



Planning Committee

Wednesday 12 December 2018 at 6.00 pm

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

Membership:

Members

Councillors:

Denselow (Chair)
Johnson (Vice-Chair)
S Butt
Chappell
Colacicco
Hylton
Maurice
Sangani

Substitute Members

Councillors:

Ahmed, Dar, Ethapemi, Kabir, Kennelly, Lo,
W Mitchell Murray and Patterson

Councillors

Colwill and Kansagra

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

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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 Boardrooms 7 and 8

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.

ITEM	WARD	PAGE
1. Apologies for absence and clarification of alternate members		
2. Declarations of interests 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.		
3. Minutes of the previous meeting - 6 November 2018		1 - 4
APPLICATIONS FOR DECISION		
4. 18/3381 10 & 11 Watkin Road, Wembley, HA9 0NL	Tokington	9 - 44
5. 18/3056 289 Kilburn High Road, London, NW6 7JR	Kilburn	45 - 64
6. Any Other Urgent Business Notice of items to be raised under this heading must be given in writing to the Head of Executive and Member Services or his representative before the meeting in accordance with Standing Order 60.		

Date of the next meeting: Wednesday 16 January 2019



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- 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 Tuesday 6 November 2018 at 6.00 pm

PRESENT: Councillors Denselow (Chair), Johnson (Vice-Chair), S Butt (substitute for Councillor Lo), Colacicco, Chappell, Dar (substitute for Councillor Sangani), Hylton and Maurice

Apologies for absence were received from Councillors Lo and Sangani

1. **Declarations of interests**

None.

Approaches.

The following approach was reported:

18/3317. Garages rear of 1-4 Keats Court, Byron Road, Wembley.

Councillor Johnson was approached by a local resident and the developer.

2. **Minutes of the previous meeting - 10 October 2018**

RESOLVED:-

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

3. **18/3317 Garages rear of 1-4 Keats Court, Byron Road**

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

RECOMMENDATION: 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 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.

Mr Toby Huntingford (Principal Planning officer) introduced the report and answered Members' questions. In referencing the supplementary report, Mr Huntingford informed members that 3 out of 13 local properties had withdrawn their objection to the application. He also discussed a late objection, received after the publication of the supplementary report which related to the space within which the proposed houses are to be located. He continued that since the publication of the report, the agent had submitted a revised first floor plan as set out in the supplementary which had been updated within condition 2, to ensure consistency.

DECISION: Granted planning permission as recommended with a minor amendment to condition 2.
(Voting on the recommendation was unanimous).

4. 18/0696 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

RECOMMENDATION: 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 or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the committee nor that such change(s) could reasonably have led to a different decision having been reached by the Committee.

Mr Damian Manhertz (Area Planning Team Manager) introduced the report and answered Members' questions. Members were informed that in order to address local concerns about overlooking and loss of privacy, the primary windows of the proposed flats would face the front and rear with a number of windows located to the side elevation only and the flank wall windows obscure glazed. He also advised that an appropriate condition for the development to be car free had been secured.

Mr Ashar Ahmed (objector) raised a number of issues including that having suffered subsidence on two occasions, the foundations of his property had been weakened to the extent that further building work and access of large vehicles to the site would further worsen the structure of his property. He continued that the use of the site as a shared area and a fire exit had been acknowledged by the previous owner and for additional security, he had installed a gate. Mr Ahmed added that the proposed development would create a terracing effect to his semi-detached house, resulting in devaluation of his property. In response to members'

questions, Mr Ahmed stated that the site of the proposed development was not in his ownership and that he had the gate installed some 20 years ago.

Mr Ian Coward (applicant's agent) stated that the site which was redundant was not a right of way but rather was in the ownership of the applicant. He informed the Committee that the proposal would provide adequate standard of accommodation without detrimental impact on adjoining neighbours. He added that matters relating to structure and damage were covered by other codes, including the Party Wall Act.. In response to Members' questions, Mr Coward stated that the proposal had been designed to ensure that overlooking and loss of privacy would not result.

In the ensuing Members' discussion, a motion was put forward by Councillor Maurice to defer the application in order to ascertain the issue of right of way. Mr Manhertz advised that the issue of right of way should not impact on the Committee's decision as the planning permission, if granted, would not over-ride a right of way if one does exist.

DECISION: Granted planning permission as recommended.
(Voting on the recommendation was as follows: For 7, Against 0, Abstention 1).

5. 18/1217 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 dwelling houses and 2 self-contained flats, provision for cycle and refuse storage, one disabled parking bay, shared amenity space and associated landscaping.

RECOMMENDATION: 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 Committee 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.

Mr Damian Manhertz (Area Planning Team Manager) introduced the report and answered Members' questions. He continued that the development would be parking permit restricted with a condition preventing future occupiers from obtaining permits for parking within the CPZ which covered the area. He added

that the relationship of the proposed development to surrounding properties had been carefully assessed in terms of impacts on light, outlook, overlooking and privacy. Members were advised that reasonable use of the site would not give rise to undue levels of noise pollution, given the existing use of the site. He recommended an additional condition relating to lighting in the alleyway, at a Member's suggestion.

DECISION: Granted planning permission as recommended with an additional informative for lighting in the alleyway.
(Voting on the recommendation was for approval was unanimous)

6. Any Other Urgent Business

None.

The meeting closed at 6.40 pm

COUNCILLOR J. DENSELOW
Chair

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

12 December, 2018
03
18/3381

SITE INFORMATION

RECEIVED	28 August, 2018
WARD	Tokynghon
PLANNING AREA	
LOCATION	10 & 11 Watkin Road, Wembley, HA9 0NL
PROPOSAL	Demolition of existing buildings and redevelopment of the site to provide 217 residential units and 787sqm of affordable workspace (Use Class B1(a), B1(b), B1(c)) on ground floor, in a new building ranging between 2 and 23 storeys together with associated infrastructure works including private and communal space, car parking, cycle storage and public realm improvements (revised description)
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_141602</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 "18/3381" (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:

Referral to the Mayor of London (stage 2 referral)

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

- Payment of legal and professional costs
- Notification of commencement 28 days prior to material start
- 31% affordable housing by unit (35% affordable housing by habitable room) on a nil grant basis broken down as :
 - 36 units for affordable rent (at no more than 80% of open market rents and capped at Local Housing Allowance rates), disposed on a freehold / minimum 125 year leasehold to a Registered Provider and subject to an appropriate Affordable Rent nominations agreement with the Council, securing 100% nomination rights for the Council.
 - 32 units for Shared Ownership,(as defined under section 70(6) of the Housing & Regeneration Act 2008, subject to London Plan policy affordability stipulations that total housing costs should not exceed 40% of net annual household income, disposed on a freehold / minimum 125 year leasehold to a Registered Provider, and subject to an appropriate Shared Ownership nominations agreement with the Council, that secures reasonable local priority to the units).
- An appropriate late stage review mechanism against the agreed base appraisal, assessing actual residential sales values, and securing any additional deferred affordable housing obligations as per an agreed formula
- The delivery of affordable workspace
- Financial contribution towards the expansion of the local Controlled Parking Zone (£110,000)
- Financial contribution towards improving local bus capacity, paid to TfL (circa £370,500 but ultimately to be confirmed by TfL)
- Training and employment
- Carbon offset contribution to be paid – or an opportunity to resubmit an improved energy statement and reduce the offset payment
- Parking permit restriction to be applied to all new residential units
- Enhanced travel plan to be submitted, implemented and monitored including funding of subsidised membership of the Car Club for three years for all new residents
- Requirement to enter into a s38/278 agreement for the following highway works:
 - a. Formation of loading bay along North End Road
 - b. The establishment of a 20mph limit zone with associated traffic calming
- Any other planning obligation(s) considered necessary by the Head of Planning.

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

C. 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 (3 years)
2. Approved Plans
3. Highway works and parking spaces, cycle and bin storage to be revised and laid out prior to occupation
4. Wheelchair accessible units to be secured for that purpose
5. Electric vehicle charging points to be provided in line with GLA requirements
6. Water consumption to be limited in line with regulations (105 litres per head per day)
7. A communal satellite/aerial to be provided so as to prevent multiple satellite dishes
8. Plant noise levels to be limited in line with British Standard levels

9. Pedestrian route through the site to be made available for improved local permeability
10. Air Quality report to be secured
11. SUDS/Drainage strategy to be secured
12. Non Road Mobile Machinery to have limited emissions
13. Removal of C4 permitted development rights for flats
14. Material samples to be submitted prior to above ground works commencement
15. Detailed landscaping proposal (including ecology enhancement measures and strong wind mitigation measures) to be submitted prior to occupation
16. Piling method statement to be submitted prior to piling operations
17. Construction method statement to be secured
18. A) Post-demolition land contamination investigation to be submitted and B) Remediation verification report to be submitted (if necessary) prior to occupation
19. Details of connection to district heating network to be submitted prior to occupation
20. Photovoltaic panel arrays on roofs of development to be installed in accordance with approval
21. Details of external lighting to be submitted prior to installation of lighting
22. Revised Delivery and Servicing plan to be submitted prior to occupation
23. Refuse Management Strategy to be submitted prior to occupation

Informatives

1. CIL liability
 2. Party wall information
 3. Building near boundary information
 4. Contact information for carrying out highway works
 5. Notify highways service of intent to commence works
 6. Guidance notes from Thames Water
 7. London living wage note
 8. Fire safety advisory note
 9. Any other informative(s) considered necessary by the Head of Planning
-
1. 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.
 2. That, if by the "expiry date" of this application (subject to any amendments/extensions to the expiry date agreed by both parties) the legal agreement has not been completed, the Head of Planning is delegated authority to refuse planning permission.
 3. That the Committee confirms that adequate provision has been made, by the imposition of conditions, for the preservation or planting of trees as required by Section 197 of the Town and Country Planning Act 1990.

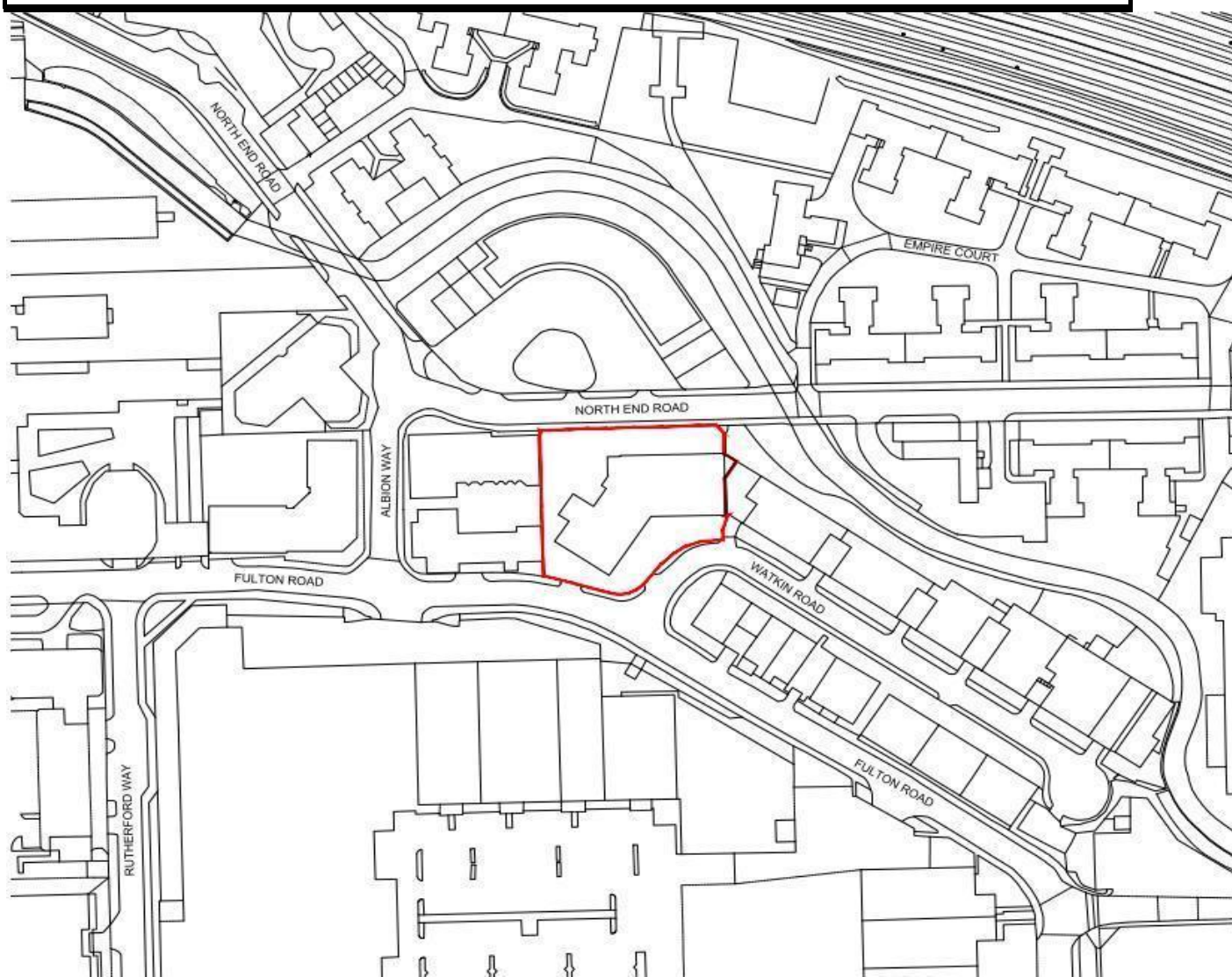
SITE MAP



Planning Committee Map

Site address: 10 & 11 Watkin Road, Wembley, HA9 0NL

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This map is indicative only.

PROPOSAL IN DETAIL

The application seeks approval for the demolition of existing buildings and redevelopment of the 10 and 11 Watkin Road site which currently house an auto repair business within the B2 use class. The existing employment space on site (787sqm) is to be lost, but this floorspace will be re-provided across the ground and first floors of the new building as affordable workspace. Aside from the residential and commercial elements, a small enclosed car park for disabled residents of the building is also proposed. Above the workspace and car park, 217 residential units and associated cycle parking, bin storage and private landscaped amenity spaces will be provided across the upper 22 storeys of the building.

EXISTING

The site contains one storey commercial red brick buildings, lawfully operating as a car parts/repair garage. The buildings are located on the corner of Fulton Road and Watkin Road, just outside the extent of the Quintain masterplan area.

The site is surrounded by similar low-rise commercial buildings, although the land immediately to the north, west and south of the site all has consent for residential re-development, some of which are currently under construction. Specifically, to the north of the site is North End Road and, on the other side of this road is a consented residential development (Amex House) formed of a slender 13 storey block and a wider 4-8 storey block behind it. To the west of the site is Parkwood House, an under construction part 13 and part 17 storey tall residential development comprising student accommodation. Finally, to the south of the site, across Fulton Road, is plot NE05 of the Quintain Masterplan development site, where a large residential development scheme has outline consent. The part of the NE05 development immediately across from Watkin Road is proposed as a 23 storey residential block fronting onto the south side of Fulton Road.

Watkin Road itself sits to the east of the site and forms a cul-de-sac lined by single storey commercial premises, most of which are occupied by car repair businesses. The scale and nature of the buildings along here are very similar to that of the existing building on the subject site.

The site is not within a conservation area, nor does it affect the setting of a listed building. The site is within the Wembley Town Growth Area and Housing Zone and is subject to the policies within the Wembley Area Action Plan.

SUMMARY OF KEY ISSUES

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

1. **Provision of new homes and affordable workspace:** Your officers give great weight to the viable delivery of private and affordable housing and new affordable commercial floor space, in line with the adopted Development Plan.
2. **The impact of a building of this height and design in this location:** The proposal replaces a poor quality commercial plot with a large modern high density development in keeping with the surrounding and approved built form. The development utilises good architecture with quality detailing and materials in order to maximise the site's potential whilst respecting surrounding development. The development will not obstruct views of the Wembley Stadium arch from any protected viewpoints. A "tall building" is proposed within an area designated as "Inappropriate for tall buildings". However, the height, layout, design and massing has been carefully considered and has been evaluated by the Design Council Design Review Panel, the GLA and by Brent Officers who all have concluded that the proposed building is appropriate for this context.
3. **Quality of the resulting residential accommodation:** The residential accommodation proposed is of sufficiently high quality. The mix of units is in accordance with the standards within the London Plan and reasonably well aligned with the Wembley Area Action Plan mix, and the flats would

generally have good outlook and light. The amenity space is below our standard, but is still substantial and is high for a tall building.

4. **Affordable housing:** The maximum reasonable amount has been provided on a near policy compliant tenure split. This includes 35% affordable housing provision with a tenure split of 60:40 between affordable rented and intermediate flats when measured in terms of habitable rooms. 48% of the affordable rented accommodation are 3 bedroom flats when measured in terms of habitable rooms. The viability has been tested and it has been demonstrated that this is the maximum reasonable amount that can be provided on site. The requirements of affordable housing obligations are considered to have been met and a late stage viability review will be secured by S106.
5. **Neighbouring amenity:** There would be a loss of light to some windows of surrounding buildings, which is a function of a development on this scale. Many of the windows affected would serve student accommodation and/or do not yet exist as an established residential standard. The impact is considered to be acceptable given the urban context of the site. The overall impact of the development is considered acceptable, particularly in view of the wider regenerative benefits.
6. **Highways and transportation:** The alterations to the public highway as required in the S106 would be acceptable, considering the needs of pedestrians, cyclists and motorists. The highway works will include (i) providing a new loading bay on North End Road and (ii) extending a 20mph zone alongside the building. To encourage sustainable travel patterns, the scheme will be 'car-free' with the exception of blue badge parking spaces. A financial contribution of £110,000 towards extending CPZ's into the area is proposed with the removal of rights for residents within the development to apply for parking permits. A for bus service enhancements in the area, as required by TfL, will also be secured.
7. **Trees, landscaping and public realm:** Some low quality trees are proposed to be removed but they are not considered worthy of retention. The proposal is likely to substantially improve on the existing situation with a new public realm and associated tree planting proposed alongside a wider landscaping strategy. This will be assured through conditions.
8. **Environmental impact, sustainability and energy:** The measures outlined by the applicant achieve the required improvement on carbon savings within London Plan policy. Conditions will require further consideration of carbon savings prior to implementation.
9. **Flooding and Drainage:** Part of the site sits within a flood zone. A flood mitigation strategy and drainage strategy will be secured by condition to mitigate the risks associated with this. The development will also substantially improve the drainage capacity of the site through attenuation measures.

MONITORING

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

Floorspace Breakdown

Primary Use	Existing	Retained	Lost	New	Net Gain (sqm)
Assembly and leisure	0		0	0	
Businesses / research and development	0		0	0	
Businesses and light industry	787		787	0	
Businesses and offices	0		0	787	787
Drinking establishments (2004)	0		0	0	
Financial and professional services	0		0	0	
General industrial	0		0	0	
Hot food take away (2004)	0		0	0	
Hotels	0		0	0	
Non-residential institutions	0		0	0	

Residential institutions	0		0	0	
Restaurants and cafes	0		0	0	
Shops	0		0	0	
Storage and distribution	0		0	0	

Monitoring Residential Breakdown

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
EXISTING (Flats û Market)										
EXISTING (Flats û Social Rented)										
EXISTING (Flats û Intermediate)										
PROPOSED (Flats û Market)	75	67	7							149
PROPOSED (Flats û Social Rented)	5	17	14							36
PROPOSED (Flats û Intermediate)	19	12	1							32

RELEVANT SITE HISTORY

Planning history indicates that the existing site has been in use for industrial purposes for a long period of time, with records indicating a change of use to a car repair workshop in 1987 and extensions to the building in association with this use in 1990 and again in 1996.

There is no other relevant planning application history on this site.

CONSULTATIONS

1,129 neighbouring properties were notified of this proposal for more than 21 days on the 31st of August 2018.

A site notice was erected outside the development on the 10th of September 2018 and a press notice was published on the 6th of September 2018.

No representations were received.

External Consultation

Externally the following were consulted:

The Greater London Authority

As part of the GLA Stage 1 response the following comments were raised:

- Scheme supported in most aspects.
- On site play space for young children acceptable. Advised to consider off site contribution to update off-site play areas for older children.
- Given that the development exceeds recommended density in the density matrix, secure a residential management plan.
- Further means of on-site carbon reduction should be considered within the commercial part of the development.
- Flood warning and evacuation plan should be secured by condition.
- Surface water drainage strategy needs to comply with London Plan policy on drainage hierarchy.
- Details of water consumption should be provided.

The above comments have been addressed within the remarks section below.

Transport for London

TfL have the following requirements of the applicant:

- Secure Bus service contributions of £370,500 to mitigate the impact of this development as part of the cumulative effects of growth in Wembley.
- Clarify how blue badge parking provision would meet the full Draft London Plan standards (i.e. identifying a capacity for 10% disabled parking in the future);
- Exempt future residents from eligibility for local parking permits with the developer entering into a 'permit free' agreement with Brent Council
- Undertake PER/ CLOS and Healthy Streets assessments to assess local walking and cycling conditions and identify improvement needs, which should subsequently be secured by condition/s106 and/or s278 agreement;
- Increase cycle parking to at least meet Draft London Plan minimum standards, and secure the cycle parking provision for both parts of the proposal, including wider accessible cycle spaces in accordance with the LCDS as shown in the submitted plan;
- Review Travel Plan as per comments above;
- Secure the provision of DSP and CLP to regularise servicing and construction arrangements by appropriate planning conditions.

The above comments have been addressed within the remarks section below.

The Environment Agency – Support the development but require the submitted flood risk assessment to be secured by condition.

Thames Water Utilities Ltd - No objections raised in relation to surface water drainage, surface water infrastructure and foul water sewerage infrastructure. However, a piling method statement is required by condition as the development has the potential to damage subterranean Thames Water assets if piling is not carefully planned and managed. Associated informatives to the developer also recommended.

Wembley National Stadium Ltd – No comments received.

Wembley Stadium Residents' Advisory Committee – No comments received.

Internal Consultation

Internally the following departments were consulted:

Local Lead Flood Authority - The proposal falls within Flood Zone 2 and partly within Zone 3a which is considered to be a medium to high risk. The submitted mitigation details have been found to be satisfactory and no objections are raised.

Environmental Health - Construction method statement, air quality assessment, contaminated land assessments and noise assessments reviewed and details agreed. Conditions recommended to secure the above reports, require site investigation to be submitted and external lighting details to be submitted.

POLICY CONSIDERATIONS

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

of the current application:

National Planning Policy Framework 2018

The London Plan 2016

Key policies include:

- 2.13 – Opportunity areas and intensification areas
- 3.3 - Increasing Housing Supply
- 3.4 - Optimising housing potential
- 3.5 – Quality and Design of Housing Development
- 3.6 - Children and young person's play and informal recreation facilities
- 3.8 - Housing Choice
- 3.12 - Negotiating affordable housing on individual private residential and mixed use schemes -
- 5.2 - Minimising Carbon Dioxide emissions
- 5.12 - Flood Risk Management
- 5.13 - Sustainable Drainage
- 5.15 - Water Use and Supplies
- 6.3 - Assessing effects of development on transport capacity
- 6.9 - Cycling
- 6.10 - Walking
- 7.2 - An inclusive environment
- 7.8 – Heritage Assets and Archaeology

Draft London Plan 2018

SD1 – Opportunity Areas

- E4 - Land for industry, logistics and services to support London's economic function
- H1 - Increasing Housing Supply
- H2 – Small sites
- H5 - Delivering affordable housing
- H6 - Threshold approach to applications
- H7 – Affordable housing tenure
- H12 - Housing size mix
- HC1 – Heritage, conservation and growth
- SI.2 – Minimising Greenhouse gas emissions
- SI.5 - Water Infrastructure
- SI.12 - Flood risk management
- SI.13 - Sustainable drainage
- D2 - Delivering good design
- D3 - Inclusive design
- D4 - Housing quality and standards
- D5 - Accessible housing
- D6 - Optimising housing density
- S4 - Play and Informal Recreation
- T2 - Healthy Streets
- T4 - Assessing and mitigating transport impacts
- T5 - Cycling

Brent Core Strategy (2010)

- CP1: Spatial Development Strategy
- CP2: Population and Housing Growth
- CP6: Design & Density in Place Shaping
- CP7: Wembley Growth Area
- CP19: Brent Strategic Climate Change Mitigation and Adaptation Measures
- CP21: A Balanced Housing Stock

Brent Development Management Policies (2016)

- DMP 1: Development Management General Policy
- DMP 9 A: Managing Flood Risk
- DMP 9 B: On Site Water Management and Surface Water Attenuation
- DMP 11: Forming an Access on to a Road
- DMP 13: Movement of Goods and Materials
- DMP 15: Affordable Housing
- DMP 18: Dwelling Size and Residential Outbuildings

Wembley Area Action Plan

WEM5: Tall Buildings

WEM6: Protection of Stadium Views

WEM10 – Low Cost Business Start Up Space

WEM15 – Car Park Standards

WEM16 – Walking and Cycling

WEM18 – Housing Mix

WEM19 – Family Housing

WEM21 – Wheelchair Housing and Supported Housing

WEM30 – Decentralised Energy

WEM33 – Flood Risk

Site W26 – Watkin Road

Supplementary Planning Guidance (SPG)

SPD1: Design Guide for New Development (2018)

Mayor's Affordable Housing and Viability SPG -

Mayor's Housing SPG

Mayor's Shaping Neighbourhoods: Play and Informal Recreation SPG

DETAILED CONSIDERATIONS

Principle of Development

1. Policy 3.3 of the London Plan and Policy GG2 of the draft London Plan both identify the optimisation of land, including the development of brownfield sites, as a key part of the strategy for delivering additional homes in London. This is supported within policy CP2 of Brent's Core Strategy 2010, which requires the provision of at least 22,000 additional homes to be delivered between 2007 and 2026. Furthermore, the current London Plan includes a minimum annual monitoring target for Brent at 1,525 additional homes per year between 2015 and 2025. This target is proposed to increase to 2,915 for the period 2019/20-2028/29 in Policy H1 of the draft London Plan recognising the increasing demand for delivery of new homes across London.
2. Within the Wembley Area Action Plan (WAAP) which was adopted in 2015, the development site is specifically allocated for development within the W 26 allocation. The allocation contains Parkwood House (which already has consent for a student accommodation building) as well as all of the small scale commercial buildings lining Watkin Road. The allocation seeks mixed use development with office, leisure, residential, managed affordable workspace (including creative industries) and community uses.
3. The allocation also requires biodiversity improvements and flood risk adaptation measures alongside a requirement to retain a development free buffer zone of 10m alongside the Wealdstone Brook watercourse which flows nearby to the north-east of the site. The allocation envisages part naturalisation of the brook and pathways/cycle paths and associated soft landscaping/tree planting improvements alongside the watercourse.
4. The principle of a residential-led scheme with the provision of active, affordable workspace uses at ground floor level is therefore considered to be in line with the requirements of the allocation. Given the policy context of Brent's substantially increased housing targets, officers encourage the residential focus of the scheme but also welcome the provision of an active mixed use at ground floor which would expand the borough's provision of affordable workspace and be an appropriate addition in this town centre environment.
5. The site does not border the Wealdstone Brook itself but the footprint of the proposed building is oriented to establish a strong south-west to north-east pedestrian link along the front elevation of the development which will naturally orient passersby towards the Wealdstone Brook. This pedestrian route could be

continued towards the brook as part of a neighbouring development proposal.

6. The development proposal is considered to be in accordance with local and national policy and appropriately meets the requirements of the site specific allocation for this site. The development is therefore accepted in principle.

Design and Appearance

Setting and Massing

7. The proposed building is between 2 and 23 storeys in height. Whilst the central section reaches the full height of 23 storeys, the shoulders of the building and massing volume is proposed to step down in height to 22nd, 19th, 18th, 17th and 2nd storeys across various different massings. The six massing strands together form a cluster of slender elements which provides a strong vertical emphasis and a pleasing appearance for the building.
8. The principal issue is the proposed height of the building, for which the WAAP identifies this location as being inappropriate for tall buildings. The site is very close to a number of implemented tall buildings (such as Apex House at 28 storeys) and even closer to a number of taller consented buildings (such as Quintain Plot NE06 at 34 storeys and the adjacent Quintain plot NE05 at 23 storeys) which once built out will form a cluster of tall buildings in this part of Wembley. The area is going through substantial change. Despite the proximity of this height, the WAAP does not consider that this location is appropriate for tall buildings. Tall buildings are defined in the WAAP as those which are taller than 30m (or about ten storeys).
9. National policy and the Mayor's draft London Plan identify public transport nodes as preferred areas in which to maximise additional development opportunities. New figures for projected housing delivery in the borough have also been significantly increased within this draft plan. In moving forward with the Local Plan, the Wembley town centre area is likely to be one prioritised as an area of search for such opportunities and therefore could in theory be subject to substantially more change than identified in the WAAP.
10. To provide some further context, the initial proposal that officers considered during the pre-application stage was for a building of varying heights, with the highest component reaching 26 storeys which would have been comparable in height to Apex House on the corner of Fulton Road and Albion Way. Officers considered that this building appeared too tall to sit comfortably given the local context and did not respect the surrounding patterns of development. This view was mirrored by the Design Council design review panel who independently critiqued the design of the scheme as part of the pre-app process.
11. A revised proposal, also at pre-application stage, saw a reduction in the tallest part of the building by three storeys. The revised height resulted in a building that now clearly appeared as subservient to the overall building cluster within which it would sit and which formed an equivalent height to its immediate neighbour building within Quintain's NE05 development. The design review panel also reviewed the revised scheme and considered that the loss of three storeys had resulted in a building that was far more visually appropriate, particularly as a result of its variation in heights and distinctive levels across the building which helped it to relate to smaller buildings in the vicinity (such as the emerging Parkwood and Amex House developments) rather than just the most prominent buildings in the immediate cluster.
12. Following a positive response to the development by the design review panel, and given the current policy context, officers are of the opinion that the reduced height proposal at 23 storeys strikes an appropriate balance between housing delivery and respecting the surrounding built environment, which is acknowledged as being an especially dense section of Wembley to which this building would be subordinate. While the height of the building is contrary to the Wembley Area Action Plan tall building policy, officers considered there to be no material harm associated with the building as proposed in terms of its height, siting and massing, with the building as proposed being considered appropriate for its context. Other potential impacts of the building (such as impacts on daylight and sunlight) are discussed later in this report.

Architecture and Materiality

13. The architecture and materiality of the building is strongly supported – the developer has established an appearance of slenderness by breaking the visual framing of the building down into thin, individual blocks

which form an aesthetically pleasing arrangement of small individual buildings with vertical emphasis, especially when viewed from the principal elevation fronting Watkin Road. The predominant use of brick with a contrasting red and grey colour palette should help to foster a residential feeling for the building and has been used successfully in other recent developments in Wembley.

14. The building is additionally animated through a lighter element of horizontal banding established through balcony balustrades, which are golden in colour and which will provide some contrast beyond the mainly brick formed façade.
15. The ground and first floors of the building sit within a double height colonnade, formed of brick supports which sit at the base of the building's main massings. The colonnade reduces the footprint of the building at ground level and gives back more space as usable public realm. The covered colonnade also visually defines a new public connection between North End Road and Fulton Road, which this development would establish within the colonnade walkway. The double height of the colonnade results in the space feeling more open and welcoming than if it were a normal height space. The materiality across the ground and first floors is mainly formed of open glazed frontages punctuated by a gold colour cladding between each window/entrance opening. The focus on active frontages around the majority of the ground floor is welcomed and the use of the frontage as a public walkway will help to maximise the effectiveness of these active frontages.
16. The overall design and materiality of the building is considered to be positive and will provide a simple but pleasing uniform appearance to the building. The predominant use of brick will help to foster a residential character. Active frontages have been strongly maximised at ground level and will be enhanced by the colonnade feature. Specific material samples to be used should be reviewed by officers to ensure they will provide for a high quality finish and this will be required by condition.

Design and Layout

17. The proposal is for a roughly T-shaped building that is oriented along a south-west to north-east axis fronting Watkin Road. The building's south side elevation will front Fulton Road whilst the north side elevation will front North End Road. The building will therefore be surrounded by public highways on all sides with the exception of the west side, where the building will immediately adjoin the emerging Parkwood House development.
18. The ground floor plan and elevations show that the architects have maximised the provision of active frontage across all highway fronting elevations – and that there will be large glazed affordable workspace entrances along Fulton Road, Watkin Road and North End Road. A double height colonnade is also proposed along the principal Watkin Road elevation of the building which will help to clearly signpost the main affordable workspace entrances as well as attract passers-by towards the building and the pathway towards the Wealdstone Brook (if this pathway is extended as part of a later development). As part of the external ground floor arrangement, the route under the colonnade will provide pedestrian access between Fulton Road/Watkin Road junction at the south to North End Road at the northern end of the site, a connection which is not currently available. This layout is welcomed as it will improve local permeability and encourage a footfall and activity by residents, workspace occupiers and passers-by alike. The colonnade covered pedestrian route around the building was an element particularly praised by the design review panel. The public use of the colonnade connection will be secured by condition.
19. Two residential entrances will be provided centrally within the Fulton Road and North End Road elevations respectively. They will each serve a separate core of the building and the use of two cores will allow one part of the building to be self-contained for the operation of a registered provider in delivering affordable housing at the site. Both entrances are of similar proportions and the development is confirmed to be tenure blind externally, where there are minimal observable differences between private and affordable elements of the development.
20. The only notable extent of inactive frontage within the development is along the western part of the North End Road frontage, where a substation room and car park entrance will front this section of the building. The car park will occupy a small part of the ground floor on the western side of the building, providing ground level parking for eight cars (restricted to residents/visitors with blue badges) and access to the cycle/bin lifts.
21. The cycle/bin lifts allow passage between the ground floor car park and the first floor, which is mostly comprised of large rooms housing the building's cycle storage and refuse bin storage space in line with

standards stipulated in the London Plan. The proposal, which has been accepted in principle by Brent's highways team, is for bins to be taken down the lifts to a designated space by the car park entrance to allow for collection on collection days. In addition, bicycle owning residents will be able to enter/leave the premises on a bicycle using the same lifts.

22. The first floor also contains additional affordable workspace floor space.

23. Above the first floor, the building is entirely residential, providing 217 homes.

Impact on views of Wembley Stadium

24. It is noted that the proposed location will not impede protected views of the stadium as the site sits cleanly between (but not within) the Wembley Park Station, Bobby Moore Bridge and Barn Hill (to the west) and Chalkhill Park (to the east) protected viewing corridors.

Density

25. The assessment of any development must acknowledge the NPPF and the London Plan, which encourage greater flexibility in the application of policies to promote higher densities. Policy 3.4 of the London Plan encourages the development of land to optimise housing potential but recognises this must be appropriate for the location taking into account local context, character, design and public transport capacity.

26. The application proposes a density of more than 405 units per hectare which is the recommended density benchmark for this development in the context of an area with a PTAL rating of 4. This is beyond the recommended range within the London Plan density matrix and the GLA have requested that a residential management plan is therefore secured to outline residential management arrangements. The GLA do not otherwise oppose the density of the scheme and generally support the development.

27. Notwithstanding the breach of the relevant policy in numerical terms, consideration must also be given to the design and quality of accommodation to be provided, the siting and scale of the development, its relationship to site boundaries and adjoining properties, the level and quality of amenity space to support the development, and any highways matters. These are considered below.

Residential and Commercial Provisions

Affordable Workspace

28. As specified within the site allocation in the WAAP, affordable workspace provision is expected as part of redevelopment within this site.

29. The development will be providing affordable workspace across ground and first floor levels, to a total floor area of 787sqm for a flexible B1a, B1b and B1c use. This will replace the existing 787sqm of B1c floorspace on site at present. The 'affordable' designation of the space will result in the rents to operators being at rates no greater than 50% of the local market rate and will also need to be managed by a bespoke affordable workspace provider.

30. Officers are encouraged that conversations with potential affordable workspace occupiers have been entered into during the pre-app stage and it is understood that at least two local affordable workspace providers have shown interest in occupying the commercial space. Officers also understand that prospective occupants have confirmed the workspace layout as shown on the plans would be fit for their needs.

31. Overall, officers are pleased to be securing affordable workspace within the development and will ensure that the 'affordability' of the workspace (in accordance with the terms specified above) is captured within a Section 106 obligation.

Affordable Housing

32. Adopted DMP policy DMP 15 confirms the Core Strategy target (policy CP2) that 50% of all new homes in the borough should be affordable. The maximum reasonable amount will be sought on sites capable of providing 10 units or more, such as this scheme. 70% of new affordable housing should be social/affordable rented housing and 30% intermediate housing at affordability levels meeting local needs. Where a reduction to affordable housing obligations is sought on economic viability grounds,

developers should provide a viability appraisal to demonstrate that schemes are maximising affordable housing output.

33. London Plan policy 3.12 requires boroughs to seek the maximum reasonable amount of affordable housing, taking account of a range of factors including local and regional requirements, the need to encourage rather than restrain development and viability. The policy requires boroughs to take account of economic viability when negotiating on affordable housing, and other individual circumstances.
34. The proposal is to provide 35% affordable housing as measured by habitable room and 31% affordable housing as measured by unit. The affordable housing is to be split into two tenures: affordable rented and an intermediate tenure of shared ownership, with the ratio between Affordable Rent and Intermediate being 53:47 when measured by unit or 60:40 when measured by habitable room. This offer accords with the GLA's target tenure split and is relatively close to Brent's local target of 70:30 affordable rent:shared ownership. Officers, in consultation with industry experts, have negotiated with the applicants to increase the affordable housing from their original offer, which was for the same percentage of affordable housing overall but on a 49:51 tenure split (by habitable room), weighted towards shared ownership. Following negotiation, officers are satisfied that the development delivers more than the maximum reasonable amount of affordable housing (given the projected costs and revenues), on a tenure split that aligns reasonably close to that expected in policy. Nonetheless, since the proposal falls short of the local policy requirement for 50% affordable housing on a 70:30 tenure split, a post implementation viability review is to be captured within the S106 to ensure that any uplift in actual sales values compared to those which are projected, can be captured by the Council and funnelled into the provision of offsite affordable housing.
35. The affordable rented tenure is to be contained within its own residential core, accessed from the Fulton Road side of the building. The affordable rented flats occupy the southern and western parts of the building from floor 2 to floor 16. The intermediate tenure is combined with the private tenure in the second core, accessed from the North End Road side of the building. As previously discussed, both entrances are of similar proportions and the development is confirmed to be tenure blind externally, where there are minimal observable differences between private and affordable elements of the development.

Unit Mix

36. The scheme will deliver a mixture of unit types and sizes. The unit mix of the development is set out in the tables below:

Units	Private	%	Intermediate	%	Aff Rent	%	Total	%
Studio	21	14.1	-	-	-	-	21	9.7
1 bed	54	36.2	19	59.3	5	13.9	78	36.0
2 bed	67	44.9	12	37.5	17	47.2	96	44.2
3 bed	7	4.8	1	3.2	14	38.9	22	10.1
Total	149		32		36		217	

H a b rooms	Private	%	Intermediate	%	Aff Rent	%	Total	%
Studio	21	5.9	-	-	-	-	21	3.8
1 bed	108	30.2	38	48.7	10	8.5	156	28.2
2 bed	201	56.1	36	46.2	51	43.6	288	52.1
3 bed	28	7.8	4	5.1	56	47.9	88	15.9
Total	358		78		117		553	

37. Policy CP2 of Brent's Core Strategy 2010 seeks for 25% of permanent units to be family sized (three bedrooms or more). The proposal achieves 10% family sized units, which falls notably short of the policy target. However, a high proportion of three bedroom + homes in flatted development can have a detrimental effect on scheme viability and that there is therefore a balance to be struck between a good affordable housing offer and a good number of family sized homes.
38. Overall, whilst fully acknowledging that the proposal falls short of the CP2 policy target for 25% 3 bedroom homes across the borough, officers do give weight to the applicant's affordable housing offer which would be significantly affected, should a higher proportion of family homes be proposed. Whilst short of the policy target, the affordable housing offer is strong relative to many other comparable schemes in the borough. Officers also support the fact that three bedroom units are focused on the affordable rented tenure where the highest need is identified within policy: of the development's affordable rented units, 48% are 3 bedroom units when measured by habitable room.
39. Ultimately, officers consider that this proposal is acceptable in terms of the proposed residential unit mix.

Amenity

Privacy and Outlook

40. The potential impact on neighbours is a key consideration, and policy DMP1 seeks to ensure that this is acceptable.
41. The building immediately adjoins public highways to the north, south and south-east. To the west the building immediately adjoins the Parkwood House site. When considering the plans in the context of the Parkwood House consent, it can be seen that the flats closest to the boundary with Parkwood House have balconies that are, at their closest, 9.5m from the boundary with Parkwood House and the eastern flank elevation of the Parkwood House consent. There are no habitable room windows in the elevation of Parkwood House onto which the Watkin Road development would look toward at this distance and as such it is considered that the relationship between Parkwood House and 10-11 Watkin Road is acceptable. To the east, the building directly adjoins 9 Watkin Road. The closest windows to this boundary are at the north-eastern corner of the building, with some of the windows being as close as 3.5m to the boundary. Given that the land separating these windows and the neighbouring site would form part of the new public realm alongside the colonnade, officers would give weight to the more public setting being created and do not consider that these windows would be unacceptably close given that the space in between will have this public function. There are no other sensitive relationships with other site, with the surrounding highways acting as sufficiently wide buffers to ensure that no compromising relationships would be established alongside other sites.

Daylight and Sunlight

42. The relationship between this building and its surroundings has the potential to be most sensitive at locations close to Danes and Empire Courts, located approximately 50 to 150 metres to the north-east of the site, where a lower density and a more suburban (approx 4 storeys) residential character prevails. In addition, a number of higher density residential developments are being implemented in surrounding plots (most notably Parkwood House and Amex House), and it will be important to ensure that this development has an acceptable impact on all of these properties in respect of losses of daylight and sunlight that could be incurred.
43. The applicant has submitted a Daylight, Sunlight and Overshadowing Report. Existing properties that have been included in analysis include 113-136 Empire Court, Apex House and Felda House. Consented or under-construction properties that have been included in analysis include Amex House, Quintain Plot NE05 and Parkwood House. Generally, the Vertical Sky Component and No Sky Line testing has been used for existing properties whilst Average Daylight Factor testing has been used for consented/under construction buildings, as is considered appropriate in BRE guidance.

Felda House

44. All affected windows meet the appropriate daylighting and sunlighting tests under BRE guidelines when tested with the proposed development in situ.

113-136 Empire Court

45. All affected windows meet the appropriate daylighting and sunlighting tests under BRE guidelines when tested with the proposed development in situ.

Apex House

46. Testing shows that daylight to Apex House will be worsened by the 10-11 Watkin Road development beyond BRE guidelines. 240 windows serving 159 rooms of habitable space (living/kitchen/dining rooms and bedrooms) face the development and are therefore relevant for daylight assessment. Of these rooms, only 27 (11%) do not meet BRE guidelines for the Vertical Sky Component (VSC) under BRE guidance. 24 of the affected windows will experience an alteration of between 20%-29.9% and the other 3 affected windows will experience an alteration of between 20% and 39.9%. 20 (74%) of the affected windows will retain levels of daylight in excess of 18% VSC whilst the other 7 have VSC values that are less than 10% in the existing situation. Of the 159 rooms assessed, 97 (61%) will comply with the BRE guidelines for the NSL criteria. When looking to the 62 remaining rooms, 16 will experience an alteration of between 20-29.9%, seven will experience an alteration between 30%-39.9% and the remaining 39 affected rooms will experience an alteration in excess of 40%. 62 rooms which fall below BRE guidance for NSL are bedrooms, for which the BRE guidelines acknowledge a lesser expectation of daylight under the NSL criteria. Sunlight criteria in respect of BRE guidelines is met in full for affected windows at Apex House. It is therefore considered that the impact on Apex House is relatively limited, especially given the urban setting and the nature of Apex House as student accommodation of a temporary nature. In respect of sunlight, 32 habitable rooms are relevant for testing and none of these rooms see breaches of BRE guidelines under the Annual Probable Sunlight Hours criteria.

Parkwood House

47. Few of the habitable room windows in the emerging Parkwood House look towards the proposed development. The existing VSC levels experienced by the windows in this property (once built) are uncharacteristically high for the urban location, with the eastern windows enjoying an open outlook due to the low massing of the existing neighbours at 10-11 Watkin Road. As all the parameters of the building are known (from the approved planning application) and the building is not yet constructed, the most appropriate assessment to review is the ADF, with reference to the BRE guidelines. ADF testing shows that 88 habitable rooms within the proposed building already fail to meet the ADF criteria for good levels of daylight given the existing built form and, with the proposed development in situ, only one further room would not meet the ADF target value for daylight (falls short of its 2% target by 0.3%), with 67 other rooms experiencing changes in ADF criteria by 0.1% - 0.2% which is unlikely to be noticeable to occupants. In terms of sunlight, 74 of the 92 assessed rooms within Parkwood House meet the BRE recommendation for APSH criteria, with those falling short only doing so during the year round APSH testing, at the worst retaining 17% of the Annual Probably Sunlight Hours against a guidance benchmark of 25%. All rooms meet the 5% value needed to meet guidance in respect of APSH during winter. An NSL assessment has not been carried out for this property as this building does not yet form 'existing surrounds' and would more appropriately be assessed under ADF criteria, as has been discussed above.

Quintain NE05

48. This development only has outline consent and there are no specific floor plans or elevational plans to base model testing from. The consultants have carried out their own indicative assessment based on the VSC values across the whole façade as consented. The façade study modelling shows that the affected NE05 façade will generally retain VSC values in the mid-teens, which is not insignificant but has been accepted in past cases as acceptable within London developments (e.g. GLA decision on Monmouth and Featherstone Ref: P2015/3136/FULL). The VSC levels generally vary from about 10 (at lower levels) to 27 (at upper floors). Furthermore, the Quintain NE05 development does not have any reserved matters consent and is some way off from representing an existing residential standard which would be worsened by this proposal. Given the relationship between the proposed development and the Quintain NE05 development, an impact of this magnitude would likely be expected given the scale and proximity of both developments.

Amex House

49. Testing shows that both sunlight and daylight to Amex House will be worsened by the 10-11 Watkin Road development beyond BRE guidelines. 278 rooms of habitable space (living/kitchen/dining rooms and bedrooms) face the development and are therefore relevant for daylight and sunlight assessment. Of

these rooms, 183 do not meet the average daylight factor (ADF) criteria under BRE guidance and would therefore have materially worsened daylight than without the proposal being present. 77 of the rooms will experience changes between 0.1% and 0.2% which is unlikely to be perceptible. The remaining 106 rooms will experience alterations (0.3%-1.9%) that will reduce the quality of light to the rooms. Amex House is separated from 10-11 Watkin Road by the emerging Parkwood House development. The consultants have run a separate hypothetical analysis which considers the impact on Amex House if 10-11 Watkin Road were to be built with the same massing as that of Parkwood House; this additional testing results in a very similar impact on Amex House, with only 26 windows (7%) having a materially improved impact (under VSC criteria) compared to the impact of the actual proposed massing. Of the 26 windows affected, 4 windows have low existing VSC values (less than 5%) and see absolute changes of less than c.1%, whilst the remaining 22 windows will experience absolute alterations of c.8%-10%. 9 of the 26 windows will retain c.18% VSC, which is considered good for the standards of a growth area, whilst the remaining windows will retain VSC values of between 10%-17%. It must be noted that 151 of the assessed windows retained values in the proposed condition which exceeded those that would have been achieved if a building built to the same extent as the Parkwood House scheme was constructed on site. This additional test shows that much of the impact on Amex House is not a product of the additional height beyond Parkwood House's massing and confirms that much of the measured impact on Amex House is an inevitable part of redevelopment in this dense, urban context. Furthermore, Amex House has not yet been occupied and as such, there is no existing residential standard which is currently enjoyed, which will be worsened by this development. In respect of sunlight, 269 habitable rooms are relevant for testing and 169 of these rooms see breaches of BRE guidelines under the Annual Probable Sunlight Hours (APSH) criteria. 99 (59%) of these affected rooms are bedrooms and are of less importance in relation to sunlight tests, whilst the remaining 70 serve Living rooms/Kitchens/Diners. An NSL assessment has not been carried out for this property as this building does not yet form 'existing surrounds' and would more appropriately be assessed under ADF criteria, as has been discussed above.

Conclusion

50. The impact of the proposed development on surrounding properties' daylight and sunlight levels has been measured as limited in many instances, especially given the location and nature of this development. However, the impact on the unconstructed Amex House and Quintain NE05 developments against the baseline position has been measured to be significant in this regard. Nonetheless, your officers note that neither of these affected developments have been constructed and there is thus no existing experienced standard which would be worsened by this development. Furthermore, when considering a building of Parkwood House's massing instead of the massing proposed, it is noted that much of the impact on Amex House would continue to be incurred, indicating that much of the impact is largely part and parcel of redevelopment of this nature.

Quality of Accommodation

Daylight, Sunlight and Overshadowing

51. An Average Daylight Factor (ADF) and No Sky Line (NSL) test has been carried out for the new dwellings which identifies that 94% of all habitable rooms in the development would meet or exceed the BRE criteria under ADF and 92% of rooms would meet or exceed the NSL requirements for achieving good average levels of daylight through the year.
52. In terms of applying these tests specifically to bedrooms, only 18 of out of 361 bedrooms fall short of the 1% ADF recommended by BRE, the majority of which are secondary bedrooms within flats where the master bedrooms achieve good levels of daylight.
53. All living rooms facing within 90 degrees of due south have been assessed for Annual Probable Sunlight Hours (APSH). The test shows that good levels of sunlight will be achieved within the majority (85%) of tested rooms, as they will exceed the BRE criteria. The testing shows that the lowest levels of sunlight are seen on the lowest floors and the elevations obstructed by the Quintain NE05 development to the south and by the transport House located to the west of the site.
54. The consultants also note that the projecting balconies of the development act as shading devices, which accounts for some of the sunlight exposure limits on the development.
55. Overshadowing assessments have also been undertaken for the communal amenity spaces, showing

that four of the five proposed communal garden spaces exceed the BRE recommendation for overshadowing, where the criteria is for half of the amenity space being tested is to experience at least two hours of direct sunlight on the spring equinox (21st March). It is the amenity space on the first floor, which is positioned on the northern side of the development, that experiences a below guidance exposure to sunlight. Whilst this is a large amenity space, it is also acknowledged that four other good sized amenity spaces are provided and will experience good levels of sunlight.

56. Overall, the exposure of the development to daylight, sunlight and shadows, whilst not fully guidance compliant, shows that the majority of the relevant windows and amenity spaces will achieve good levels and your officers would therefore support the development in this regard.

Layout and Outlook

57. The proposed units are considered to be of a high quality. The units are arranged across two cores. One core, accessed from the southern side of the ground floor (fronting Fulton Road) provides access to the affordable rented units within the development only, between floors 2 and 15. The other core, accessed from the northern side of the ground floor (fronting North End Road) provides access to the market and shared ownership units, between floors 2 and 22. The private and shared ownership core would generally have more than 8 units per floor. This exceeds guidance within the Mayor's Housing SPG which generally seeks flatted development to not exceed 8 units per core per floor. In their response, the GLA note that they do not object to the arrangement of flats per core as proposed, given that corridors are wide and provided with windows at both ends, resulting in a high quality internal environment.

58. 113 units (including all of those in the affordable rented tenure) would be dual aspect, which represents a 51.5% provision of dual aspect units. This is considered to be an acceptable amount within this form of development. All of the dual aspects within flats are achieved through units that are placed on corners. Those properties that are single aspect would all face south east or north west and none of the single aspect units would face directly north or south. On balance, there would not be any concerns regarding undue lack of light or overheating issues. In conclusion, the outlook provided to all units and habitable rooms is considered to be acceptable.

59. All of the proposed units meet or exceed the minimum space standards required by The London Plan and the minimum room sizes required by the Technical Housing Standards.

Accessibility

60. The development has been designed so as to be step-free with level access from the external environment for residents and visitors through clearly visible and identifiable entrances from the public realm. Level access is also achieved from the car park through the lifts of all cores. There are to be two public routes created around the building, linking Fulton Road and North End Road, the main route, under the colonnade, will not be step free, although an alternative route through the landscaped part of the ground floor will be step free, comprised of gentle slopes to navigate the site's level change.

61. 23 of the 217 flats (10.5%) have been designed so as to be accessible to disabled users under part M4 of the building regulations. This is in line with policy 3.8 of the London Plan which seeks 10% of homes in major developments being adaptable for use by disabled residents. The adaptable units comprise 14 x 2 bed units, and 6 x 1 bed units. The units would be spread across Blocks A and C on Site 1. The adaptable rooms are comprised of 8x 1 bedroom flats and 12x 2 bedroom flats and are spread across the development to maximise user choice.

62. A condition will secure the 10% adaptability requirements to ensure that the 23 proposed units adaptable for disabled people are built with the appropriate measures.

External Amenity Space and Play Space

63. Private projecting balconies are provided for all flats, sized in accordance with London Plan standards, generally about 5.5sqm in size per flat. Across the development, these balconies amount to 1,476sqm of private amenity space across the development. Some of these balconies are instead in the form of private terraces alongside communal rooftop spaces where flats are alongside such spaces. All of the balconies/private terraces would be reasonably sized, achieve a minimum depth of 1.5m and would comply with the London Plan.

64. Five communal rooftop spaces are to be provided, the largest of which is on the first floor (approx.

303sqm), which is designed as an active play space and is positioned on the north western side of the building. A second floor communal space (approx. 291sqm) is designed as a multi-generational space which includes mounded natural play area and a sand play area along with benches and a viewing deck, and is positioned on the south west side of the building. A seventeenth floor communal space (approx. 165sqm) is designed as a sensory play space, with a multi-coloured play mounds and seating area and is situated on the west side of the building. An eighteenth floor communal space (approx. 128sqm) is designed as a flexible active space with a focus for older children and adults, with a variety of surfaces and left open to enable a variety of activities. This amenity space is located on the northern side of the building. Finally, a nineteenth floor communal space (approx. 197sqm) is designed as a community and socialising space, with a pergola over part of it. The space is on the southern side of the building.

65. Within the public realm, at ground floor level alongside the colonnade, a 42sqm landscaped amenity space is to be provided. This will benefit both residents and the public and is welcomed. Given the location of this amenity space, it could not reasonably be counted towards the building's private amenity space provision.
66. Overall, the private balconies and terraces within the development, as well as the communal rooftop spaces, amount to an amenity space provision of 2,578sqm (1,476sqm for private and 1,084sqm for communal). This represents about 12sqm of amenity space per unit of the development. Policy DMP19 In Brent's Development Management Policies seeks 20sqm per unit, meaning that the current proposal is for 60% of the amount suggested in guidance. Given the density of the scheme and the benefits being delivered, including affordable workspace and a significant number of dwellings, officers support such a provision. The plans do show a reasonable maximisation of amenity space across the rooftops. In addition, the applicants set out that there is a significant off-site provision of public amenity space in the vicinity, including the approved North Lawns and South Terraces open spaces within the Quintain Masterplan, Elvin Square Gardens and Chalkhill Park all within 10 minutes' walk of the development. Further afield, Tokyngton Recreation Ground, Sherrans Farm open space, Chalkhill Open Space, Preston Park and King Edward VII Park are large open spaces between 15 minutes' and 23 minutes' walk from the site.
67. The proposal would provide 483sqm of play space for children across the ground, 1st, 2nd and 17th floors of the development. This would accord fairly closely with the 576sqm sought within the GLA's child yield calculator and would exceed expected provision for younger children, although would be slightly deficient in the provision of play space for older children (12 years and above). The applicants note that offsite play space is available within Chalkhill Park, which falls within the appropriate walking distance as set by the Mayor (800m for 12+ children). Whilst it is noted that the GLA have requested that consideration is given to securing an offsite contribution to upgrade off-site play areas, your officers are of the view that the play space provisions are close to meeting Brent/GLA guidance and it is not considered reasonable to require an off-site contribution when adequate park facilities are already close by to the development. In conclusion, your officers consider that the play space arrangements are appropriate and acceptable.

Transport

- 68.** The proposed site is located at the junction of Watkin Road with Fulton Road, whilst the car park and loading bay are accessed from North End Road.
69. The site is not currently in a controlled parking zone although there is a proposal for one. It is in the Wembley Stadium Event Day parking restriction zone in which parking is restricted to permit holders from 10am to midnight on event days.
70. The site is within PTAL 4 (moderate accessibility).

Car parking

- 71.** The site is located within the Wembley Growth area and Wembley Area Action Plan sets out the parking standards for this area. Based on the PTAL being 4, the maximum car parking allowable is 0.4 for 1 & 2 bedroom units and 0.6 for 3 bedroom units which would give a total maximum provision of 92 spaces.
72. No parking except for disabled parking is proposed to be provided. This includes 7 disabled parking spaces that will be located in an undercroft car park accessed from North End Road. This level of provision is 3% which is consistent with the emerging revisions to the London Plan. TfL have requested for the applicant to identify how disabled parking provision could be made for the equivalent of a further

7% of dwellings in the future. In response the applicant has advised that there is sufficient kerbside parking in the vicinity of the site to provide additional disabled parking if required in the future.

73. As the site is in an area with a PTAL of 4 this would accord with DMP policy 12 which states car free development should be considered in areas with a PTAL of 4 or above. Furthermore it is proposed to implement a CPZ within the area (where S106 funding would be requested for the implementation of the CPZ as part of this application) which, in addition to an obligation which prevents residents (and businesses) from obtaining parking permits, would provide further mitigation.

Cycle parking

74. The applicants propose 340 long stay cycle parking spaces on the first floor of the development, with 16 of these spaces (4.7%) provided through widely spaced Sheffield stands which will enable the storage of mobility impaired/adapted/alternative cycles in accordance with London Cycling Design Standards.
75. An additional six cycle spaces are proposed at ground floor level, accessed from a dedicated entrance along the Fulton Road elevation. These six spaces are proposed as long term stay spaces for the commercial uses.

Refuse

76. The proposal is to provide refuse stores on the first floor accessible to all residents. 34x 1100 litre Eurobins and 19x 240 litre Eurobins are proposed. This provides 41,960 litres of bin storage or about 192 litres per flat which is in exceedance of Brent's guidance. A management company will then take the bins through the lifts to be used by cyclists, to a holding area close to the carriageway to comply with the maximum distance for refuse collectors of 10m. This holding area can accommodate 50% of the required bins as half are collected one week whilst the other half are collected the next week. The bins are situated in a way that not all the bins would be accessible and if this arrangement remains, management would also be required for this, to ensure that a satisfactory number of bins with spare capacity are available at all times. No details of this management have been submitted within the refuse management strategy, and as such it is recommended that this is conditioned to any forthcoming consent.

Delivery and servicing

77. The proposal involves the creation of a 12.5m long and 2.65m wide in-set loading bay in the location of the exiting adopted footway, this would involve the creation of an extra 2m of footway at the back of it which would need to be adopted. Whilst TfL guidelines would stipulate a minimum width of 3m for the loading bay given the amount of commercial floorspace served, highways officers accept the limitations of the development and would confirm that 2.65m is acceptable on balance. The applicants have submitted tracking diagrams demonstrating how delivery vehicles would turn around bearing in mind North End Road to the east of the site is a no through route.
78. A Delivery and Servicing Management Plan indicates that this will be used by 29 delivery and servicing vehicles per day, generating 58 two way vehicle movements per day. A much more robust delivery and servicing plan needs to be submitted which sets out how this demand is managed and reduced. This is recommended to be conditioned to any forthcoming planning permission.

Travel Plan

79. A draft travel plan has been included in the submission. TfL considers that this Plan is of good quality, and the proposed target for mode shift is reasonable. In addition to the measures proposed in the draft action plan, TfL recommends that cycle training should also be offered to residents and employees of the site to promote cycling. The finalised travel plan should nevertheless be secured within the section 106 agreement.

Public realm

80. TfL have expressed their concerns that a PERS/ CLOS assessment to assess local walking and cycling conditions and identified improvement needs has not been undertaken. In response, it should be noted that this application is proposing a new pedestrian route between North End Road and Fulton Road, which is supported by your highways officer. There will be a condition for this route to be accessible to the

general public.

81. In terms of other highway works around the site, officers in Transportation have advised that the start of the 20mph zone on Fulton Road to the west of North End Road should be relocated to the east of this building, with complementary traffic calming measures installed along Fulton Road, to reflect the change in nature of the road to a residential use. This will be secured through a S278 Agreement.

Trip Generation, Modal Split, Highway and Traffic Impact

82. Trip generation and modal split assessments have been carried out. For the residential part of the proposal, a total of 198 two way persons' trips were estimated for the AM peaks and 143 for the PM peaks; the proposed work space units are also expecting 15 AM peak and 14 PM two way persons trip. Mode share for both of the elements are also based on 2011 local Census data with adjustment to reflect the car free nature of the proposal, which estimates that 83% of the residents will travel by public transport and 15% for walking and cycling.
83. Given the car free nature of the site, it is not considered that the vehicular trip generation from the proposal would give rise to significant highway impact to the local highway network and TLRN.

Public transport

84. While the site is well served by bus routes serving Wembley Park station, it is understood that existing services in the area have reached their capacity; given that the site is located in a growth area there are expected to be cumulative impacts of development on the bus network. Therefore TfL have requested a contributions towards bus capacity and service frequency enhancements to mitigate the impact. The applicant is reviewing this request and is in discussions with TfL regarding the final figure. It is likely to be in the region of £370,000. The final contribution will be agreed as part of the Stage 2 referral to the Mayor, and secured within the Section 106 Agreement.

Sustainability

85. The applicant has included an Energy and Sustainability Statement to address major development sustainability requirements as set out in Policy 5.2 of the adopted London Plan.
86. The proposed regulated development with 'Be Lean', 'Be Clean' and 'Be Green' measures incorporated within the residential part of the development is confirmed to emit 113 regulated tonnes of Carbon Dioxide per annum, which is down from a baseline emission of 193 tonnes per annum when designed to meet minimum building regulation requirements. This equates to a 41.2% reduction on the minimum Building Regulations (2013) as required within the London Plan. A carbon offset payment is required to achieve the zero carbon goal. The offset payment shall cover a 30 year period of emissions, with the payment being equivalent to £60 per tonne per annum. This payment will be secured through the Section 106 agreement.
87. The details of the energy efficiency improvements are as follows:

Be Lean (total savings from 'be lean': 15.5 tonnes / 8%)

- Passive design measures to improve the building's air tightness, wall, roof and floor U-Values, G-values of windows and the performance of walls to unheated common areas of the building.
- A communal heating system for flats.
- Natural ventilation cooling for flats.
- Heat recovery system for ventilation of flats.
- Insulation of domestic hot water pipework.
- Use of low energy LED lighting across the development.
- Provision of home user guide for residents to inform occupants of energy consumption.

Be Clean (total savings from 'be clean': 54.3 tonnes / 28.1%)

- The use of a small Combined Heat and Power (CHP) to supply the primary source of heat and to operate to track electrical demand.
- CHP supplemented by a high efficiency gas fired boiler that will operate to meet peak demands during the winter or when the engine is off-line for maintenance.
- A condition will require that details of how the CHP could be connected up to a future district heat network (if and when available are submitted, to ensure that such connections could be made in the future.

Be Green (total savings from 'be green': 9.8 tonnes / 5.1%)

- Photovoltaics are to be implemented across the two uppermost roof spaces of the development.

88. Within Policy 5.2 of the London Plan, there is no policy requirement to reduce non-domestic carbon emissions below Building Regulations requirements. Nonetheless, the applicants have confirmed that the non-domestic floor space will also benefit from the energy efficiency saving measures specified at the 'be lean' stage, resulting in a reduction in the non-domestic baseline emissions by 5.6 tonnes (18.4%).
89. Brent's Core Strategy Policy CP19 has a requirement for all non-residential floor space which amounts to more than 1,000sqm to achieve a BREEAM rating of 'Excellent'. Since the proposed non-residential floor space (787sqm) sits below this threshold Brent cannot reasonably impose such a requirement; however, the demonstrated carbon savings through 'be lean' measures across the non-domestic floor space is welcomed.
90. The GLA has reviewed the energy and sustainability aspects of the proposal. They consider that further reductions in non-domestic carbon emissions should be achieved and have requested additional technical information to verify the reductions stated. These considerations are being addressed by the applicant ahead of a Stage 2 referral to the GLA.

Environmental Health

Air Quality

91. An air quality assessment considering the impacts of the proposed redevelopment of the site on air quality has been submitted.
92. The report has considered the impacts that would be incurred during the construction phase, impacts that would be incurred by traffic generated by the development and impacts incurred by emissions from the operation of the development. The report confirms that impacts of the development on air quality would not be significant.
93. The overall impact on local air quality is concluded to be 'not significant', in accordance with GLA methodology and Institute of Air Quality Management (IAQM) guidance.
94. The report confirms that the GLA requirement for all major developments within London to be air quality neutral has been met. In reviewing the application, Brent's regulatory services team consider that the report meets all relevant requirements and recommend a condition to secure the mitigation measures outlined in the report.

Noise and Vibration Impact

95. A noise and vibration impact assessment considering impact from surroundings on the residential units has been submitted as part of the proposal.
96. The report shows that the tested surrounding environment results in the need for the majority of flats to be built to a 'standard' specification for external building fabric to meet the relevant British Standard for internal noise levels. Enhanced glazing will be required however for rooms at low levels closest to Fulton Road.
97. The report also confirms that the existing businesses adjacent to the site do not give rise to concerns of noise disturbance and that local vibration levels at ground level are not likely to lead to adverse conditions for future occupants.
98. The report also confirms that standard criteria for limiting plant noise within the development in line with relevant British Standards.
99. The report concludes that the measures proposed would improve sound impact to within acceptable levels.
100. Brent's regulatory services agree with the submitted details and a condition will secure these details.

Construction Management

101. The development is within an Air Quality Management Area and located in relatively close proximity

to other residential properties. Construction therefore has the potential to contribute to background air pollution levels and cause nuisance to neighbours. The applicants have prepared their own Construction Logistics and Environmental Management Statement that outlines the means by which the applicants will minimise the impact on local air quality and protect the amenity of neighbours during construction.

102. This report has been reviewed by Brent's regulatory services and is considered to be appropriately robust in the measures it sets out. A condition is therefore recommended to secure these measures.
103. A further condition requiring non-road mobile machinery used in construction to be limited in terms of power output has been recommended so as to further minimise environmental impact and this will also be included as part of the consent.

Contaminated Land

104. A contaminated land ground investigation report has been submitted. The report draws a number of geotechnical engineering conclusions identifying that the site would potentially be contaminated and that a full site investigation would be necessary following demolition of the existing building. Brent's regulatory services agree with this conclusion and consider that vapour monitoring should be included within the Phase 2 works. A two part condition will require that a site investigation is carried out, submitted and approved ahead of construction, and that details of remediation measures (if necessary) are then submitted and approved ahead of occupation.

External Lighting

105. Due to the development involving residential and commercial uses, Brent's regulatory services recommend that a condition requiring details of a lighting strategy to be submitted and approved before any external lighting is used is imposed on the development.

Flooding and Drainage

106. The site falls within flood zone 2 and partly within flood zone 3a of both fluvial and surface water criteria. The existing site is fully impermeable and it is presumed that all surface water from the current building is discharging to the existing surface water sewer.
107. The applicants have submitted a Flood Risk and Drainage Impact Assessment to outline the strategies for the development in this regard. The assessment specifies proposals for green roofs, introduction of soft landscaping at ground level and the provision of a water storage tank. These measures will ensure that the proposed surface water discharge will be limited to 5 litres per second compared to the existing situation which sees a discharge of 35 litres per second. The development will therefore drastically reduce flood risk through on-site measures.
108. The submitted assessment also specifies flood protection measures including the preparation of a flood warning and evacuation plan and demonstration that the finished floor level will be higher than a predicted 1:100 flood scenario, even when the scenario severity is increased by 40% to account for climate change. Brent's Local Lead Flood Authority considers that the new development will have a very low risk of flooding and that the development will result in a net improvement to the surrounding area in terms of reducing surface water runoff across the site.
109. The GLA have reviewed the report and are satisfied with the approach to flood risk although have requested that the report gives greater regard to the drainage hierarchy. This request will be addressed by the applicant ahead of a Stage 2 referral. The GLA have also requested that the flood warning and evacuation plan is secured by condition.
110. The Environment Agency have also reviewed the report and are satisfied that drainage and flood concerns have been appropriately addressed, requiring that the submitted assessment is secured by condition.
111. Thames Water has also reviewed the application and do not object to the proposal, although do note that the development is within 15m of a strategic sewer. Thames Water have therefore requested that a condition requiring the applicants to submit a piling method statement prior to piling, to ensure that subterranean Thames Water assets have been appropriately considered and safeguarded prior to the building's foundations being piled. There are also two associated informatives that Thames Water

request be appended to the decision notice.

112. In summary, the development's approach to flooding and drainage is accepted. Conditions securing the flooding and drainage strategy, the submission of a flood warning and evacuation plan and the submission of a piling method statement will be incorporated as part of any consent.

Trees and Landscaping

113. The proposal includes a full landscaping plan, formed of public ground floor soft landscaping and five individual amenity roof gardens for residents. Whilst specific species of plants and trees have not been defined at this stage, the indicative drawings clearly show a high quality proposal which would incorporate various different surfaces, amenity areas and seating apparatus. The provision would clearly be preferable to the landscaping value of the current site which is fully hard surfaced although does have a cluster of low value self-sown trees at its northern edge.
114. The use of different character spaces across the five residential rooftop gardens, with some focussed on play and others more focussed on socialising, is a particularly valuable aspect of the landscaping scheme and was strongly praised by the design review panel.
115. A full arboricultural constraints plan, impact assessment and tree planting plan has been submitted. The applicant's tree constraints plan indicates that the development will require the loss of 18 self-sown trees located along the northern edge of the site, fronting North End Road. These trees are all Ash or Sycamore trees, 16 of which are Category C trees and 2 of which are Category B trees, generally of low habitat value and little visual interest. Brent's tree officer agrees with these conclusions and supports the loss of all of these trees subject to an appropriate programme of tree replacement on site.
116. The applicant's landscaping plan indicates the planting of 11 trees within the public realm at ground level, within the new landscaped area. The species of these trees are not yet defined. In addition, a number of other trees are proposed to be incorporated across the five rooftop garden spaces. Brent's tree officer agrees with this approach in principle and welcomes the improvement to the landscaping value of the site for both public and private benefit. A condition is recommended securing the submission of a detailed landscaping plan indicating all planting species and densities, as well as soil depths and irrigation methodologies for the trees proposed atop the roofs. The condition is to specify that trees planted should provide a variety of native and exotic species to maximise the value to the site.
117. Relevant officers at Brent have reviewed the plans and welcome the landscaping proposals, and subject to their implementation, would not object to the existing tree losses. Overall, the applicant's landscaping plan indicates a very comprehensive plan for replacement planting whose amenity value would far outweigh the small number of tree losses otherwise incurred.

Ecology and Biodiversity

118. The site is close to a Site in Nature Conservation (SINC) located along the edge of the Wealdstone Brook, although this policy designation does not extend to areas within the development site. The application includes an ecology report (prepared by Greengage) to consider the potential ecological impacts of this development on the SINC and local ecology.
119. The submitted Ecology Report indicates that the site has a low ecological value with negligible potential to support all protected and/or notable wildlife species, apart from a low potential to support nesting birds. The only formal mitigation required to ensure legislative compliance is that the trees to be removed along the northern edge of the site are checked for nesting birds prior to removal.
120. In addition to the above mitigation measure, enhancement measures are recommended, including the provision of a substrate based biodiverse roof under the PV array on the 23rd roof floor, the provision of soft landscaped gardens for residents' use on the 1st, 2nd, 17th, 18th and 19th floors, as well as the installation of bird and bat boxes and installation of invertebrate habitat features in soft landscaped areas.
121. The consultants note, that should the above mitigation and enhancement measures be carried out, the development would comply with all relevant biodiversity conservation legislation and would meet planning requirements in the borough.

122. The submitted materials have been reviewed by Brent's tree officer and the conclusions drawn as well as the measures recommended in relation to biodiversity retention and enhancement are agreed by the officer. It is therefore considered that the scheme, subject to the above measures, would not result in any unduly harmful impact on the biodiversity in the area. The measures are to be secured within the detailed landscaping condition.

Fire Safety

123. Fire safety is an aspect of development considered at building regulations stage, nonetheless the applicants have submitted a report setting out that appropriate considerations have been made ahead of the planning application to ensure that the building will be capable of meeting fire safety regulations.
124. The report confirms that the flats will be provided with standalone fire detection and alarm systems to meet British Standards and will include mechanical smoke extract systems and supply air shafts provided where necessary to meet standards. The report also notes that the wall and ceiling linings will meet the appropriate recommendations. It is also confirmed that each floor of the building will be designed as compartment floors, ensuring any penetrations to the floors will be adequately fire stopped. To further prevent spread of fire, walls in the building will be provided with appropriate fire resistance. To prevent external fire spread, it is confirmed that the building will be built with external walls and insulation that are classified as either of limited combustibility or as non-combustible. The building will also be delivered with full consideration to ensuring access and facilities for the benefit of the fire service are incorporated. This includes a fire resistant firefighting shaft, firefighting lift and wet riser per stair core with appropriate tank storage for the risers. The car park is to be ventilated via impulse jet fans. All of the building's commercial units will also be accessible within 45m distance of the public highway to ensure firefighting equipment can be brought to all of the units with ease.
125. Overall, the fire safety report confirms that the building, subject to further design at later stages, would be capable of meeting all relevant fire safety requirements in the building regulations.

Archaeological Impact

126. The applicants have submitted an archaeological desk based assessment to consider whether there would be any archaeological potential for findings of significance below the development site.
127. In terms of designated archaeological heritage assets, the site does not lie within any relevant national, regional or local policy designations. Overall, the site is considered to have a low-nil archaeological potential for all past periods of human activity. The report also notes that past post-depositional impacts are considered to have been severe and cumulative as a result of several phases of development throughout time.
128. The study concludes with a recommendation for no archaeological mitigation measures being needed.

Microclimate and Pedestrian Comfort

129. A microclimate assessment has been provided which considers the impact of the development in the context of its existing and consented surrounding buildings on wind conditions. Wind tunnel testing has been undertaken to test how the development would be affected in this regard.
130. The existing Site with existing surrounding buildings has generally calm wind conditions with all locations suitable for the intended use. With the Proposed Development in situ (without landscaping or mitigation measures) wind conditions become slightly windier, particularly to the east. Thoroughfares, entrances and the 1st floor podium terrace have wind conditions suitable for the intended use and do not require mitigation measures in all tested configurations. However, several areas were windier than required for pedestrian comfort, requiring mitigation in:
- Seating at the play area
 - 2nd Floor Podium;
 - Seating at the 17th floor terrace;
 - The 19th floor terrace; and
 - Two locations (on the 19th floor terrace and a north-east high-level balcony) had strong winds exceeding the safety threshold, which also required mitigation.

Mitigation measures were developed using an iterative test procedure with the design team. The following mitigation measures were included with the proposed landscaping scheme:

- Proposed landscaping scheme;
- Solid 1.1m high balustrade on balconies with strong wind exceedances;
- Two additional planters (0.7m high planter with 1.1m high shrubs) at podium level near children's play space;
- 1.8m high solid balustrade between podium level near children's play space; and
- 50% Porous screen (0.7m high planter with 1.1m high ivy screen, 3m wide) at 19th level terrace.

131. The specific elements of the landscaping scheme which are required are trees to the south of the site and all landscaping elements on the podium level and the 17th, 18th and 19th floor terraces.

132. With these mitigation measures in place, all locations had wind conditions suitable for the intended use, and therefore no further mitigation is required for the Proposed Development in the existing context.

133. With cumulative buildings in situ wind conditions are generally the same or calmer, due to the additional shelter provided. Wind conditions are suitable at all locations (with mitigation measures in place) in the future scenario.

134. The above mitigation measures will be secured by condition.

Television Broadcast Impact

135. The television broadcast report confirms that the proposed development is not expected to have any adverse effect upon the reception of Digital Terrestrial Television services, with the development unlikely to alter local reception conditions. In relation to Digital Satellite Television, widespread interference is not expected as a result of this development but it is noted that the proposed development and use of tower cranes may cause interference to reception for existing developments adjacent to the site, within 159m to the north and northwest. Simple and cost effective satellite repositioning would be capable of restoring all services if any adverse impacts are experienced.

136. To prevent the development from potentially being visually affected by the use of multiple satellite dishes, serving individual flats within the development, a condition will require that one single satellite dish is installed only, to which all other flats should be connected to ensure such services can be delivered.

Community Involvement

137. The applicants held 2 public exhibitions on the 31st of May 2018 and the 1st of June 2018. These events were held at the Wembley Hotel Novotel on Olympic Way. Approximately 6,800 residents were sent invitations to the events and newspaper adverts were also printed in the 24 June and 5 July editions of the Brent and Kilburn Times to advertise the consultation events. Approximately 20 people attended the events over both days, including representatives of Danes and Empire Court Residents Association, as well as local business representatives and residents.

138. Attendees were able to provide feedback at the events and a telephone information line and email address for enquiries were also available. The applicants have submitted a Statement of Community Involvement which indicated that low levels of feedback were received. Of that feedback, the majority was supportive of the proposal with the main themes of this feedback being in relation to: The redevelopment opportunity, the height, the affordable housing and how it is arranged, the pricing and marketing of the residential units, the car free approach to the development, the creation of a new pedestrian link between North End Road and Fulton Road, the provision of public soft landscaping, the affordable workspace and who might occupy it.

Summary

Officers consider that the scheme meets planning policy objectives and is in general conformity with local, regional and national policy. The proposal would make a positive contribution to the area, whilst having an acceptable impact on and relationship with the existing surrounding development. Officers recommend the application for approval subject to the conditions and obligations set out in this report.

CIL DETAILS

This application is liable to pay **£5,961,435.56*** 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): 787 sq. m.

Total amount of floorspace on completion (G): 19475.6 sq. m.

Use	Floorspace on completion (Gr)	Eligible* retained floorspace (Kr)	Net area chargeable at rate R (A)	Rate R: Brent multiplier used	Rate R: Mayoral multiplier used	Brent sub-total	Mayoral sub-total
Dwelling houses	18640		17886.77	£200.00	£35.15	£4,998,712.34	£878,523.69
General business use	835.6		801.83	£40.00	£35.15	£44,816.78	£39,382.75

BCIS figure for year in which the charging schedule took effect (Ic)	224	224
BCIS figure for year in which the planning permission was granted (Ip)	313	
Total chargeable amount	£5,043,529.12	£917,906.44

*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: 18/3381

To: Mr Cifaldi
Savills
33 Margaret Street
London
W1G 0JD

I refer to your application dated **28/08/2018** proposing the following:

Demolition of existing buildings and redevelopment of the site to provide 217 residential units and 787sqm of affordable workspace (Use Class B1(a), B1(b), B1(c)) on ground floor, in a new building ranging between 2 and 23 storeys together with associated infrastructure works including private and communal space, car parking, cycle storage and public realm improvements (revised description)

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

at **10 & 11 Watkin Road, Wembley, HA9 0NL**

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: 30/11/2018

Signature:

Alice Lester
Head of Planning, Transport and Licensing

Notes

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

DnStdG

SUMMARY OF REASONS FOR APPROVAL

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

National Planning Policy Framework (2018)
The London Plan (2016)
Brent's Core Strategy (2010)
Brent's Development Management Policies (2016)
Brent's Wembley Area Action Plan (2015)
Brent's Supplementary Planning Document 1 - Design Guide for New Development (2018)

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

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

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

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

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

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

A100 Rev L
A101 Rev L
A102 Rev L
A103 Rev L
A104 Rev L
A105 Rev L
A106-110 Rev L
A111-113 Rev L
A114 Rev L
A115-116 Rev L
A117 Rev L
A118 Rev L
A119 Rev L
A120-21 Rev L

A122 Rev L
A123 Rev L

A150 Rev A
A200 Rev A
A201 Rev C
A5
A50
A60 Rev G

1b1p Rev B
1b1p-BW2 Rev B
1b1pA Rev B
1b2pA Rev B
1b2p-B1 Rev B
1b2p-B2 Rev B
1b2p-B3 Rev B
1b2p-C Rev B
2b3p-A Rev B
2b3p-B Rev B
2b3p-C Rev B
2b3p-E Rev B
2b3p-D Rev B
3b5p-A Rev B

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

- 4 The approved parking plan, including the car and cycle storage facilities, as well as the approved refuse storage facilities shall be installed prior to occupation of the development hereby approved and thereafter retained and maintained for the life of the development and not used other than for purposes ancillary to the occupation of the building hereby approved, unless alternative details are agreed in writing by the Local Planning Authority.

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

- 5 The development hereby approved should be built so that 10% of the residential units achieve Building Regulations requirement M4(3) – ‘wheelchair user dwellings’ and the remaining to be built in accordance to M4(2) – ‘accessible and adaptable dwellings’, unless the units are laid out as 1 bed 1 person units which will achieve M4(1) visitable dwellings.

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

- 6 Prior to first occupation of the development hereby approved, electric vehicle charging points shall be provided and made available for use within at least 20% of the approved car parking spaces within the site. The provision of electric vehicle charging points shall be in accordance with adopted London Plan standards, providing both active and passive charging points, unless otherwise agreed in writing with the local planning authority.

Reason: To encourage the uptake of electric vehicles as part of the aims of the adopted London Plan policy 6.13.

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

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

- 8 A communal television aerial and satellite dish system shall be provided, linking to all residential units within the development unless otherwise agreed in writing by the local planning authority. No further television aerial or satellite dishes shall be erected on the premises.

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

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

Reason: To safeguard the amenity of the neighbours.

- 10 The pedestrian footway around the eastern side of the building, connecting Watkin Road with North End Road, shall remain unobstructed and publically accessible at all times for at least 364 (three hundred and sixty four) days per calendar year, except during discrete temporary periods of footway maintenance.

Reason: To ensure the development improves local pedestrian permeability for the benefit of local residents and visitors.

- 11 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.

- 12 All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance. Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority. The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>.

Reason: To protect local amenity and air quality in accordance with Brent Policy EP3 and London Plan policies 5.3 and 7.14.

- 13 The photovoltaic panel arrays on the roofs of the proposed building shall be installed in accordance with the arrangement shown on the approved drawings (ref: A122 and A123) and shall be made operational prior to the first occupation of the building hereby approved, unless alternative details are first agreed in writing by the Local Planning Authority.

Reason: To ensure that the development minimises its carbon emissions, in accordance with London Plan policy 5.2.

- 14 The development hereby approved shall be carried out in full accordance with the mitigation measures stipulated in the approved Air Quality Assessment (prepared by XCO2, dated August 2018), unless alternative details are first agreed in writing by the Local Planning Authority.

Reason: To appropriately mitigate air quality impact.

- 15 The development hereby approved shall be carried out in full accordance with the mitigation measures stipulated in the approved Construction Logistics and Environmental Management Plan (prepared by Barratt London, dated August 2018), unless alternative details are first agreed in writing by the Local Planning Authority.

Reason: To appropriately mitigate impact of the development.

- 16 The development hereby approved shall be carried out in full accordance with the details stipulated in the approved Flood Risk and Drainage Impact Assessment (prepared by Walsh, dated August 2018) , unless alternative details are first agreed in writing by the Local Planning Authority.

The flood warning and evacuation plan referred to within this report shall be prepared by the applicant and submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development hereby approved. The development shall thereafter operate in accordance with the approved details unless alternative details are first agreed in writing by the Local Planning Authority.

Reason: To ensure the safe development and secure occupancy of the site proposed for residential use.

- 17 Details of materials for all external work, including samples which shall be made available for viewing on site, shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing above ground level. The work shall be carried out in accordance with the approved details, unless alternative details are first agreed in writing by the Local Planning Authority.

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

- 18 Prior to occupation of the development hereby approved, a scheme of detailed landscaping proposals, showing planting, ecology enhancement measures (as set out in the report prepared by Greengage- ref: 551095dpJul18FV03_PEA - dated July 2018) and strong wind mitigation measures (as set out in the report prepared by RWDI - ref: RWDI #1803932B - dated August 2018) shall be submitted to and approved in writing by the Local Planning Authority.

The submitted scheme shall identify all plant species, densities of planting as well as species and soil densities for all proposed ground floor trees. Soil depth and irrigation methodologies for the trees proposed within the roof gardens shall also be provided. The trees proposed should be formed of a variety of native and exotic species.

The approved landscaping, ecological enhancement measures and strong wind mitigation measures works shall be completed prior to first occupation of the development hereby approved and thereafter maintained, unless alternative details are first agreed in writing by the Local Planning Authority.

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

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

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

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

- 20 Prior to the occupation of the development hereby approved, details of how the development is designed to allow future connection to a district heating network should one become available, shall be submitted to and approved in writing by the local planning authority and the development shall be completed in accordance with the approved details.

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

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

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

- 22 Notwithstanding the information submitted, a revised delivery and servicing plan including a more robust management strategy shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development. The development shall thereafter operate in accordance with the approved delivery and servicing plan unless alternative details are first agreed in writing by the Local Planning Authority.

Reason: To ensure construction processes do not unduly prejudice the free and safe flow of local highways.

- 23 Notwithstanding the information submitted, a detailed refuse management strategy setting out the management arrangements for the handling of refuse storage and collection shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development. The development shall thereafter operate in accordance with the approved refuse management strategy unless alternative details are first agreed in writing by the Local Planning Authority.

Reason: To ensure construction processes do not unduly prejudice the free and safe flow of local highways.

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 The applicant is advised by the applicant to contact the Head of Highways & Infrastructure to arrange for the highway works to be undertaken. Such works are undertaken by the Council at the applicant's expense.
- 5 The applicant is advised to notify the Council's Highways Service of the intention to commence works prior to commencement. Such notification shall include photographs showing the condition of highway along the site boundaries.
- 6 Thames Water wishes to advise the applicant of the following:
 - A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.
 - There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimise the risk of damage. We'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. https://urldefense.proofpoint.com/v2/url?u=https-3A__developers.thameswater.co.uk_Developing-2Da-2Dlarge-2Dsite_Planning-2Dyour-2Ddevelopment_Working-2Dnear-2Dor-2Ddiverting-2Dour-2Dpipes&d=DwlFAw&c=OMjwGp47Ad5otWI0__lpOg&r=G_hzVySAkixNxE_J_EjNJR_FDWFjexJLES8DRQ06qKk&m=ljGy04oP9ICSCuWuBsT6KjkJ-dpijPoeFLDOoG3l89s&s=V33ah_mB5sjl0jHfwzJ9HyKjLybXhMz3_V58Nma4VPo&e=.

The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.
- 7 Brent Council supports the payment of the London Living Wage to all employees within the Borough. The developer, constructor and end occupiers of the building are strongly encouraged to pay the London Living Wage to all employees associated with the construction and end use of development.
- 8 The Council recommends that the maximum standards for fire safety are achieved within the development.

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

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

12 December, 2018

18/3056

SITE INFORMATION

RECEIVED	1 August, 2018
WARD	Kilburn
PLANNING AREA	Kilburn Neighbourhood Forum
LOCATION	289 Kilburn High Road, London, NW6 7JR
PROPOSAL	Demolition of existing building and erection of a part four and part five storey building comprising drinking establishment (Use class A4) at ground and basement level and 9 self-contained flats above (5 x 1-bed, 3 x 2-bed and 1 x 3-bed) including a new residents entrance gate, glazed screens and doors to side elevation fronting Drakes Courtyard, cycle and waste storage
PLAN NO'S	0502-000.00, 0502-000.01, 0502-100.02, 0502-100.03, 0502-300.02, 0502-100.03, 0502-300.01, 0502-300.02, 0502- 400.01, 0502-100.07 Rev L, 0502-100.08 Rev L, 0502-100.09 Rev K, 0502-100.13 Rev K, 0502-100.13 Rev K, 0502-300.05 Rev K, 0502-300.06 Rev K, 0502-400.03 Rev K
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_141245</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 "18/3056" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab

RECOMMENDATIONS

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

Conditions:

1. Time limit for commencement
2. Approved drawings/documents
3. Details of materials
4. Site investigation
5. Remediation measures
6. Treatment of Drakes Courtyard
7. A4 fit out details to be agreed
8. Retention of whole A4 unit
9. Restriction on C3 to C4 use
10. Reconstruction of access

Informatives

1. CIL liability
2. Party Wall
3. Advertisement Consent
4. Control of Pollution
5. Hours of Construction
6. Building regulations
7. Construction Licences
8. Highways agreement
9. Noise and vibration
10. Air quality
11. Notification of Highways
12. Fire safety
13. Living wage

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

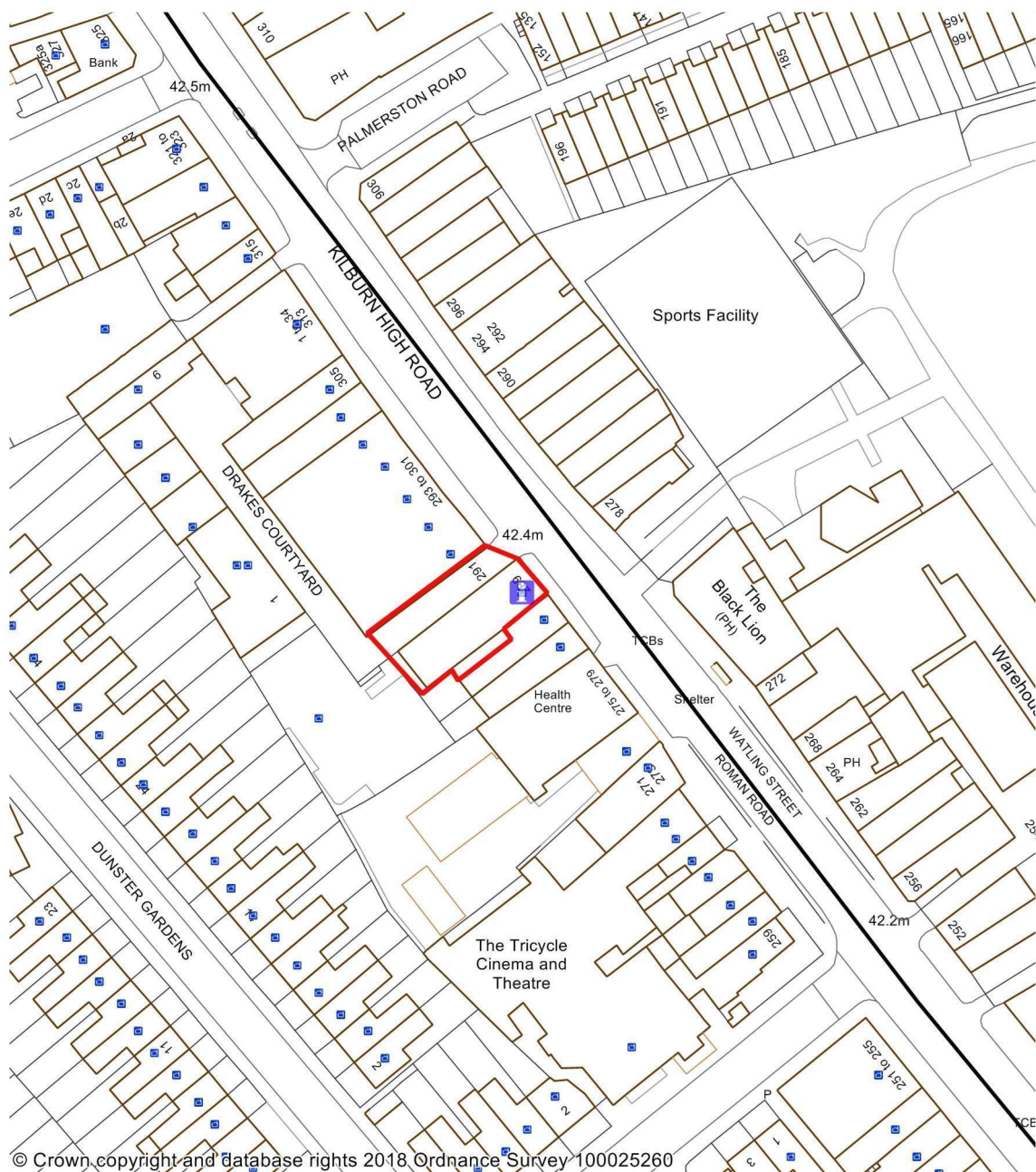
SITE MAP



Planning Committee Map

Site address: 289 Kilburn High Road, London, NW6 7JR

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This map is indicative only.

PROPOSAL IN DETAIL

Demolition of existing building and erection of a four storey building (five storeys to the rear) comprising an A4 unit at ground and basement level and 9 flats above (5 x 1 bedroom, 3 x 2 bedroom and 1 x 3 bedroom flats) with associated bin and cycle storage.

EXISTING

The application site concerns a part single, part three storey, end of terrace building located on the western side of Kilburn High Road. The ground floor of the property is currently vacant but previously consisted of 'The Good Ship' which was in use as a public house, which held some live music events. The first and second floors of the building which are set back from the street consist of two self contained flats.

The site is located within a Secondary Shopping Frontage of Kilburn Town Centre. The site does not contain any listed buildings and is not located within a conservation area. However, the North Kilburn Conservation Area is located just over 20m to the south west of the site.

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 is an existing mixed use site comprising an A4 unit at ground floor with residential above. The proposal would re-provide the A4 unit and would add to the Borough's Housing stock at a site within a town centre location with very good access to facilities and public transport.

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 character and appearance of the wider area.

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 a condition to secure a parking permit restrict for future residents as well as , it is considered that the proposal is acceptable in highways and transport terms.

RELEVANT SITE HISTORY

The application follows a recently refused application ref. 18/1541 for the Demolition of the existing building and erection of a four storey building (five storeys to the rear) comprising a D1 unit at ground and basement level and 9 flats above (5 x 1 bedroom, 3 x 2 bedroom and 1 x 3 bedroom). The application was refused for the following two reasons

1. *The proposal would result in the loss of an existing public house (A4) without adequate replacement or justification by failing to demonstrate that the existing public house is economically unviable*

and that sufficient marketing has taken place. The proposal would also constitute the loss of a service of particular value to the local community. The proposal is therefore considered to be contrary to Development Management Policy (2016) DMP21.

2. The proposed development would not provide an adequate overall standard of accommodation for future occupiers, by virtue of the lack of amenity space for units 03, 05, 06, 07 and 08, the poor outlook of units 01, 07 and 09 and the poor layout, narrow width of the single bedroom and usability of Unit 01 which would be contrary to Development Management Policy (2016) DMP1 and DMP19, Policy 3.5 of the London Plan consolidated with alterations since 2011 (March 2016) and the Technical Housing Standards – Nationally Described Space Standards (2015).

CONSULTATIONS

130 neighbouring properties were notified, 18 objections were received at the time of writing this report. The reasons for the objections are given below

Objection	Response
Character is being stripped from high street in favour of ugly developments	The existing building is not considered to be of any architectural merit. The proposed development is appropriate in its context
History of the area being lost to flats	The ground floor commercial unit is being retained although there would be an increase in the number of residential units
Need to preserve layout for live entertainment proposed unit too small and split level	The ground floor is comparable to the existing ground floor unit. This is discussed in detail principle section
Kilburn has a long history of live music and needs to retain this eroding vibe	It is considered that the proposed unit would be able to hold live music events if such a tenant wished. This is discussed in detail in principle section
Flats above are unlikely to fit in with music venue due to noise and reduction in space	It would not uncommon for such uses to be combined particularly in a town centre location. Noise management will be dealt with under separate legislation.
Downsizing one of the few remaining music venues to an unviable size seems inconsistent with the vision of the night time economy	The proposed unit is considered to be of an appropriate size and this is discussed in detail in the principle section
Loss of non-self-contained accommodation in the form of HMO's contrary to DMP20	Nine good quality self contained units will be provided. This is discussed in the other matters section
Development would prejudice the future development potential of the site to the rear	No development proposals have come forward for this site.
Development proposes no affordable housing	No affordable housing is required as the development is below the 10 unit threshold
Contrary to DMP21 which states site needs to be marketed before redevelopment	This is applicable if the development was resulting in the loss of the A4 unit which is no longer the case
Policy DMP2 states that the proposals should maintain an active frontage	The proposal will maintain an active frontage as the A4 unit would be retained
DMP21 states that the redevelopment should not constitute the loss of a service of particular value to the community	This is not considered to be the case and the re-configured unit has the ability to operate in the same way as the existing

External Consultation

The London Borough of Camden were consulted and have an objection to the proposal on design grounds

Internal Consultation

Design – no objection

Environmental Health – no objections

Heritage & Conservation – no objection

Transport & Highways – no objections

Trees – no objection

POLICY CONSIDERATIONS

National Planning Policy Framework (2018)

Development Management Policies (2016)

DMP1	Development Management General Policy
DMP2	Supporting Strong Centres
DMP7	Brent's Heritage Assets
DMP12	Parking
DMP18	Dwelling size and residential outbuildings
DMP19	Residential Amenity Space
DMP21	Public Houses

Core Strategy (2010)

CP2	Population and Housing Growth
CP21	A Balanced Housing Stock

London Plan (2016)

3.5 Quality and Design of Housing Developments

Supplementary Planning Document (2018)

SPD1	Brent Design Guide
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DETAILED CONSIDERATIONS

1. Principle

1.1 Although currently vacant the ground floor of the existing premises was previously occupied by 'The Good Ship' which was in use as a bar which held music and live entertainment events. The previous application (ref. 18/1541) was refused on the basis that the development would have resulted in the loss of the A4 unit and its replacement with a D1 unit. In the absence of any evidence to demonstrate that an A4 use was unviable, in compliance with DMP21, the proposal was not considered acceptable.

1.2 In this submission the A4 unit is proposed to be retained, although it would have a different layout to the existing unit and be split level, occupying both the proposed basement and ground floor levels. Whilst the proposed development would no longer result in a loss, it is nevertheless important to give consideration to the principles behind DMP21. Whilst the A4 unit is being re-provided, the layout is changing and therefore attention needs to be given to the quality of the unit and its ability to operate in the long-term as a viable A4 use, even if the re-development is not resulting in a loss in itself. Therefore whilst criteria a) of DMP21 is no longer relevant to the proposal, the other criteria are to be considered in turn.

1.3 Criteria c) of DMP21 states that the proposal should not constitute the loss of a service of particular value to the community. There is no evidence to suggest that the premises were and are used to host local community events such as residents or local interest group meetings. However, a significant number of objectors have referred to the value that the premises provided in terms of the local night time economy, space for bands to play in, creative space and as one of the only places in the Kilburn area to provide live

music and entertainment. The premises and its former function with Kilburn is therefore clearly valued to certain sections of the local community. It is therefore important that an acceptable A4 unit is retained. It would then be down to the operator to decide whether to continue to hold music events.

1.4 The layout of the unit is proposed to change and concern has been expressed the A4 unit would not offer good quality and useable floorspace so to appeal to a wide variety of tenants or to be used in future as a live entertainment venue similar to 'The Good Ship'. The existing unit occupies the ground floor with a sunken area to the rear and mezzanine level, with a floor area of 138m² at ground floor with the mezzanine providing a further 22sqm of floorspace. Due to the creation of the basement, the proposed new unit would have a total floor area of 332m², however it is acknowledged that greater floorspace does not necessarily equate to greater quality and part of the basement cannot be considered useable given that it would have to accommodate additional storage and toilets. Nevertheless, the basement would still increase floorspace and would be an open area contributing to the quality of the unit with the potential to operate in various ways associated with an A4 use.

1.5 In order to properly assess the quality of the space, a comparison of the useable areas of the proposed and existing ground floor, which is considered the most significant, has been undertaken. In relation to the existing unit, the main bar area measures some 6.5m wide x 11.3m long with the lower level measuring 6.6m x 4.6m. There is a circulation area adjacent the sunken floor level measuring 2.1m wide leading to the back of house area. It is raised that this area would typically not be considered practical useable space, nevertheless it has been counted as such in this assessment in that it would probably be a suitable standing area for people. In relation to the proposed unit, the main front area would measure 6.8m wide x 11.3m long (slightly wider than existing), with the opening through to the rear area measuring 4.7m (less than the existing 5.5m). At the rear the area measures between 6m / 5.1m wide x 10.5m long which equates to a total ground floor area of 146m². Therefore whilst noting that the layout would differ from the existing, with no mezzanine proposed, the area of useable floorspace at the ground floor and the proposed layout of the unit would not be very different (a loss of approx 14sqm at ground floor) from the existing so to conclude that the unit could not be used in a similar fashion to 'The Good Ship' or as a viable A4 unit in the future. The ground floor would also be double height throughout which would further ensure the quality of the space. Again, floorspace would be maximised through the provision of the basement

1.6 Objections have been received from local residents noting that Kilburn High Road has been identified as an important location for the night time economy and that the subject site makes an important contribution largely due to the fact that it is the only remaining live music venue on Kilburn High Road. The extent to which the reconfigured A4 unit would be viable as a future entertainment venue has already been discussed above, however, it is important to note that an entertainment venue would fall under use Class D2. Planning history indicates that the subject site was in A4 use long before it became the Good Ship (previously occupied by ZD bar) and there is no evidence of a planning application ever being submitted for the change of use to D2. Furthermore, if the opening hours of 'the Good Ship' are considered these would support its primary use as an A4 unit given that the premises were open Monday to Sunday with long openings hours (17:00 – 02:00 and until 04:00 Fridays and Saturdays). Therefore whilst the previous occupiers may have found their niche in terms of providing live entertainment to ensure their longer term viability, this does not appear to be the primary purpose of the unit and as such it is correct to assess the unit as an A4 use. Nevertheless, and as above, it is important to ensure that a similar venue could operate from the premises and its considered that this would be possible.

1.7 Whilst no longer a loss of the A4 use it is acknowledged that criteria b) of DMP21 states that the proposed alternative use should not detrimental affect the character and vitality of an area and should retain as much of the building's external fabric and appearance as a pub as possible. In this case, although the building would be replaced, the existing building and in particular its frontage is not considered typical of the frontage of a traditional public house. The frontage does not have features typically associated with a public house that can be seen in other premises on Kilburn High Road and therefore the proposal is acceptable in relation to criteria b). Criteria d) is not applicable in this case as the premises are not registered as an Asset of Community Value.

1.8 Therefore when considering the quality, it is considered that the re-configured unit would have an acceptable layout so as to appeal to a wide variety of tenants and would have the potential to operate as a live entertainment venue if such a tenant wished to occupy the unit in future. Furthermore, given that the unit would be of a suitable quality, it would not jeopardise or undermine the Kilburn High Roads designation within the draft London Plan as an important location for the night time economy. It is therefore considered that the previous reasons for refusal have been overcome and the principle of the re-development of the site is acceptable in this regard. A condition has been recommended to agree the fit-out details of the A4 unit, to ensure that it is constructed to a standard that will attract future occupiers and be viable.

1.9 C3 residential use on upper floors

1.10 The principle of residential on upper floors is considered to be acceptable provided that there would be no impact on the A4 use. The proposal includes 9 residential units and is therefore under the threshold to require affordable housing or a specified unit mix.

2. Character and appearance

2.1 Kilburn High Road has a variety of building types and designs with a number of modern additions located beside older and more traditional buildings. A number of objections have been made on this basis of the design of the new buildings including from The London Borough of Camden. The existing building consists of a single storey feature at ground floor level and a three storey building that is well set back from the street. This is also visible in the neighbouring buildings in the same row. The building next door has a modern ground floor but the first floor has retained some of its original features. There are also two extensions to the roof that are set back and not particularly visible from the street but are more modern in appearance.

2.2 The proposal would see quite a change from the existing situation with the proposed building increasing in height by one storey and also over sailing Drakes Courtyard which is a narrow alleyway between the application site and the neighbouring building. Although there would be an increase in scale and mass the proposed would still be well set back from the street frontage with the proposed building line the same as the existing situation. The design is also considered to be quite simple in nature and therefore not completely out of place in this location which has seen more modern buildings become more commonplace in recent times.

2.3 The North Kilburn Conservation Area is located approximately 25 metres to the west of the site. However, views from Kilburn High Road are obscured due to the presence of buildings. If views are achieved at certain intervals such as Drakes Courtyard it is only the rear of the properties within the Conservation Area that are visible. As such it is not considered that the proposal would harm the character and appearance of the Conservation Area.

2.4 Overall the design of the building is considered to be acceptable in this location.

3. Quality of accommodation

3.1 As well as the loss of the A4 unit, the previous application was also refused on the basis that a satisfactory standard of accommodation would not be provided for a proportion of the nine units proposed. DMP1 requires development to have high levels of internal and external amenity including space standards, room sizes, amenity space, outlook and access to light.

3.2 In this case, the floor plans have been amended slightly from the previous application and a daylight/sunlight report submitted.

3.3 In relation to the unit themselves, DMP18 requires the size of dwellings to be consistent with the London Plan Policy 3.5 Table 3.3 in terms of internal space standards. All units would exceed internal space standards.

3.4 With regards to private amenity space DMP19 requires all dwellings to have external private amenity space of a sufficient size and type to satisfy the proposed residents' needs. This is normally expected to be

20sqm per flat and 50sqm for family housing (including ground floor flats). In this case none of the proposed units meet the requirement of 20 sqm or 50 sqm. However, it is noted that the Mayor of London's housing SPG sets reduced standards, recommending a minimum of 5sqm for 1 and 2 bedroom units. In this case all of the units would have in excess of 5sqm with the 3 bedroom unit having access to in excess of 20sqm. Furthermore, whilst noting that all of the units would fail to meet the external amenity standards as outlined in DMP19, all of the units would have internal floor areas which exceed minimum space standards with a number of units by as much as 10%. Therefore whilst acknowledging that a reduced standard of external space would be provided, the reduced provision would to some extent be mitigated through the quality of the internal accommodation. Furthermore, when considering the constraints of the site, it would not be possible to provide significantly larger outdoor spaces. As such it is considered that the previous concern with regards to the inadequate provision of external amenity space has been overcome.

3.5 Concerns were also raised with the previous application in relation to the quality of the single aspect units proposed, particularly in the absence of any daylight/sunlight report. In this case, a daylight/ sunlight report has been submitted which confirms that all units would receive adequate levels of daylight and sunlight. Furthermore, whilst particular concerns were raised with regards to unit with of the single bedroom for unit 1, this has been widened to meet the 2.3m minimum and as such this previous concern has also been addressed.

3.6 Whilst dual aspect units would be preferable and afford a higher standard of accommodation for future residents of the units, the submitted daylight and sunlight report indicates that where this has not been achieved, the levels of daylight and sunlight would nevertheless exceed standards. The overall living conditions of the proposed flats would be acceptable.

4. Neighbouring amenity

4.1 The upper floors of the neighbouring building MP Moran's does not contained any residential properties and is occupied by offices/ancillary uses to the building providers. There is a maisonette located in the upper floors of the attached neighbouring building. The proposed building line would be level with the existing building line at both the front and rear of the site. Therefore there are no concerns that there would be a loss of light or increased sense of enclosure from the actual mass of the building.

4.2 Balconies are proposed at the front and rear of the building. Whilst it is unlikely that they would have an impact on the outlook of neighbouring properties due to their set in from the boundary, they could potentially result in overlooking. However, the applicant has proposed privacy screens on some of the balconies, further details of which will be secured by condition.

5. Parking, Access and Refuse

5.1. As the site has good access to public transport services (PTAL 4), the lower residential car parking allowances set out in Appendix 1 of the adopted DMP 2016 apply.

5.2 The existing public house has no parking allowance, whilst the two flats above would be allowed up to 1.95 spaces in total. With no parking available within the site anyway, maximum allowances are currently complied with. The nine proposed flats would be allowed up to 7.2 off-street car parking spaces, with no parking again allowed for the public house. Again, the absence of any proposed parking would accord with maximum standards.

5.3 Policy DMP12 also requires that any overspill parking that is generated can be safely accommodated on-street though. In this case, the development fronts a major London distributor road and bus route, with parking along the frontage thus prohibited during the day to maintain traffic flow. The adjoining road is therefore unable to safely accommodate the additional parking demand arising from these proposed flats. Policy DMP12 does encourage car-free development in areas with good access to public transport though. As such, in order to mitigate potential parking problems resulting from the development, the rights of future residents to on-street parking permits in the area will be withdrawn through a 'car-free' condition . This has been accepted by the applicant.

5.4 The London Plan requires at least 13 secure bicycle parking spaces for residents, plus 10 further long- and short-term spaces for the public house. An internal bicycle store at ground floor level at the rear of the building will provide 20 secure parking spaces, although there is spare capacity for a further three spaces if required. Overall requirements are therefore met, although the spaces would not be accessible to short-term visitors. The site constraints mean that this shortcoming of the proposal is reasonable.

5.5 Refuse storage for eight wheeled bins is also proposed to the rear of the building, with access from Drakes Courtyard. The store will be about 25m from Kilburn High Road, which marginally exceeds the maximum refuse carrying distance of 20m for wheeled bins. To address this, it is proposed to stand the bins on the Drakes Courtyard access road on collection days, which is not ideal given its restricted width. However, the carrying distance only marginally exceeds the usual maximum, so these arrangements can be accepted without the need to bring bins to the Kilburn High Road frontage.

5.6 Other deliveries would also need to be made from Kilburn High Road and to this end, there is an on-street loading bay immediately north of the site that can be used. The existing public house is being replaced and so whilst it would be preferable for off-street servicing space for a 10m brewery dray to be provided, the proposal does not worsen the existing substandard situation.

5.7 The proposed building would also bridge over Drakes Courtyard access at a height of 4.63m, which provides suitable headroom for this privately maintained service road. The means of supporting the oversailing structure is not clear though and any supporting columns along Drakes Courtyard should be kept to the minimum width necessary, in order to minimise any loss of width to the access road.

5.8 The drawings confirm that lighting will be provided beneath the structure and further details are sought by condition. It is also proposed to reconstruct the access into Drakes Courtyard across the Kilburn High Road footway (within the highway boundary) to make it more pedestrian friendly though, which is welcomed. These works should be funded by the applicant prior to occupation of the building and should also include an extension of the footway out into Kilburn High Road on the northern side of the access.

5.9 Finally, a revised Transport Note has been submitted with the application. This has re-considered likely future trip generation to and from the site, based on comparisons with other similar developments in London that have low levels of parking, which is considered to be appropriate. The resulting estimates predict that the development will generate 0 arrivals/2 departures in the morning peak hour (8-9am) and 36 arrivals/33 departures in the evening peak hour (5-6pm), with a total of 663 movements across the course of the day.

5.10 A total of 14 vehicles are predicted to visit the site over the course of a day, only one of which is predicted to arrive and leave in the evening peak hour. The majority of trips would be in the evening, as at present, so the predicted level of traffic generation would not have any significant impact on the local road network at peak times.

5.11 The overall figures by all modes for the evening peak hour and across the day as a whole are much higher than for the previous scheme with the medical centre. However, this is solely as a result of the public house being retained on the site, so the additional trips are not new trips on the surrounding network, but trips that already take place. The new trips associated with the flats are negligible in comparison. The proposal is therefore considered likely to have a negligible impact on bus and rail networks.

6. Other matters

6.1 An objection has been received from a neighbouring landowner that the proposed development would jeopardise the future redevelopment potential of this site to the rear which is currently a car park. However, whilst noting that the development would increase in scale, this would be comparable to other buildings on Kilburn High Road that have a similar relationship with the site to the rear. Furthermore the footprint of the building would not be significantly different to the existing. Whilst there is an increase in residential unit and balconies etc. there are already residential units above ground floor with rear facing windows and there is no reason why a suitably scaled and designed development, if policy compliant, could not be implemented on this brownfield site should it be considered appropriate and should the landowner seek to do this in the future.

6.2 Concern has also been expressed with regards to the loss of the existing residential accommodation which comprises two flats which the planning statement refers to as being HMOs. According to the objection no evidence has been provided to demonstrate that the loss of this accommodation is acceptable in

compliance with DMP20. However, in this case the non self-contained accommodation is small scale and not specialised. Furthermore, the DMP recognises that the majority of residents needs within the borough will be met by self-contained accommodation. Therefore it is important to recognise that the loss of the two small scale HMO's will be at the expense of 9 good quality self-contained units, including one family sized unit, and therefore the benefits of the scheme in this regard, outweigh the harm.

6.3 A query has also been raised with regards to the impact on emergency access due to the oversailing structure and its potential impact on the buildings to the rear. However, the Building Control department have been notified of the application and raise no concerns with regards to this. A consultation with the Fire Department will take place under the Building Regulations process.

7. Conclusion

7.1 The proposed development is acceptable in principle as it would retain a good quality A4 unit at ground floor level and would provide nine housing units to meet the needs of local residents. Furthermore, the development would have an acceptable impact on the character and appearance of the area, the local highway network and the occupants of neighbouring residential and non residential premises.

CIL DETAILS

This application is liable to pay **£217,346.09*** 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): 1143.4 sq. m.

Use	Floorspace on completion (Gr)	Eligible* retained floorspace (Kr)	Net area chargeable at rate R (A)	Rate R: Brent multiplier used	Rate R: Mayoral multiplier used	Brent sub-total	Mayoral sub-total
Dwelling houses	802.68	165.6	637.08	£200.00	£35.15	£178,041.11	£31,290.72
Drinking establishments (2004)	340.72	264.4	76.32	£40.00	£35.15	£4,265.74	£3,748.52

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	£182,306.85	£35,039.24

*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: 18/3056

To: Ms Gleeson
Firstplan
Firstplan
Bramah House
65-71 Bermondsey Street
London
SE1 3XF

I refer to your application dated **01/08/2018** proposing the following:

Demolition of existing building and erection of a part four and part five storey building comprising drinking establishment (Use class A4) at ground and basement level and 9 self-contained flats above (5 x 1-bed, 3 x 2-bed and 1 x 3-bed) including a new residents entrance gate, glazed screens and doors to side elevation fronting Drakes Courtyard, cycle and waste storage

and accompanied by plans or documents listed here:

0502-000.00, 0502-000.01, 0502-100.02, 0502-100.03, 0502-300.02, 0502-100.03, 0502-300.01, 0502-300.02, 0502- 400.01, 0502-100.07 Rev L, 0502-100.08 Rev L, 0502-100.09 Rev K, 0502-100.13 Rev K, 0502-100.13 Rev K, 0502-300.05 Rev K, 0502-300.06 Rev K, 0502-400.03 Rev K

at **289 Kilburn High Road, London, NW6 7JR**

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: 30/11/2018

Signature:

Alice Lester

Head of Planning, Transport and Licensing

Notes

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

DnStdG

SUMMARY OF REASONS FOR APPROVAL

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

National Planning Policy Framework, 2018
 London Plan (2016)
 Core Strategy (2010)

Development Management Policies (2016)

DMP1	Development Management General Policy
DMP2	Supporting Strong Centres
DMP7	Brent's Heritage Assets
DMP12	Parking
DMP18	Dwelling size and residential outbuildings
DMP19	Residential Amenity Space
DMP21	Public Houses

- 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:

0502-000.00

0502-100.07 Rev L

0502-100.08 Rev L

0502-100.09 Rev K

0502-100.13 Rev K

0502-100.13 Rev K

0502-300.05 Rev K

0502-300.06 Rev K

0502-400.03 Rev K

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

- 3 Following the demolition of the buildings and prior to the commencement of building works, a site investigation shall be carried out by competent persons to determine the nature and extent of any soil contamination present. The investigation shall be carried out in accordance with the principles of BS 10175:2011 + 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. The written report is subject to the approval in writing of the Local Planning Authority.

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

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

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

- 5 Occupiers of the residential development, hereby approved, shall not be entitled to a Residents Parking Permit or Visitors Parking Permit to allow the parking of a motor car within the Controlled Parking Zone (CPZ) operating in the locality within which the development is situated unless the occupier is entitled; to be a holder of a Disabled Persons Badge issued pursuant to Section 21 of the Chronically Sick and Disabled Persons Act 1970. For the lifetime of the development written notification of this restriction shall be included in any licence transfer lease or tenancy agreement in respect of the residential development. For the lifetime of the development a notice, no smaller than 30cm in height and 21cm in width, clearly informing occupants of this restriction shall be displayed within the ground floor communal entrance lobby, in a location and at a height clearly visible to all occupants. On, or after, practical completion but prior to any occupation of the residential development, hereby approved, written notification shall be submitted to the Local Highways Authority confirming the completion of the development and that the above restriction will be imposed on all future occupiers of the residential development.

Reason: In order to ensure that the development does not result in an increased demand for parking that cannot be safely met within the locality of the site.

- 6 Prior to the commencement of this element of the works, details of the future treatment of the Drakes Courtyard Access shown as being within the red line boundary shall be submitted and approved in writing by the Local Planning Authority. This shall include full details of surfacing, drainage, lighting, parking restrictions and building structures.

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

- 7 Prior to first occupation of the residential properties hereby approved, details of the fit out of the A4 unit shall be submitted to and approved in writing with the Local Planning Authority. The agreed specification shall then be implemented and marketed accordingly.

Reason: In order to ensure its occupancy and future viability as an Ad use and to comply with DMP21.

- 8 The A4 ground floor and basement unit hereby permitted shall remain as a single premises without subdivision.

Reason: To ensure that a viable, useable, practical and appropriate A4 floorspace is retained in accordance with policy DMP21.

- 9 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 site to accommodate additional bin or cycle storage.

- 10 Prior to the first occupation of the residential units hereby approved, full details of the proposed privacy screens shall be submitted to and approved in writing by the Local Planning Authority. The privacy screens shall be retained as approved for the lifetime of the development.

Reason: To avoid any overlooking or loss of privacy. In the interests of residential amenity.

- 11 No occupation of the development hereby permitted shall take place until the works to reconstruct the access into Drakes Courtyard across the Kilburn High Road footway has been carried out. These works should be funded by the applicant and should also include an extension of the footway out into Kilburn High Road on the northern side of the access.

Reason: In the interests of improving pedestrian accessibility.

- 12 Prior to the commencement of building works details of materials for all external work, shall be submitted to and approved in writing by the Local Planning Authority. The work shall be carried out in accordance with the approved details.

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

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 Prior consent may be required under the Town and Country Planning (Control of Advertisements) Regulations 2007 for the erection or alteration of any
 - (a) illuminated fascia signs
 - (b) projecting box signs
 - (c) advertising signs
 - (d) hoardings
- 4 The applicant is advised to ensure that demolition and construction works follow Best Practicable Means (BPM) of Section 72 of the Control of Pollution Act 1974 to minimise noise and vibration effects.
- 5 The applicant is advised that noise and vibration is controlled by the Control of Pollution Act 1974 and statutory nuisance provisions contained within the Environmental Protection Act 1990 and the British Standard Codes of practice 5228:1997 Parts 1 to 4. Key issues relating to noise from construction sites include: (i) prior consent may be sought from the Council relating to noise from construction activities (s.61 of COPA 1974); (ii) if no prior consent is sought, the Authority may serve a notice on the site/works, setting conditions of permitted work (s.60 of COPA 1974); (iii) an action in statutory nuisance can be brought by a member of the public even if the works are being carried out in accordance with a prior approval or notice (s.82 of the EPA 1990). In particular, the normal hours of work shall be between the following

hours:

Monday to Friday - 08.00 to 18.30

Saturdays – 08.00 to 13.00

Sundays and Bank Holidays – No noisy works at all

No work or ancillary operations, which are audible at the site boundary, will be permitted outside these hours unless fully justified and any such works shall be kept to an absolute minimum.

6 STRUCTURAL INTEGRITY

The applicant is advised that Building Regulations control these works and compliance is required when converting an existing basement to habitable use, excavating a new basement or extending an existing basement. Building Regulations control matters such as structure, fire safety, ventilation, drainage, waterproofing, insulation, sound proofing, heating systems and access.

For the avoidance of doubt, the granting of planning permission does not provide any warranty against damage of adjoining or nearby properties, and the responsibility and any liability for the safe development of the site rests with the developer and/or landowner.

7 LICENCES

The applicant is advised that some aspects of construction are subject to licences. For example, the developer/contractor will be required to obtain licences from the Local Authority before: (i) erecting any scaffolding, hoardings, gantry, temporary crossing or fence on the highway; (ii) depositing a skip; or (iii) operating a mobile crane, aerial platform, concrete pump lorry or any such equipment. The contractor has a duty to inform local residents likely to be affected by such activities at least 14 days prior to undertaking the works, as well as applying for the appropriate permits and licences. The most suitable method of informing residents is through newsletters. Such newsletters should also update neighbours on site progress and projected activities that might cause loss of amenity, e.g. road closures for delivery or use of mobile cranes or abnormal deliveries to the site.

8 HIGHWAYS

The applicant is advised that the Highways Act 1980 (particularly Part IX) sets out requirements relating to construction work on or near the highway. Key requirements of the 1980 Act include: (i) permission by formal agreement from the Highway Authority (London Borough of Brent except for the North Circular Road) is required for any works to highways; (ii) licences are required for permission to place temporary obstructions on the highway (e.g. hoardings, fenced storage areas, temporary cross-overs, scaffolding, gantries and skips); (iii) deposition of mud or other such materials on the highway is prohibited. Measures to prevent this (e.g. wheel washing) can be required by order; (iv) surface drainage from a construction site must not be allowed to run across the footway part of a public highway; (v) the contractor is responsible for any damage caused by their activities to roads, kerbs or footpaths in the vicinity of the work site; (vi) any street furniture (electrical or non-electrical) cannot be removed or relocated by the developer or any of its contractors. This may only be carried out by the Highway Authority or its appointed contractor.

The applicant is also advised of their responsibility to apply to the Council for parking bay suspension:

www.brent.gov.uk/services-for-residents/parking/suspending-a-parking-bay-and-dispensations

9 VIBRATION

The applicant is advised to adhere to the following guidance in respect of vibration to ensure measures are taken to protect the residents and users of buildings close by and passers-by from nuisance or harm and protect buildings from physical damage: (i) human exposure: the contractor should refer to BS5228:1992 Part 4 'Code of Practice for Noise and Vibration Control Applicable to Piling Operations' for guidance; and (ii) protection of structures: the contractor should carry out demolition and construction activities in such a way that vibrations arising will not cause significant damage to adjacent structures and should refer to BS7385 'Evaluation and Measurement of Vibration in Building - Part 2 Guide to Damage Levels from Groundborne Vibration' for guidance.

10 AIR QUALITY

The applicant is advised that the Environmental Act 1995, Clean Air Act 1993, the Health and Safety at Work Act 1974 etc, the Environmental Protection Act 1990 all control air quality and that the EPA 1990 controls dust under the 'statutory nuisance' provisions. The contractor should: (i) take all necessary measures to avoid creating a dust nuisance during both demolition and construction works including excavations; (ii) not burn any materials on the site; (iii) avoid the occurrence of emissions or fumes from the site including from plant and ensure off-road vehicles (e.g. bulldozers, excavators etc) with compression ignition engines comply with emission standards set in EC Directive 97/68/EC, meeting Stage II limits where possible and run on low sulphur diesel; (iv) ensure on-road vehicle emissions are in line with the provisions of the Road Vehicles (Construction and Use) Regulations (as amended) and the Motor Vehicles (Type Approval) (Great Britain) Regulations made under the Road Traffic Act 1988 and the EURO standards.

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

- 12 The Council recommends that the maximum standards for fire safety are achieved within the development.

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

Any person wishing to inspect the above papers should contact Paige Ireland, Planning and Regeneration,
Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 3395

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