAND

Part 1: Investigation

Prior to the commencement of building works (other than demolition and site clearance), 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 + A2:2017 and 'Model Procedures of for the Management of Land

Contamination - Contaminated Lane Report 11' (CLR 11). A report shall be submitted to the Local Planning Authority, that includes the results of any research and analysis undertaken as well as an assessment of the risks posed by any identified contamination. It shall include an appraisal of remediation options should any contamination be found that presents an unacceptable risk to any identified receptors. Works shall not commence (excluding any demolition or site clearance) unless the report has been approved in writing by the Local Planning Authority.

Part 2: Remediation and verification

Any soil contamination remediation measures required by the Local Planning Authority pursuant to part 1 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

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

- (i) The parking of vehicles of site operatives and visitors;
- (ii) Loading and unloading of plant and materials;
- (iii) Storage of plant and materials used in constructing the development;
- (iv) Measures to control the emission of dust and dirt during construction;

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

- 12 Prior to the commencement of above ground works, details of surface water drainage associated with the development shall be submitted to and approved in writing by the Local Planning Authority and the development shall be completed in accordance with the approved details prior to first occupation of the development.

Reason: In the interest of surface water management and localised flooding.

INFORMATIVES

- 1 Any works to the adopted highway must be undertaken by the Council as the Local Highway Authority. Should the development be carried out, the applicant should contact the Council's Highways and Infrastructure service to arrange for the works to be undertaken at the applicant's expense.
- 2 The applicant is advised to notify the Council's Highways Service of the intention to commence works prior to commencement. They shall contact Mark O'Brien (Public Realm Monitoring Manager) at Mark.O'Brien@brent.gov.uk, and include photographs showing the condition of highway along the site boundaries.
- 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 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.

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

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