



Planning Committee

Tuesday 18 February 2020 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
Hylton
Mahmood
Maurice
Sangani

Substitute Members

Councillors:

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

Councillors

Colwill and Kansagra

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

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

democracy.brent.gov.uk

The press and public are welcome to attend this meeting

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

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

Notes for Members - Declarations of Interest:

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

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

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

***Disclosable Pecuniary Interests:**

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

****Personal Interests:**

The business relates to or affects:

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

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

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

or

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

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

Agenda

Introductions, if appropriate.

Apologies for absence and clarification of alternate members

ITEM	WARD	PAGE
1. 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.		
2. Minutes of the previous meeting - 22 January 2020		1 - 8
APPLICATIONS FOR DECISION		
3. 18/4919. 1-26A, coachworks & storage areas, Abbey Manufacturing Estate, all units Edwards Yard, Mount Pleasant, Wembley, HA0	Alperton	13 - 68
4. 19/2163. 44 Queens Walk, London, NW9 8ER	Welsh Harp	69 - 92
5. 18/4920. 1-8 INC Neville House & Neville House Garages, Neville Road, 1-64 INC Winterleys and Seahorse Day Nursery, Albert Road, 113-128 Carlton House and Carlton House Hall, Canterbury Terrace London, NW6	Kilburn	93 - 138
6. 19/3056. 13 The Avenue, London, NW6 7NR	Brondesbury Park	139 - 160
7. 18/3591. 5A-G Inc, Exeter Road, London, NW2 4SJ	Mapesbury	161 - 178
8. 19/3409. 1-12E INC and 14A-18B INC The Elms, Nicoll Road, London, NW10 9AA	Harlesden	179 - 202
9. 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: Tuesday 17 March 2020



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

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

This page is intentionally left blank



LONDON BOROUGH OF BRENT

MINUTES OF THE PLANNING COMMITTEE Wednesday 22 January 2020 at 6.00 pm

PRESENT: Councillors Denselow (Chair), Johnson (Vice-Chair), S Butt, Chappell, Dar (substitute for Councillor Sangani), Hylton, Kansagra and Mahmood.

ALSO PRESENT: Councillor Conneely, Councillor Hirani, Councillor Kennelly, Councillor Maurice, Councillor Nerva, Councillor Perrin and Councillor Thakkar.

Apologies for absence were received from Councillor Sangani.

1. **Declarations of interests**

Granville Centre, 80 Granville Road NW6 5RA (Ref. 19/2378)

All members received an email from Granville Kitchen (objectors).

Councillor Johnson declared that as a board member of South Kilburn Trust, he would abstain from the meeting room and take no part in the discussion and voting in the application.

19 Dudden Hill Lane, London NW10 2ET (Ref.19/2688)

Councillors Chappell and Johnson declared that they had received emails and/or been approached about this application.

2. **Minutes of the previous meeting**

RESOLVED:-

that the minutes of the previous meeting held on 18th December 2019 be approved as an accurate record of the meeting.

3. **1 Olympic Way, Wembley, HA9 0NP (Ref. 19/0395)**

PROPOSAL: Erection of up to 7 storey roof top extension to the existing building to create 90 flats; erection of a rear extension to existing building to create a new 15 storey block (including a 2 storey under-croft for vehicular and pedestrian access) to create 26 flats, conversion of existing 8th floor office space to create 3 flats, creating a total of 119 self-contained flats; infilling of ground floor undercroft of existing building to form new ground floor uses comprising retail floorspace (A1, A3, A4) and office floorspace (B1), creation of first floor podium above existing car parking space to provide a landscaped amenity space for residents with associated cycle and refuse storage, creation of public access alongside Wealdstone Brook and refurbishment of existing building facades to No. 1 Olympic Way (including replacement of windows) (Revised description).

RECOMMENDATION: That the Committee resolve to GRANT planning permission subject to:

Referral to the Mayor of London (stage 2 referral) and

The prior completion of a legal agreement to secure the planning obligations set out within the Committee reports.

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

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

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

That, if by 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 be granted delegated authority to refuse planning permission.

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

Ms Victoria McDonagh (North Team Development Management Team Leader) introduced the report and answered Members' questions. She referenced the supplementary report and drew Members' attention to the list of additional objections following which she recommended amendments to conditions 3 and 21. She also recommended an additional condition on cladding also set out in the supplementary report.

Mr Paul Allen-Alvarez (Danes and Empire Neighbourhood Group) addressed the Committee and answered members' questions. He objected to the application on a number of grounds, including over-shadowing, intrusion to Danes and Empire Court by occupants of new developments, loss of natural daylight, inadequate parking facilities, excessive height and an over bearing development.

Mr Alun Evans, objecting on behalf of Pinnacle Development (freeholders of Nos.3 and 5 Olympic Way), requested the Committee to defer consideration of the application so that a more comprehensive approach could be taken which takes account of the development of 3 Olympic Way. This would enable the Committee

to consider all the proposals in tandem and gain a full understanding of their relationships.

Mr Jim Tarzey (agent) addressed the Committee and answered Members' questions. Mr Tarzey outlined the benefits of the application including the provision of affordable housing and added that the application would not prejudice any future proposals that the applicant for Nos.3 and 5 Olympic Way would submit for development.

In the ensuing discussions, members sought clarification on the issues raised by the objectors. Ms McDonagh advised that the application complied with policies and although the daylight and sunlight report submitted by the applicant showed marginal differences, it complied with BRE guidance.

DECISION: Granted planning permission as recommended subject to amended conditions 3 and 21 and an additional condition on cladding all of which were as set out within the supplementary report.

(Voting was recorded as follows: For 7, Against 0, Abstention 1).

4. Preston Library, Carlton Avenue East, Wembley, HA9 8PL (Ref. 19/1305)

PROPOSAL: Redevelopment of Preston Library including erection of a part 2 to part 4 storey building comprising a library on ground floor and 12 self-contained flats, provision for private amenity space, parking, cycle and refuse storage, new access and associated landscaping.

RECOMMENDATION: That the Committee resolve to GRANT planning permission and grant delegated authority to the Head of Planning to issue the planning permission and impose conditions and informatives to secure the matters set out within the Committee reports.

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.

In setting the background to the application, Mr Colin Leadbeatter (North Area Development Deputy Team Leader) informed the Committee that the application was being presented for consideration following a judicial review. He referenced the grounds (3) that the claimant cited for the challenge and added that following officers' review and QC opinion, the Council agreed to the planning permission to

be quashed only on the basis of misconstruction and misapplication of policy DMP19 of the Brent Development Management Policies. He then introduced the report, referenced the supplementary report that responded to additional objections received since the report was published and answered Members' questions.

Mr Michael Rushe (Chair of South Kenton and Preston Park Residents, SKPPR) spoke in objection to the application and answered Members' questions. In his view, the application was an unjustified departure from policies and alleged that the advice given to the Committee was misleading. In reiterating SKPPR's concerns as set out in the report, he spotlighted on the breakdown and calculation of the amenity space per flat.

Ms Grace Brown (objector) spoke in a similar vein and answered Members' questions. She spoke in objection in relation to a number of matters, including the impact of the proposed development on on-street parking in the vicinity and that she considered the proposal is contrary to Brent Policy CP23. She alleged that the application had no regard to the residential amenity of the occupiers and the operation of the library.

Mr Phillip Bromberg (Chair of Preston Road Library) spoke in support of the application and answered Members' questions. Members heard about a catalogue of design problems with the existing library, a grant of £267,000 from Brent Council for fittings for the new library which would be protected for 49 years at peppercorn rent. Mr Bromberg wished for a speedy conclusion, adding that an interim library provision would be made available at Ashley Gardens.

In accordance with the Planning Code of Practice, Councillor Maurice stated that he had been approached. Whilst welcoming the re-provision of the library, he objected to the development on a number of grounds including; overdevelopment, excessive height, inadequate parking facilities and he also considered that the proposal would be contrary to Brent's development management policies.

In accordance with the Planning Code of Practice, Councillor Kennelly stated that he had been approached. Councillor Kennelly recognised the benefits of re-providing the library facility to allow its continued operation in the long term and welcomed the social housing provision. He however raised concerns regarding the impact of the proposal upon the privacy of the properties on Longfield Avenue. He added that the design of the building would not be in keeping with the character of the area and could set a precedent for future developments in the area.

Councillor Hirani (Cabinet Member for Public Health Culture and Leisure) spoke in support of the application, highlighting the re-provision of a sustainable library facility and the provision of 100% affordable housing.

In the ensuing discussions, Members sought clarifications on the amenity space values per flat, the parking provisions and legality of the application. Officers clarified the amenity values with reference to the main report. Mr John Fletcher (Highways) advised that the on-site parking provisions (5 for residents and 1 for

the library) coupled with the on-street pay and display facilities were adequate but that a CPZ could be introduced if necessary in the future. The Council's Senior Planning Lawyer advised that she was satisfied with the legality of the application. Councillor Kansagra however felt that the development represented an overdevelopment of the site which would be out of keeping with the surrounding area with consequent impact on parking and residential amenity.

DECISION: Resolved to grant planning permission as recommended subject to the Secretary of State's decision not to call in the application.
(Voting on the recommendation was as follows: For 7; Against 1).

5. Granville Centre, 80 Granville Road, London, NW6 5RA (Ref.19/2378)

PROPOSAL: Partial demolition of existing structures on site including part of the Granville building, refurbishment of the Granville and Carlton Centres and construction of 3 buildings ranging from one to eight storeys in height, to facilitate the provision of a mixed use development comprising 18 self-contained flats at part 1st - 8th floors and community facilities, offices and workshops at lower ground, ground and part first floors. Works include creation of play areas for the children's centre, nursery and school; additional community and event workspaces, outdoor amenity areas, secure cycle and refuse storage.

RECOMMENDATION: To grant planning permission subject to conditions.

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 reports.

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 Damian Manhertz (Development Management Team Leader) introduced the report and answered Members' questions. He informed the Committee about an email from the local MP raising concerns about floor spaces and in addressing that drew Members' attention to the table set out in the proposal detail of the main report. He then referenced the supplementary report that set out additional comments and officers' responses to them.

Mr Pete Firmin raised concerns on the application for a number of reasons;

- a) The proposed change of use from D1 to B1 business use was not transparent in the committee reports.
- b) Loss of community space.
- c) Inadequate consultation.
- d) Negative impact on the community.

Ms Leslie Barton echoing the above added that the reports did not present convincing evidence that community event space would be required. She alleged that the report contained substantial inaccuracies including community floor space.

Mrs Lesley Benson (Headteacher, Granville Nursery Plus) addressed the Committee and answered Members' questions. She welcomed the proposed development as it would improve the fabric of the building, the provision for educational uses, an increase in usable space for the school and local charities in addition to the provision of 100% affordable housing.

Ms Juliette Scalbert (architect) addressed the Committee and answered Members' questions. She continued that the application, considered policy compliant, was informed by the monthly stakeholder meetings and further community engagements. She commented on the benefits of the scheme including the provision of community space and community hall, the provision of 18 affordable housing and improvements to the local environment.

In the ensuing discussions, members sought clarification on a number of matters including consultation, floorspace calculations and landscaping plans to which Mr Manhertz responded.

DECISION: Granted planning permission as recommended.
(Voting on the recommendation was as follows: For 5; Against 0; Abstention 1).

6. 19 Dudden Hill Lane, London, NW10 2ET (Ref.19/2688)

PROPOSAL: Demolition of the existing two-storey building and structures associated with the adjacent recreational sites and construction of a part 4-storey and part 5-storey building comprising D1 use on the ground floor and 29 residential units from part-ground to 4th floors. Works to include creation of communal roof terraces at 4th floor level, mechanical plant room, 48 cycle parking spaces, waste storage and associated landscaping.

RECOMMENDATION: To grant planning permission subject to conditions.

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 reports.

That the Head of Planning be granted delegated authority to make changes to the wording of the committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle

of the decision reached by the Committee nor that such change(s) could reasonably have led to a different decision having been reached by the Committee.

Mr Damian Manhertz (Development Management Team Leader) introduced the report and answered members' questions. Members noted that the scheme would provide 100% affordable housing units. He responded to questions about improvements to the play area, air quality and pollution, drawing Members' attention to conditions 24, 30 and 34 respectively, as set out in the main report.

DECISION: Granted planning permission as recommended.
(Voting on the recommendation was as follows: For 6; Against 0; Abstention 0).

7. Playground, Salusbury Primary School, Salusbury Road, London, NW6 6RG (Ref.19/2136)

PROPOSAL: The material change of use from a school to a mixed use as a school and a Sunday only farmers market; and for a temporary period of 18 months a market on Friday evenings only.

RECOMMENDATION: To grant planning permission subject to conditions.

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 reports.

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

Mr Damian Manhertz (Development Management Team Leader) introduced the report and answered Members' questions. He referenced the summary of objections, additional objections raised by QARA and officer responses as set out within the main and supplementary reports.

Mr Mark Handley (applicant) addressed the Committee highlighting the benefits of the market on the local economy and answered Members' questions.

In accordance with the Planning Code of Practice, Councillor Nerva declared that both objectors and supporters had approached him about the application. Councillor Nerva objected to the application for the following reasons; detrimental impact on local residents, excessive car journeys into the area and consequent additional parking problems when CPZ ended after 6.30pm that could stretch any enforcement arrangements.

In response to a suggestion to vary the temporary permission being sought by the applicant from 18 to 12 months, officers outlined the logistic problems that could ensue. Councillor Kansagra, however, objected to the application due to its potential detrimental impact on local retailers, local traffic and residential amenity.

DECISION: Granted temporary planning permission for 18 months as recommended.

(Voting on the recommendation was as follows: For 5; Against 1; Abstention 0).

8. Any Other Urgent Business

None.

The meeting closed at 9.27 pm

COUNCILLOR J. DENSELOW

Chair

Notes:

- i) At 8.10pm, the Chair adjourned the meeting for 10 minutes.
- ii) Councillor Dar was not present during consideration of agenda items 6 and 7.
- iii) Councillor Johnson was not present during consideration of agenda items 5 and 7.

APPLICATIONS FOR DECISION

Introduction

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

Material planning considerations

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

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

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

Provision of infrastructure

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

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

Further information

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

Public speaking

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

Recommendation

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

This page is intentionally left blank

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

18 February, 2020
03
18/4919

SITE INFORMATION

RECEIVED	20 December, 2018
WARD	Alperton
PLANNING AREA	
LOCATION	1-26A, coachworks & storage areas, Abbey Manufacturing Estate, all units Edwards Yard, Mount Pleasant, Wembley, HA0
PROPOSAL	Demolition and erection of a mixed use development of buildings ranging between 3 and 14 storeys in height comprising 581 residential units, flexible commercial floorspace falling within use classes A1, A2, A3, A4, B1(a), B1(c), D1 or D2, associated car parking, landscaping and ancillary facilities (Phased Development)
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_143296</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 "18/4919" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab

RECOMMENDATIONS

That the Committee resolve to GRANT planning permission subject to the application's referral to the Mayor of London (stage 2 referral) and the prior completion of a legal agreement to secure the following planning obligations:

- a. Payment of Council's legal and professional costs
- b. Notification of commencement 28 days prior to material start
- c. Provision of 56 x 3 bedroom affordable rented units (at no more than 65% of open market rents, inclusive of service charges, 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 on initial lets and 75% nomination rights for the Council on subsequent lets.
- d. Provision of 24 x 1 bed and 25 x 2 bed shared ownership units (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).
- e. Early stage viability review to be submitted where material start in relation to the first residential phase does not commence within 2 years of planning permission date. Viability review to set out details of additional on-site affordable housing where uplift in profit is identified. Any additional on-site affordable housing to target a policy compliant tenure split unless an alternative approach is agreed with the LPA. Viability review to be based on an agreed Benchmark Land Value of £27,025,000.
- f. Middle stage viability review to be submitted at or after 50% occupation of the private residential dwellings. Viability review to set out details of additional on-site affordable housing where uplift in profit is identified. Any additional on-site affordable housing to target a policy compliant tenure split unless an alternative approach is agreed with the LPA. Viability review to be based on an agreed Benchmark Land Value of £27,025,000. Not more than 65% of the private dwellings to be occupied until viability review approved in writing by the LPA.
- g. Late stage viability review to be submitted at or after 75% occupation of the private residential development. An offsite affordable housing payment to be made where an uplift in profit is identified. Viability review to be based on an agreed Benchmark Land Value of £27,025,000. Not more than 90% of the private dwellings to be occupied until viability review approved in writing by the LPA.
- h. Provision of 545sqm of affordable workspace - to be disposed of for no more than 50% of OMR/OMV for a minimum term of 15 years, remain affordable for the lifetime of the development and be leased to an affordable workspace provider approved by the Council.
- i. To not occupy more than 50% of the private residential units in block G until the affordable workspace on the first floor of this block has been leased to an affordable workspace provider, unless agreed in writing by the Council.
- j. In the event that an affordable workspace provider cannot be secured following 2 years of marketing, pay a commuted sum commensurate with the value of the affordable workspace (as demonstrated through FVA), estimated to be £1,340,000.
- k. Not later than 3 months prior to the anticipated date of practical completion of the entire development, procure that the affordable workspace provider submits an affordable workspace plan for the Council's approval. Following this, to not occupy more than 50% of the dwellings in Block F until the affordable workspace plan has been approved in writing by the Local Planning Authority and thereafter implemented, including details of fit out not including any furniture. This requirement to fall away in that event that part (j) is triggered.

- l. Contribution towards carbon offsetting in line with GLA formula.
- m. BREEAM 'Excellent' within the commercial floor space of the development.
- n. Submission and approval and implementation of Training and Employment plan.
- o. a sum of £150,000 towards the implementation of a Controlled Parking Zone in the area.
- p. S38/S278 highway works under the Highways act 1980 to provide: (i) construction and adoption of the main site access road connecting Mount Pleasant and Woodside End in general accordance with the layout set out in drawing 17-335-09, including 2m wide footways, 2m kerb radii at the entrance to the northern car park and dropped kerbs and tactile paving at all junctions; (ii) construction of the northern site access road from Woodside Place including a turning head and pedestrian link (where deliverable) to Woodside Close in general accordance with the layout set out in drawing BM32835/02-00-SH-A-01-0001/D0-3; (iii) construction of a traffic calming scheme in Woodside Avenue and adjoining streets incorporating speed reducing features at intervals of 60-90m, improved footway surfacing and dropped kerbs/tactile paving at all junctions, in accordance with a scheme to be submitted to and approved by the Local Highway Authority following consultation with local residents and stakeholders; and (iv) construction of improvements to the existing pedestrian crossing points on either side of the junction of Mount Pleasant and Woodstock Avenue including enlarged traffic islands, dropped kerbs and tactile paving.
- q. a restriction to prohibit future residents from obtaining on-street parking permits in any future CPZ that is introduced in the area.
- r. submission and approval of a Residential Travel Plan prior to occupation of the development.
- s. Establishment of a Car Club within the site including the provision of suitable parking spaces and subsidising of resident membership fees.
- t. Construction of a pedestrian path alongside the Grand Union Canal with pedestrian links from the main spine road through the site and designation of those routes as permissive paths.
- u. To notify the LPA prior to the first occupation of the commercial floor space and to confirm the use class/es under which the commercial floor space will operate. Thereafter, a contribution will be payable, prior to the first occupation of the commercial floor space, towards bus capacity. The payment amount required will vary as follows (final figures to be subject to agreement with Transport for London):
 - in respect of a part of that Contributing Floorspace to be used within Use Class A1 the sum of £284 per square metre GIA;
 - in respect of a part of that Contributing Floorspace to be used within Use Class D1 or D2 the sum of £213 per square metre GIA; and
 - in respect of a part of that Contributing Floorspace to be used within Use Class A2, A3 or B1 or other use the sum of £145 per square metre GIA.
- v. Contribution towards accessibility improvements at Alperton Station: £166,000.
- w. Indexation of contributions in line with inflation.
- x. Any other planning obligation(s) considered necessary by the Head of Planning.

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

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

Conditions

Compliance

1. 5 years consent

2. Approved plans
3. No commencement until relevant land is bound by a Section 106 Agreement (Arsenal condition)
4. Phasing plan to be adhered to unless formally updated
5. Provision of disabled adaptable units
6. Provision of car and bicycle parking and refuse storage
7. Commercial Use Classes
8. Commercial unit size restriction
9. Water consumption limitation
10. Provision of communal aerial and satellite dish system for each building
11. Revoke C4 permitted development rights
12. Non-road mobile machinery power restriction
13. Flood/drainage/SuDS details to be secured
14. Biodiversity enhancement/mitigation to be secured
15. Secure District Heat Network connection on plan 6277 M 101 P

Pre-commencement

16. Submit Construction Logistics Plan
17. Submit survey of the waterway wall
18. Submit Canal impact assessment
19. Submit Risk Assessment and Method Statement for the moorings
20. Submit changes to the Air Quality report in relation to energy strategy and AQNA
21. Submit CMS

Post-commencement

22. Submit Land Contamination study
23. Submit details of Electric Vehicle Charging points
24. Submit overheating details
25. Submit external material samples
26. Submit details of pedestrian comfort and microclimate mitigation
27. Submit changes to the external noise report
28. Submit landscaping and external lighting proposals
29. Submit PV panel details
30. Submit CEMP in relation to drainage

Pre-occupation/use

31. Wastewater network upgrades or occupation phasing plan
32. Extraction of effluvia for commercial kitchens
33. Submit parking design and management plan
34. Submit delivery and servicing plan
35. Submit plant noise testing if necessary

Informatives


1. CIL liability
2. Party wall information
3. Building near boundary information
4. External materials
5. Guidance notes from Thames Water
6. Guidance notes from the Canal and River Trust
7. London Living Wage note
8. Fire safety advisory note
9. Any other informative(s) considered necessary by the Head of Planning

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

That, 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.

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: 1-26A, coachworks & storage areas, Abbey Manufacturing Estate, all units Edwards Yard, Mount Pleasant, Wembley, HA0	
© Crown copyright and database rights 2011 Ordnance Survey 100025260	



This map is indicative only.

PROPOSAL IN DETAIL

The application proposes the full clearance of the existing site and re-development of the land within the provision of seven buildings ranging in height from four storeys to 14 storeys and a three storey terrace of four family houses. A single storey commercial building is also proposed at the canal edge. The buildings are to contain predominantly residential development however ground floor/first floor commercial floorspace will be provided within Blocks F, G and the pavilion building located alongside the canal. The overall number of residential units proposed across the site is 581 split between 254x 1 bedroom units, 213x 2 bedroom units and 114x 3 bedroom units. The percentage of family sized homes (3 bed+) across the scheme is 20%.

The proposal will integrate within the existing built fabric of the surrounding neighbourhood. The existing culs-de-sac of Woodside Place and Woodside Close are to be extended into through routes for the use of pedestrians, cyclists and servicing/emergency vehicles and will form a large part of the public realm of the new development. Woodside End is to be extended to link up with Woodside End at a new T-junction and will be made accessible for through traffic and be adopted by the Council.

EXISTING

The site forms a large industrial estate (about 2.45 hectares) comprising about 60 industrial/warehouse businesses, mostly car repair businesses. The site extends from the northern towpath of the Grand Union Canal in the south to the rear garden boundaries of houses fronting Mount Pleasant and Woodside Close in the north and east. The site also bounds the under-construction Abbey Wharf residential development to the east and residential properties fronting Woodside Place and Woodside End to the west. The site slopes downward from the northern edge of the site down to the canal edge as one travels south through the site – the total fall across the site is about 7 metres.

The site is described within Brent's site specific allocations document as "vacant and poor quality industrial buildings embedded within suburban residential fabric. Disused community facility in current grounds.

AMENDMENTS SINCE SUBMISSION

At the point of submission a slightly different tenure mix of 251 x 1 bed, 214 x 2 bed, 116 x 3 bed was proposed. Compared to the final version of the proposal (254 x 1 bed, 213 x 2 bed, 114 x 3 bed), this is the same overall number of flats and also contains the exact same number and split of affordable units. Officers do not consider that this very minor change to the unit mix materially affects the proposal.

During the course of the application, a revised location plan was submitted which identified a more precise red line than the location plan that was submitted during the application. The revised location plan did not propose any movement of the red line, just that the specific location of it be more precisely pinpointed. This submission followed comments raised by the Canal and River Trust in relation to it not being precisely clear where the line of the Canal and River Trust ownership was being shown on the submitted documents. The revised plan followed the land registry boundaries accurately in confirming the relationship.

Given the immaterial nature of this change, no further consultation was carried out as a result of this submission.

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. Representations received:** 385 properties were notified of the development, in addition to site notices and a press notice being published. 1 objection was received on grounds of excessive height/massing and associated impact relating to light loss. The Greater London Authority (GLA) and Transport for London (TfL) have considered the plans and largely support the proposal although do raise concerns in relation to the affordable housing offer and the energy strategy for the development. However, your officers consider that the development is acceptable on both of these accounts.
- 2. Provision of new homes and commercial units (including affordable workspace):** Your officers give great weight to the viable delivery of a substantial number of private and affordable housing (581 units) and new commercial floorspace (1,254sqm), both private and affordable, in line with the adopted Development

Plan.

3. The impact of a building of this height and design in this location: The proposal replaces a 1930s industrial estate with a modern residential development spread across 8 residential buildings. The development's architecture and built form strikes a balance between respecting its surrounding suburban context and establishing a density that responds positively to the borough's housing delivery requirements. The use of tall buildings (11 storeys and 14 storeys respectively) is considered to be justified since these elements are located centrally in the site and are to be surrounded by lower scale development which would establish a suitable transition between the denser proposed development and the existing context comprised of lower-scale suburban housing,

4. Quality of the resulting residential accommodation: The residential accommodation proposed is of sufficiently high quality. The flats would generally have good outlook and light. The levels of external amenity space within the proposed development do not accord with those specified within Policy DMP19. However, given the level and quality of amenity space proposed including provision of new public open space within the site, the quality of accommodation for future residents is considered to be good.

5. Affordable housing and mix of units: The maximum reasonable amount of affordable housing has been provided on a near policy compliant tenure split. This includes 22.8% affordable housing provision with a tenure split of 65:35 between affordable rented and intermediate flats when measured in terms of habitable rooms. 100% of the affordable rented accommodation is comprised of 3 bedroom flats, responding strongly to the acute need in this tenure. The viability has been robustly tested with input from industry experts 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 stringent three stage viability review will be secured through S106, to ensure any uplift in revenues beyond those assumed can be captured in either further on-site or off-site provision. The mix of units accords relatively closely with the standards within the local plan.

6. Neighbouring amenity: There would be a loss of light and sunlight to some windows of surrounding buildings. 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.

7. Highways and transportation: The scheme would provide suitable provision of car and cycle parking and will encourage sustainable travel patterns. Additional highway improvements will be secured to ensure the development would not have a negative impact on the existing highway. To encourage sustainable travel patterns, the scheme will provide 1,101 cycle parking spaces, 185 car parking spaces and will be permit restricted with the exception of blue badge parking spaces. Financial contributions of £150,000 towards extending CPZ's into the area, between £513,000 and £717,250 towards bus service enhancements and £166,000 towards step free accessibility improvements to Alperton Station are to be made.

8. Trees, landscaping and public realm: Significant landscaping improvements are proposed with a large net gain in green spaces and tree planting across the site, including the establishment of an attractive public pedestrian route alongside the Grand Union Canal. Significant publicly accessible soft landscaping and play spaces are proposed, centred on a wide 'boulevard' style route between Mount Pleasant and the canal, a landscape transition zone between blocks north of the new public road through the site and alongside the new pedestrian canalside route. This will be secured through various condition and S106 obligations.

9. Environmental impact, sustainability and energy: The measures outlined by the applicant achieve the required improvement on carbon savings within London Plan policy. The S106 agreement will require the development's commercial floor space to achieve BREEAM 'Excellent'.

10. Flooding and Drainage: A SuDs 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)
--------------------	-----------------	-----------------	-------------	------------	-----------------------

Monitoring Residential Breakdown

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
EXISTING (Flats û Market)										
EXISTING (Houses)										
PROPOSED (Flats û Market)	251	214	112							577
PROPOSED (Houses)			4							4

RELEVANT SITE HISTORY

The site has no relevant planning history.

CONSULTATIONS

On 07/03/2019, 385 properties were notified of the development proposal in the surrounding areas. In addition, site notices were erected at the entrances to the manufacturing estate on 07/05/2019. A notice of the application was printed in the local press on 31/10/2019,

Public Consultation

One objection was received from a nearby occupier and two neutral comments were received, one from a neighbouring landowner and one from the Inland Waterways Association (Middlesex branch) (IWA). The comments made are summarised as follows:

Comment	Officer Response
[nearby occupier] 14 storeys is extremely high and will be imposing	This is addressed at paragraphs 48-50 below
[nearby occupier] Light will be lost into our home and the character of the area is slowly being lost	This is addressed at paragraphs 48-50 & 78-141 below
[adjoining landowner] The triangular site adjoining the subject site to the north west, which is accessed from Woodside Avenue would have its access limited by this development. The Alperton masterplan shows a connection from the east being maintained as part of the redevelopment. lack of access to the triangular site to the east, asserting that the Alperton masterplan shows a connection from the east being maintained as part of redevelopment.	This is addressed at paragraph 13 below
[IWA] Supportive of the scheme in general, with reference to the opening up of the northern side of the canal and the creation of active frontages onto the canal, with community public pathway, cycle route and seating areas. The approach to elevational massing and height at the canal frontage (alternating between 3 and 8 storeys) was also noted as being consistent with design	Noted

principles established for other development sites in Alperton, and appropriately lower than the gateway canalside buildings at Alperton House and Minavil House.	
<p>[IWA] Concern about the placement of the pavilion building close to the canal, with it being felt that building placement does not provide sufficient space for gathering and access.</p> <p>Concern was also raised regarding the CGI appearing to show a relatively high retaining wall to the north bank of the canal which erodes the relationship between the canal and the canal-side.</p> <p>Finally, concern was raised about the possibility of contaminated surface water runoff into the canal during construction, given the fall down to the canal across the site. It is requested that the construction method statement condition includes consideration of preventing run-off, which would be a reasonable inclusion.</p>	<p>Officers have worked closely with the Canal and River Trust on this development in terms of improving the development's relationship with the canal. This is discussed below. Revised drawings showing the relationship between the pavilion and canal more clearly have also been submitted. The Canal and River Trust have not objected to the pavilion building although have requested a 1 metre wide verge along the canal edge to provide some habitat.</p>

Internal Consultations

Local Lead Flood Authority – No objection

Environmental Health - No objection, although awaiting comments in relation to land contamination

External and Statutory Body Consultations

The Greater London Authority (GLA) and Transport for London (TfL):

GLA Comment	Officer Response
Proposal generally supported	Noted
Concerns raised regarding the affordable housing offer being low	Officers at Brent are satisfied that an increase in the affordable housing offer could not reasonably be required, following in depth financial analysis – see paragraphs 23 to 34 below.
Further information relating to carbon dioxide reductions required	The Council are satisfied that the proposal meets the Mayor's policy in respect of carbon savings (LP policy 5.2). More detailed discussions between the applicant and the GLA are taking place ahead of a Stage 2 referral, in particular in respect of the appropriateness of using a CHP system.
Further work on trip generation and mode share requested	Additional work was carried out in relation to this which informed revised contributions to local transport capacity.
Financial contributions required to mitigate impact on local bus services and to improve accessibility at Alperton tube station	Financial contributions have been agreed between TfL and the applicant and will be secured through a s106 agreement.
TfL Comment	Officer Response
Concern about a lack of commercial short stay cycle storage being shown	Revised plans have since been submitted indicating 19 short term cycle spaces within the public realm, around the

	entrances to blocks G, F and E.
Request to remove some on street parking spaces to the basement to minimise car dominance in the public realm	Brent officers remain comfortable with the level proposed as it is considered that this strikes a good balance between ensuring practical and suitable living arrangements within this suburban location with a low PTAL level and the need to encourage sustainable forms of transport within new developments.
Concern that the applicant's trip estimates underestimate impact on the highway and public transport	Trip estimates now revised to a level accepted by TfL
Contributions to bus capacity improvements and accessibility improvements at Alperton tube station required	Contributions secured within s106 agreement

Thames Water –

- Condition required in relation to confirming suitable capacity of foul water infrastructure to accommodate development.

The Canal and River Trust –

- Condition required in relation to showing vehicular barriers and a 1m wide habitat verge at the edge of the canal for Canal and River Trust approval.
- Condition requiring a pre and post construction survey of the waterway wall to be submitted and approved in consultation with the Canal and River Trust to ensure that the wall will not be structurally compromised.

Pre-application Consultation

In order to give the local community an opportunity to view, consider and provide feedback on the proposals, a public exhibition of the proposal was held in St James church on Stanley Avenue on Thursday 13th and Friday 14th September 2018 from 4-8pm. The applicant provided a drop-in exhibition to display the emerging plans for residents, Councillors and any other interested parties to come and view the plans and ask questions of the design team members. The exhibition event was promoted to the local community on Tuesday 4th September with 1,100 leaflets hand delivered to homes.

Actions to inform and engage the local community included meetings with Heather Park Neighbourhood Watch, engagement with Councillors including ward Councillors and the Leader of the Council and 1,100 leaflets delivered to residents in the local area. The aims of the consultation process were:

- To inform local residents of the plans for development at Alperton Manufacturing Estate
- To allow the local community the opportunity to comment on the proposed plans

Two responses were received as a result of the consultation, the responses raised the following points:

- Improvements should be made to the 224 bus route
 - Improvements should be made to GP services and community services locally
- The new towpath along the canal is welcomed and will aesthetically improve the area

POLICY CONSIDERATIONS

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

The London Plan 2016

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

Brent Core Strategy (2010)

CP1: Spatial Development Strategy
CP2: Population and Housing Growth
CP5: Placemaking
CP6: Design & Density in Place Shaping
CP8: Alperton Growth Area
CP15: Infrastructure to Support Development
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: Waterside Development
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 12: Parking
DMP 13: Movement of Goods and Materials
DMP 15: Affordable Housing
DMP 18: Dwelling Size and Residential Outbuildings
DMP 19: Residential Amenity Space

Site Specific Allocations Document 2011

A.6 – Woodside Avenue

The following are also relevant material considerations:

The National Planning Policy Framework 2018 (revised 2019)
Mayor of London's Affordable Housing and Viability SPG 2017
Mayor of London's Housing SPG 2016

SPD1 Brent Design Guide 2018
SPD1: Design Guide for New Development (2018)
Alperton Masterplan – Site Allocation A6 (2011)

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

In addition, the Examination in Public for the Draft New London Plan has been completed and the Panel Report has been received by the GLA. The GLA have now released a "Intend to publish" version dated December 2019. This carries substantial weight as an emerging document that will supersede the London Plan 2016 once adopted.

The Regulation 19 consultation for Brent's draft Local Plan has also recently completed and comments of the policies have been assessed. It can only be given limited weight at this stage of its preparation.

Key policies include:

Draft London Plan (2017)

D2: Delivering Good Design
D4: Housing Quality and Standards
D5: Accessible Housing
D6: Optimising Housing Density
D11: Fire Safety
E3: Affordable Workspace
E7: Intensification, co-location and substitution of land for industry, logistics and services to support London's economic function
G5: Urban Greening
H1: Increasing Housing Supply
H5: Delivering Affordable Housing
H6: Threshold Approach to Applications
H7: Affordable Housing Tenure
H12: Housing Size Mix
S4: Play and Informal Recreation
S12: Minimising Greenhouse Gas Emissions
SI.5: Water Infrastructure
SI.12: Flood Risk Management
SI.13: Sustainable Drainage
T2: Healthy Streets
T4: Assessing and Mitigating Transport Impacts
T5: Cycling
T6.1: Residential Parking
T9: Funding Transport Infrastructure through Planning

Draft Local Plan (2018)

BP7: South West
BSWSA5: Abbey Manufacturing Estate
BD1: Tall Buildings in Brent
BH1: Increasing Housing Supply in Brent
BH5: Affordable Housing
BH6: Housing Size Mix
BH13: Residential Amenity Space
BSU1: Creating a Resilient and Efficient Brent
BSU12: Air Quality
BSU13: Managing Flood Risk
BSU14: On Site Water Management and Surface Water Attenuation
BT1: Sustainable Travel Choice
BT2: Parking and Car Free Development
BT3: Freight and Servicing

DETAILED CONSIDERATIONS

1. The following paragraphs sets out the main issues relevant to this proposal:

- Principle of development
- Affordable housing provision and tenure mix
- Scale, height, massing and design of the development within its local context
- Design and layout
- Quality of residential accommodation
- Impact on amenities of neighbouring properties
- Transport
- Sustainability, Tree and Flooding Considerations
- Environmental health

2. The development proposal is extensive and includes a number of different proposed buildings/blocks, all of which are clearly organised within a range from Block A to Block M (although there is no Block I) on the submitted plans. This same approach to block numbering will be used within the discussions below.

Principle of development

3. 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. However, the London Plan Examination in Public Panel Report Appendix: Panel Recommendations October 2019 has suggested this target be reduced to 2,325 dwellings per annum, on account of contributions from small sites being recommended for a decrease within the report
4. Within local policy, Brent Policy CP8 sets out a target of at least 1,600 new homes being delivered in the Alperton Growth Area between 2019/20 – 2028/29, however since the Core Strategy was adopted in 2010, this target has been significantly increased to more than 6,000 homes across the same growth area within the emerging Local Plan (policy BSWGA1). Whilst the development meets the requirements of Core Strategy policy CP2 in principle, the need for housing has increased significantly since the adoption of this policy in 2010 and these increasing targets necessitate the need for a greater delivery of homes within Brent than is anticipated in adopted policy.
5. The site is specifically allocated by the Council for mixed but residential-led uses in both the adopted 2011 Site Specific Allocations DPD (with an indicative capacity of 220 residential units) and site allocation BSWSA5 in the emerging Local Plan (with an increased indicative capacity of 590 residential units). Brent's adopted site specific allocation describes an acceptable development of the site as follows:
6. **“Mixed use including residential, amenity space and workspace for appropriate B1, D1 and A Class Uses. The Council will expect a comprehensive development following an agreed masterplan that sets out land uses and proposed development in more detail. The development will bring forward a proportion of managed affordable workspace. Improvements will be sought to public transport as part of any proposal to develop the site. The development will exploit the canal-side location. Proposals should conserve and enhance the adjacent canal's site of metropolitan nature conservation importance designation.”**
7. The development proposed broadly meets all criteria mentioned above, including the provision of affordable workspace. The proposed volume of residential units (581) significantly exceeds that indicated within the adopted 2011 site allocation document however the substantial size of the site is acknowledged and the changed context from 2011 in terms of housing pressure and projected housing numbers as set by the GLA has significantly changed the context within which the allocation brief must be seen. The revised indicative capacity of 590 within the emerging Local Plan reflects this changed context. The increase in unit numbers from the allocation document is therefore supported in principle subject to appropriate demonstration that design, impact and amenity provisions will not be unreasonably compromised as a result of the density of the development proposal.
8. Within the emerging site allocation, it recognises the need for some re-provision of employment floorspace along the ground floors of the new buildings to be provided, given that the site is existing employment land and Brent's status as a provide capacity borough. In addition the emerging site allocation supports the use of other potential uses such as small scale retail, commercial leisure or community uses (e.g. nursery). The plans propose four separate commercial units.
9. On the north side of the site the commercial offer is formed of a 645sqm market commercial space within a ground floor commercial unit (Block G) and 345sqm affordable workspace within a first floor commercial unit directly above the market unit (also Block G). On the south side of the site, the offer is in the form of a 200sqm unit of affordable workspace within a building at the eastern side of the site (Block F), close to the main entrance to the site from Mount Pleasant, fronting Woodside End, and across from the commercial spaces on the north side of the site, thus forming a cluster of commercial frontage at the main node of the development. An additional 64sqm of retail floor space is to be provided within a small pavilion building at the south western corner of the site, at the point where the linear park connects with the main canal side frontage. Overall, the commercial provisions amount to 709sqm of market commercial space and 545sqm of affordable workspace, representing an overall commercial offer of 1254sqm which is split between 57% market and 43% affordable.

10. The commercial offer is positive and the healthy proportion of affordable workspace is welcomed and responds well to the expectations of the site allocation, which seeks a meaningful amount of affordable workspace, offsetting the net loss of employment floor space (notwithstanding that the site has been de-designated as employment land). Permission is sought for the affordable workspace to fall within the B1(c) use class and for the market commercial space to fall flexibly within use classes A1, A2, A3, A4 (retail uses), B1 (offices or commercial uses appropriate within a residential area) or D1 (institutions) and D2 (assembly and leisure).
11. The affordable workspace is to be secured at no more than 50% of the market rent. It is acknowledged that the areas so designated as affordable workspace are smaller than would be ideal and a set of requirements have been set out in the Heads of Terms that seek to mitigate the potential downsides of this, including for the units to be fit out by the developer.
12. The market commercial unit is more than 500sqm in size and Brent policies CP16 and DMP2 are of relevance. The site is not within a designated town centre and DMP2 stipulates that units larger than 500sqm should not be supported outside of town centres unless demonstrated as acceptable by an accompanying Retail Impact Assessment. A condition will therefore require that no retail units shall operate that are larger than 499sqm in size, unless otherwise agreed in writing by the LPA. This condition will necessitate the subdivision of the 645sqm market commercial unit, unless suitable Retail Impact Assessments confirm acceptability, or a use that meets a local need (e.g. health services) is to be provided.

Consideration of the remainder of the site allocation

13. Consideration also needs to be given to the wider SSA that includes the triangular piece of land to the North West and the adjoining site allocation along the canal to the west (A.5) which does not sit within the applicant's land. Whilst the triangular piece of land forms part of the site allocation A.6, it is common place for site allocations to come forward in a fragmented formation due to various matters such as land ownership. It is however important that bringing forward a site allocation is a fragmented approach does not compromise the wider delivery of the site allocation. This is recognised within the emerging site allocation which notes that whilst it is preferred for development to come forward as part of a comprehensive masterplan, any individual schemes should not compromise the wider delivery of the site allocation in an efficient manner. The development would be designed such that there would be scope to extend the canal towpath into the neighbouring allocation (A.5) if and when development comes forward on this site. The triangular site to the north is not compromised as the part of the development site that backs onto it is used as garden space for block K, meaning no windows or overbearing massing is within close proximity of the site. There are also no habitable room windows in the flank elevations that are closest to site allocation A.5 and this site also remains suitably uncompromised from a development perspective.

Housing mix, affordable housing provision and tenure mix

14. 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.
15. Adopted DMP policy DMP 15 confirms the Core Strategy target (policy CP2) that 50% of all new homes in the borough will be affordable. The maximum reasonable amount will be sought on sites capable of providing 10 units or more, 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.
16. The applicant's submitted FVA indicates that the development of the site would return a deficit even where no affordable housing is proposed. Nonetheless, the applicants have offered 18% of the development as affordable housing (22% when measured by habitable room) – on a 55% affordable rent / 45% intermediate tenure split (65% affordable rent / 35% intermediate tenure split when measured by habitable room). The affordable rented units are all three bedroom family units, responding positively to a strong need for such housing in this tenure. The affordable rent levels have been secured with a cap at 65% of the Open Market Rent and capped at Local Housing Allowance rates (although the 65% cap is

significantly lower than this rate).

17. The residential mix is set out below:

Units	Private	Affordable	Intermediate	Total
		Affordable Rent	Shared Ownership	
1 bed	230	0	24	254 (43%)
2 bed	188	0	25	213 (37%)
3 bed	58	56	0	114 (20%)
Total	476 (82%)	56 (10%)	49 (8%)	581 (100%)

18. The Council has worked closely with industry experts at BNP Paribas and agrees that the offer does represent more than the maximum reasonable amount of affordable housing given the projected costs and revenues, and therefore represents an acceptable offer. BNP Paribas note that the development is subject to some unavoidable extenuating costs including: the nature of land assembly given the fragmented ownership across the site, significant soil contamination, the need to redeliver a Thames Water pumping station and the need to extend Woodside End to adoptable standard between its current end and Mount Pleasant. Despite the offer being acceptable (and thus exceeding the maximum reasonable amount of affordable housing that the site can deliver), the offer falls short of the 50% policy compliant target set out in policy DMP15 and an early and late stage review mechanism will therefore be secured in a s106 agreement to capture any uplift in affordable housing.

19. All buildings are to be provided with entrances of a similar standard, ensuring that the development will be tenure blind.

20. Brent's Core Strategy seeks for at least 25% of units to be family sized (three bedrooms or more). The proposal achieves a good proportion of family sized accommodation (20%), which has seen a significant increase from the initial pre-app stages, for which the initial proposal was just 7.4% family homes. The focus on family accommodation is emphasised within the Alperton masterplan document, whereby the 'Waterside Residential Neighbourhood' is promoted as a location where development proposals should be focussed more towards larger units. On balance, the 20% provision of family homes is considered acceptable given the scheme viability position, for which it has been confirmed that the agreed affordable housing level is far in excess of the maximum viable amount.

21. The affordable housing is proposed to be contained entirely within the northern site, specifically within blocks K, J and G. Within the affordable housing offer there are no tenure specific blocks, with the larger affordable rented and smaller intermediate units being provided together throughout the blocks. Block J is mostly an affordable block but also includes 2 private units within the same core, seeing 3 distinct tenures sharing a single core. The approach to peppering the affordable housing across the blocks and varying the tenures is positive and will help to establish mixed communities.

22. The residential provisions within each of the affordable blocks is set out in the table below:

Affordable Block	Private Units	3 Bedroom Affordable Rented Units	1 & 2 Bedroom Shared Ownership Units	Total Units
G	0	18	11	29
J	2	16	18	36 (34 Affordable)
K	0	22	20	42
Total Units	2	56	49	107 (105 Affordable)

Discussion of Greater London Authority (GLA) position on affordable housing

23. It should be noted that the GLA disagree with the currently agreed viability position that has been reached between Brent and Brent's financial viability consultants (BNPP). The GLA therefore consider that the scheme is not necessarily providing the maximum reasonable amount of affordable housing. This view is strongly resisted by officers at Brent, supported by independent analysis undertaken by BNPP.

24. The two main areas of disagreement in respect of viability are as follows:

Benchmark Land Value

25. The GLA have stated that they have approached the rental value of the property based upon a multiple of the Rateable Value of the units (where available).
26. BNPP do not consider this to be a suitable approach given the letting evidence which is available and the photographic schedule of condition for each of the units which has been undertaken. Based upon this information, it is possible to make an informed judgment with respect to the existing use value of each unit as opposed to relying on an arbitrary multiple of a figure which as discussed by the Applicant and the GLA at the meeting. It is not known how and when it was determined and if indeed, it has been challenged by and tenants. Tenants are only likely to challenge a rateable value if it is considered to exceed the market rent; if the converse is true the rateable value will remain unchallenged.
27. The range of existing use value figures referenced by the GLA on this approach is significantly below any of the values which have been arrived at by a number of firms of surveyors (including BNPP) on a desktop basis.
28. For the purposes of the review mechanism, Brent officers and the applicant have agreed on a Benchmark Land Value of circa £27,025,000.

Estimated Private Residential Values

29. The GLA confirmed that the information they have with respect to reservation values for a nearby site (Grand Union/Northfields) was based upon information given by their sales office.
30. The Grand Union/Northfields scheme is clearly a relevant comparable, however at this stage given the paucity of information available which is independently verifiable and the other evidence available, it would not be appropriate to significantly increase the private sales values for this development based upon this scheme alone.
31. In addition, it will be necessary to make appropriate allowances for any difference in unit size and capital value as well as the superior location in terms of access to public transport placemaking effect that such a large development will benefit from in the context of the proposed development.
32. An appropriately drafted Section 106 review mechanism would capture any appropriate increase in residential values (and construction costs) over the course of the development as well as more granular evidence at the Grand Union development when it becomes available.
33. In seeking to address this point robustly, officers have required the applicants to be bound by both early stage and middle stage viability reviews, which would require appropriate viability indicators to be updated and scrutinised independently prior to 50% occupation of the scheme. It is likely that this would allow confirmed sales values of units in the Grand Union/Northfields development to form a material comparable in viability terms. Both of these review mechanisms would seek to secure additional on-site affordable housing where an increase in profit is identified.
34. A standard late stage review clause would also be applied, which would seek an off-site affordable housing contribution where additional profit is identified at a late stage in the development.

Design

35. Brent's DMP1 policy and SPD1 guidance set out the policy objectives and general requirements for good design in the built environment. Overall, officers consider that the proposal responds positively to this policy and guidance context and the specific elements of its design including: general layout, public realm, height and massing and architecture/materiality are discussed in the following sections.

Layout and public realm

36. The development site is large in size (about 2.45ha) and can broadly be split into two halves. A level change is present across the site, with the lowest point at the canal edge on the southern edge of the site and the highest part of the site being that in the northern half. The fall across the site from north to south is about 7 metres.

Layout of Northern Side

37. The northern half of the development proposal is formed of predominantly low-rise flatted development,

whose urban grain is defined by a continuation of the cul-de-sac roads which currently terminate at the edges of this part of the site. This includes Woodside Close and Woodside End, which are extended southward and eastward respectively from their current ends to intersect in the central eastern part of the site. Woodside End is then proposed to extend further east to form a new T-junction with Mount Pleasant and will act as the main thoroughfare across the site from east to west; this will also form the only new road within the development site that is proposed to be adopted and open to public vehicular traffic. The final additional vehicular road will be Woodside Place, extended eastward from its current end to intersect with the extended Woodside Close in the north-eastern part of the site. Aside from Woodside End (the main road through the site), all other new roads will be closed off to local traffic by bollards and will be for pedestrian use and essential vehicular use (eg. Refuse collection, deliveries) only. The part of the extension to Woodside Close immediately north of the junction with Woodside End will be soft landscaped and comprised of a narrower pedestrian pathway and play space, having the feel of a small pocket park. This landscaped transition space will act as both an attractive street feature as well as an effective means of addressing level change across this part of the site. All of new roads internal to the site will be formed of a shared surface, which will emphasise pedestrian priority.

38. The western side of the north part of the site is formed of two partial perimeter blocks in the form of a part 3, part 4 and part 5 storey L-shaped building (fronting Woodside Close and Woodside Place) containing 42 units (block K) and a part 4, part 6 storey and part 11 storey U-shaped building (fronting Woodside Place, Woodside Close and Woodside End) containing 114 units (blocks H and J). This marks the second tallest part of the development, with the 11 storey massing fronting on the corner of Woodside End (the main road through the site) and Woodside Close. Given its central location in the site, the 11 storey building, whilst certainly tall in the local context is broadly supported as a reasonable height increase appropriate for the centre-of-site location. These two buildings are to be provided with rear garden spaces away from the streets they front. The U-shaped building's garden will be podium form with a parking basement underneath (accessed from ramp on Woodside End), also containing cycle and bin stores.
39. The eastern side of the north part of the site is formed of three smaller buildings: A part 4 and part 6 storey building (fronting Woodside End and Woodside Close) containing 29 units and a large commercial space at ground and first floor levels (block G), a 4 storey building to the north (fronting Woodside Close) containing 13 units (block M) and finally a 3 storey terrace of 4 townhouses to the north eastern edge of the site, also fronting Woodside Close (block L). The houses forming block L represent the only non-flatted development in the site and will offer spacious family homes with large private gardens.
40. The proposals for the northern site are summarised in the table below:

Blocks	G	H	J	K	L	M
Height/s	4 & 6 storeys	3 & 11 storeys	4 & 6 storeys	3, 4 & 5 storeys	3 storeys	4 storeys
Commercial use at lower levels	645sqm – Market 345sqm – Affordable	None	None	None	None	None
Residential units	29 x Affordable	78 x Private	2 x Private 34 x Affordable	42 x Affordable	4 x Private	13 x Private
Total Residential units	202 Units – (97 x Private [48%] & 105 x Affordable [52%])					

Layout of Southern Side

41. The southern half is taller and denser and is formed of a large city/perimeter block in the west and the centre (blocks B, C, D and E) and two smaller buildings that separates the city block from a 'linear park' style public recreation area along the eastern edge of this part of the site (blocks A and F). The buildings along this section front the Grand Union Canal on their south sides and define the focal spaces for the development site, which is to be the linear park corridor (shared across the boundary with Abbey Wharf to the east) and the canal front, accessed from the linear park link. The city block is varied in its heights, ranging from 4 to 14 storeys (containing 267 units), whilst the two smaller buildings are both 8 storeys in height (containing 63 and 49 units respectively). The two smaller buildings are to retain a commercial focus at ground floor, with affordable workspace being provided at this level. The focus of commercial

floorspace on the eastern side of the site, close to the junction with Mount Pleasant is logical and should help to establish a stronger neighbourhood centre. The 14 storey massing is focused at the centre point of the development, along the new Woodside End frontage and aligned centrally at the southern end of the extended Woodside Close to frame the view along it. The 14 storey massing is also directly opposite the 11 storey massing (the tallest point of the development on the north side of the road) forming the dense centre part of the site.

42. A large podium garden is proposed centrally in the city block atop a basement car park which is to be accessed from a minor access road which spurs off from Woodside End.
43. A final new route through the site is a large pedestrianised corridor between the city block and the two smaller blocks and linear park on the east side which leads to a wide flight of steps down to the canal frontage. The steps address the level change that is seen in this part of the site. This presents an alternative means of access to the canal aside from the linear park and would be more direct for residents in the northern half of the site. The steps are supported as both a means of access and as a visual feature of the environment, an alternative ramped route for disabled users is achievable through the linear park link which runs parallel to this route.
44. The proposals for the southern site are summarised in the table below:

Blocks	A	B	C	D	E	F
Height/s	8 storeys	4 & 8 storeys	4 & 8 storeys	5, 6 & 7 storeys	6, 7 & 14 storeys	8 storeys
Commercial use at lower levels	None (64sqm – Market commercial in pavilion to south)	None	None	None	None	200sqm - Affordable
Residential units	63 x Private	57 x Private	74 x Private	56 x Private	80 x Private	49 x Private
Total Residential units	379 Units [100% Private]					

Removal and re-provision of pumping station

45. The site currently contains a sewage pumping station within the responsibility of Thames Water. The existing pumping station is located broadly in the middle of the site between the east and west boundaries and close to the canal frontage, broadly where blocks B and C are proposed. The applicant is having to remove and re-provide this pumping station as part of the works. The re-located pumping station is to be located at the South Western corner of the site, close to the western wing of block C. The applicant has confirmed that the pumping station will not emit noise or vibration above the surface and that the works to deliver it will be undertaken at the point where the south site is demolished ahead of new construction.

Public Realm

46. In terms of providing a good quality external environment for residents and passers-by, active frontages have been maximised at street level. Largely, all building facades that front a street within the development site are active at ground floor level, with the focus generally on residential frontages although commercial frontage along parts of the extended Woodside End also form a notable element of the scheme. Ground floor units front onto the street and are accessible from the street rather than from the cores. This will significantly increase street activity and further embed a residential character. Appropriate defensible spaces, which form part of the landscaping plan, will establish a suitable soft landscaped privacy buffer between the ground floor residential windows and the defensible spaces.
47. The development site will involve a substantial coverage of new public realm, including high value public realm fronting the canal. An extensive landscaping proposal has been submitted incorporating a large amount of street tree planting and numerous landscaping features. The pedestrian corridor along the eastern edge of the site and the canal frontage itself is the clear focal point of the landscaping strategy, being the prime connection between the commercial node at Mount Pleasant and the canal. The environment along this corridor is to be shared with the consented Abbey Wharf development.

Scale, height, massing and design of the development within its local context

Height and Massing

48. Policy BD2 of the emerging Local Plan directs tall buildings to the locations shown on the policies map in Tall Building Zones, intensification corridors, town centres and site allocations. This site sits within the tall building zone. Furthermore, the emerging site allocation notes that development coming forward should be denser than the surrounding suburban character. The allocation states that the site is suitable for tall buildings of a mid-rise height, that sits well subject to detailed design analysis showing no adverse impacts and a satisfactory relationship in terms of scale and massing. This should be delivered in context with the residential properties in the neighbouring Abbey Wharf development which rises to six storeys and the surrounding two storey residential properties elsewhere that are likely to remain.
49. Whilst clearly of substantially greater massing than Abbey Wharf in its central core, the massing would, from most viewpoints, appear less prominent in this location, being buffered from view by the surrounding built form which is of a lower height that evokes the scale of Abbey Wharf more strongly. Officers consider that the general approach to massing is comfortable. The approach sees:
- 3, 4 and 5 storey massing at the edges of the site where the adjacent context is suburban housing;
 - 8 storey massing adjacent to the 6 storey Abbey Wharf development;
 - Part 4 and part 8 storey massing fronting the Grand Union Canal;
 - Greater massing located centrally in the development, away from the lower scale context, 6 and 11 storeys in the northern part of the site and 14 storeys in the southern part of the site.
50. This approach establishes a clear transition from smaller buildings close to the suburban edges of the site, stepping up to the tallest features centrally. It is acknowledged that the central massing, particularly the 14 storey high point of the development, is development which would be significantly higher than its surroundings, however officers note that the majority of the site will be comprised of moderately sized buildings which would relate suitably to their surroundings whilst also establishing a denser suburban fabric as required by the site allocation briefs. The denser nature of this development compared to its surroundings would also be conducive to meaningful housing delivery in line with emerging London Plan housing targets for the borough, and thus making efficient use of this brownfield site. In summary, a key part of the height and massing strategy's success is the positioning of lower buildings around the periphery of the site, forming a substantial visual buffer between the surrounding streetscene and the central part of the site, obscuring much of the prominence of the 14 storey high point of the proposal.

Architecture and Materiality

51. The applicant's plans indicate a strong focus on 1930s light industrial vernacular in terms of architecture and materiality. The key visual motif across the development site is the use of typical industrial style 'zig zag' roof forms atop the blocks and a combination of red brick, light brick and metallic style panels with a corrugated appearance along the external walls. All of these features strongly evoke the location's industrial heritage but also present a pleasing and distinctive visual design language for a new residential district. The architecture and materiality is therefore supported in principle. This material palette will foster a strong residential feel at the lower levels but still evoke the neighbourhood's industrial past at the upper levels when seen from a greater distance. In relation to the buildings whose top levels are proposed to be clad in metal, officers feel that a more pleasing appearance might be achieved by pushing brick further up the buildings and reducing the size of the metal cladding layer at the top. The metal cladding has a very striking appearance and a more sparing use of it is felt to likely result in a better looking development.
52. A standard condition will require material samples to be submitted for officer approval, but in this case, will also require alternative balances between brick cladding and metal cladding to be tested in plan form and for the balance between these two types of cladding to be finalised by condition.
53. The scale, massing and visual design of the proposed buildings will clearly appear different from the long-established suburban dwellinghouses that define the surrounding context. The focus on traditional brick facades for the buildings and the commitment to limiting height and massing around the edges of the site would provide an element of continuity between the surrounding houses and the new developments whilst the more modern approach to the architecture and denser core elements would provide a suitable response to current housing pressures and would also provide an element of continuity with the Abbey Wharf development on the adjacent site.

54. The architecture and materials approach is supported, subject to the above conditions.

Quality of residential accommodation

55. The quality of the proposed residential units is generally high with deck access cores which have fewer than 8 units allowing for a high proportion of dual aspect units. All units meet the relevant space standards, with external amenity provided in the form of communal gardens, balconies and private terraces. The orientation of the blocks means that most of the units have east/west aspect maximising penetration of sunlight. 10% of homes have been designed to be adaptable for disabled users, meeting relevant London Plan policy requirements.

56. A number of the proposed buildings have been designed to maximise dual aspect flats by having communal access corridors to flats which are open air and located along the outside edges of the buildings. This allows internal rooms which are positioned adjacent to these corridors to still benefit from outlook visible from across the corridor. Within the corridors, openings have been placed appropriately to ensure that windows to habitable rooms are able to benefit from the outlook beyond these corridors. Blocks K, J, H and M in the north site and blocks B, C, D and E in the south site utilise this to achieve a greater number of flats with dual aspect than they would otherwise. In the north site 55% of flats have dual aspect, whilst in the south site 54% of flats have dual aspect. This is considered to be an acceptable amount within this form of development.

57. In terms of privacy between blocks, the proposal meets all standards set out in SPD1 (2018), with the exception of blocks L and M in the north site, which have rear windows which face towards the rear gardens of properties along Mount Pleasant. The distance from the rear facing windows of the blocks to the rear of the original houses is 18m, however, where these houses have been extended this distance is reduced. The closest relationship is between windows serving the communal corridor to Block M and the rear wall of no. 142 Mount Pleasant, where the rear window separation distance is 14.45m. Despite not meeting the 18m standard in all instances, consideration is given to the fact that it is only by virtue of extensions to the properties along Mount Pleasant that the standard is not met. The gardens to these properties are shallow and, in a number of cases, the garden depth is shallower than 9m. By contrast, the distance from the windows in the rear of blocks L and M to the rear garden boundaries with these Mount Pleasant properties is in excess of 9m. Full adherence to the 18m separation standard given this scenario would push the development further into the site unreasonably. A flexible approach has been taken given the need to make efficient use of land in the growth area setting.

58. The separation between blocks A and F in the south site is 16m. Within the two facing elevations are both primary and secondary habitable room windows. The architects have placed the windows so that they are deliberately offset from one another's line of sight to reduce the potential for overlooking between these habitable rooms. Furthermore, it is noted that a public route separates the two blocks in this location, reinforcing a setting with a public character between the blocks rather than a more private arrangement typically found between rear gardens. Given the above, officers consider that the 16m separation between Block A's northern façade and block F's southern façade is justified and would not result in a relationship which unduly detracted from the privacy of the units.

Amenity Space

59. Policy DMP19 states the following:

"All new dwellings will be required to have external private amenity space of a sufficient size and type to satisfy its proposed residents' needs. This will normally be expected to be 20sqm per flat and 50sqm for family housing (including ground floor flats)."

60. The policy requirement in relation to external private amenity space is for it to be "sufficiency of size". Whilst there is a normal "expectation" for 20qm per flat and 50sqm for family housing (including ground floor flats), that is not an absolute policy requirement in all cases. This is reinforced by the supporting text to the policy which provides that:

"10.39 New development should provide private amenity space to all dwellings, accessible from a main living room without level changes and planned within a building to take a maximum advantage of daylight and sunlight. Where sufficient private amenity space cannot be achieved to meet the full requirement of the policy, the remainder should be applied in the form of communal amenity space".

61. In meeting the above requirements, it is expected that at least a part of each flat's required amenity space will be private space and as such, all units should be provided with a London Plan/Housing SPG compliant balcony/terrace. Within dense developments there is an expectation that a shortfall in amenity space provision can acceptably be made up through communal garden space as much as is possible, which would be a secondary form of amenity space beyond the flats' balconies.
62. The proposal for four communal gardens for the use of residents at ground level is welcomed. One of these is to be located centrally between blocks B, C, D and E, serving all residents of these blocks and measuring 694.2sqm in size. Secondly, a fourth floor podium garden measuring 117.4sqm links together blocks B and C and would be usable by all residents in these blocks. Thirdly, a ground floor garden is provided for all residents in blocks J (an affordable block) and H measuring 832.2sqm in size and a fourth garden serves block K (also an affordable block) on the ground floor, measuring 705.6sqm in size. Private ground floor residential gardens are also provided for the terrace of four houses (block L) (about 50sqm on average). Aside from the fourth floor podium serving blocks B and C, no rooftop gardens are proposed, although the roofs to blocks, B, C, D, E and H are utilised as photovoltaic arrays. Each flat in the development will be provided with its own private terrace or balcony. All of these terraces will comply with the London Plan standards and many will be very generously sized, utilising both internal and external outdoor spaces to maximise balcony space, with a number being as large as 30sqm in size.
63. In addition to the private and enclosed communal amenity spaces, the proposal will deliver new landscaped public realm, both in the form of green space for general recreation and as designated child play space, referred to as doorstep play (more information on total play provision below). These spaces will provide a benefit to the wider community although will most directly benefit residents of this development and in particular the residents whose blocks sit alongside the relevant public amenity spaces. Given the extent and quality of the public amenity space proposed, officers have included these spaces within amenity space calculations for the development as a whole and would consider that they contribute to the overall residential quality offered within the scheme.
64. Officers consider that the following public amenity spaces should reasonably form part of the residential amenity space offer:
- Southern site (1,319sqm):
 - Equipped doorstep play to the east of blocks A and F (395sqm)
 - Landscaped space between blocks A and B (347sqm) of which part is equipped doorstep play (179sqm)
 - Landscaped space alongside new canal towpath (577sqm) of which part is equipped doorstep play (191sqm)
 - Northern site (421sqm):
 - Equipped doorstep play between blocks G, H and J (421sqm)
65. Overall, the amenity space provision, and associated shortfalls below DMP19 (where relevant) is as follows:

Southern Site

Block	A	B	C	D	E	F	Total
Number of units	63	57	74	56	80	49	379
Number of those units which are 3 bedroom ground floor units (50sqm standard)	1	1	1	1	1	0	5
Amenity space standard (DMP19)	1,290	1,170	1,510	1,150	1,630	980	7,730
SHORTFALL -	911.3	633.6	898	676.6	986.3	667.3	4,773.1

PRIVATE							
Total share of communal space	0	199.5	259	145.6	208	0	812.1
ADJUSTED SHORTFALL (incl. communal)	911.3	434.1	639	531	778.3	667.3	3,961
Total share of public space	188.67	170.71	221.62	167.71	239.59	146.75	1,135.05
FINAL ADJUSTED SHORTFALL (incl. communal and public)	722.63	263.39	417.38	363.29	538.71	520.55	2,825.95
LOWEST INDIVIDUAL UNIT AMENITY SPACE (Private + Communal + Public) for a 20sqm standard unit	7.99 Shortfall of 12.01	11.79 Shortfall of 8.21	11.79 Shortfall of 8.21	10.59 Shortfall of 9.41	10.59 Shortfall of 9.41	7.99 Shortfall of 12.01	
LOWEST INDIVIDUAL UNIT AMENITY SPACE (Private + Communal + Public) for a 50sqm standard unit	12.99 Shortfall of 37.01	24.99 Shortfall of 25.01	24.69 Shortfall of 25.31	36.89 Shortfall of 13.11	23.99 Shortfall of 26.01	N/A	

Northern Site

Block	G (aff)	H	J (aff)	K (aff)	L	M	Total
Number of units	29	78	36	42	4	13	202
Number of those units which are 3 bedroom ground floor units (50sqm standard)?	1	0	3	3	4	0	11
Amenity space standard (DMP19)	610	1,560	810	930	200	260	4,370
SHORTFALL - PRIVATE	350.3	932.2	448.9	407	0	122.8	2,261.2
Total share of communal space	0	569.4	262.8	705.6	0	0	1,537.8
ADJUSTED SHORTFALL (incl. communal)	350.3	362.8	186.1	0	0	122.8	1,022
Total share of public space	86.85	233.60	107.81	125.78	11.98	38.93	604.95
FINAL ADJUSTED SHORTFALL (incl. communal and public)	263.45	129.2	78.29	0	0	83.87	554.81
LOWEST INDIVIDUAL UNIT AMENITY SPACE (Private	7.99 Shortfall of 12.01	15.98 Shortfall of 4.02	14.21 Shortfall of 5.79	25.59 Shortfall of 0	N/A	8.89 Shortfall of 11.11	

+ Communal + Public) for a 20sqm standard unit							
LOWEST INDIVIDUAL UNIT AMENITY SPACE (Private + Communal + Public) for a 50sqm standard unit	12.99	N/A	17.29	41.99	63.59	N/A	
	Shortfall of 37.01		Shortfall of 32.71	Shortfall of 8.01	Shortfall of 0		

66. In the context of this scheme, DMP19 would stipulate an amenity space standard of 12,100sqm and, taking the above into account, the proposal sees a shortfall against this policy standard of 3,380.76sqm. Overall, whilst the scheme does not comply with DMP19, the amenity space provision is positive given the growth area context and broadly accords with accepted amenity space provisions within other growth areas in Brent.

Play Space

67. Policy 3.6 of the London Plan requires that on site play space is provided to service the expected child population of the development. The applicants have set out a play space strategy which provides on-site play spaces in line with GLA's child yield matrix. The child yield matrix would require 2,706sqm of on-site play space based on the residential and affordable housing mix proposed and based on the local PTAL level and outer London setting. This quantum of play space would be split between enclosed courtyard podium play for 0-4 year olds (1,515sqm) and equipped doorstep play for 5-11 year olds (1,184sqm). Neighbourhood play for 11+ year olds would not be provided on site and the nearby parks of Mount Pleasant Open Space and Heather Park would effectively serve this purpose.

68. The enclosed courtyard podium playspaces are provided within all three of those spaces within the scheme, with a 453sqm play space forming part of blocks' B, C, D and E podium garden, a 598sqm play space forming part of blocks' J and H podium garden and a 464sqm play space forming part of block K's podium garden. Together, these play spaces amount to 1,515sqm of 0-4 year old play space, and the two larger play spaces (those serving blocks J, H and K) will be accessible to residents of the affordable blocks J and K.

69. The equipped doorstep play is proposed within 5 separate spaces around the public parts of the site, which also form part of the public amenity space offer of the development. The largest (421sqm) will be in the landscaped transition space between blocks J, H and G, two smaller spaces (224sqm + 171sqm) will be provided along the western side of the linear park space between blocks A, F and the Abbey Wharf development and two other spaces (191sqm + 179sqm) will be within the canal frontage. These spaces together comprise 1,186sqm of 5-11 year old play space and will also be play spaces that will benefit the wider public.

70. Together, the play spaces amount to 2,701sqm, falling just 5sqm (0.18%) short of the expected on site quantum (2,706sqm) and is strongly welcomed. Detailed plans of the play spaces and their individual features will be secured through the landscaping conditions.

Development Phasing

71. The development is to be phased as follows:

Pre-construction phases

- Demolition and decontamination of the north site
- Demolition and decontamination of the south site

Construction phases (affordable blocks denoted in **bold**)

- Construction of blocks **K**, L and M
- Construction of basement below blocks J and H and new road through the centre of site

- Construction of blocks J, H and G
- Construction of basement below B, C, D and E
- Construction of blocks D and C
- Construction of blocks E and B
- Construction of blocks F and A

72. The phasing plan would see all of the scheme's affordable housing delivered within the first two block construction phases (phases 1 and 3) which is welcomed.

73. The applicants have confirmed that the first residential completions are planned to be delivered within 3.5 years of consent being granted and continuing at a rate of about 100 units per year. This would result in a total build period of 8.5 to 9.5 years. The phasing would see the site developed from north to south.

74. A number of the conditions within the decision notice as well as clauses within the S106 agreement have time triggers that account for the phasing plan.

Impact on amenities of neighbouring properties

75. The site is surrounded by a large number of properties. Brent's SPD1 guidance sets out a number of criteria for judging impact on neighbouring properties in terms of losses of privacy and the creation of a sense of enclosure. There is clearly a sensitivity around the edges of the site in relation to the small scale housing along Woodside End, Woodside Place, Woodside Close and Mount Pleasant, as well as the backs of the houses fronting the north side of Carlyon Road across the canal. It will be important to consider the extent to which the SPD1 guidance is complied with in relation to these properties, and for this impact to be weighed up as part of an overall judgement. The SPD1 amenity impact tests and the development's performance against them are explained below.

Privacy

76. In order to retain acceptable privacy levels to properties, the amenity impact considerations consider that all primary habitable room windows within the property should be at least 9m from the boundary with the private external amenity space of neighbouring properties or adjoining sites, except where the view on to that property would be to a part of the property which would serve as low value amenity space (e.g. the side access around a house). All secondary habitable room windows and non-habitable room windows should be obscure glazed if they cannot achieve this standard too. Furthermore, the proposed habitable room windows should achieve a full 18m of separation from the habitable room windows of other properties (apart from street facing windows). These standards are in the interests of protecting the privacy of neighbouring occupiers.

77. The above standards are achieved both internally between proposed blocks and between the proposed development and surrounding existing development with the exceptions of situations outlined above in paragraphs 57 and 58. Some further caveats to this are also detailed as follows. Block A will be positioned about 21m from the main western façade of Abbey Wharf, exceeding expectations in SPD1 guidelines for facing window separations. The red line boundary between these sites sits about halfway between these two façades. As with block A, block F borders with Abbey Wharf to the east. The block will sit about 21m from the main western façade of Abbey Wharf, exceeding expectations in SPD1 guidelines for facing window separations. The red line boundary between these sites sits about halfway between these two façades. To the west, the industrial context would not warrant consideration against these criteria. The block sits about 7m from the boundary with the industrial properties, although will not have any habitable windows which would rely on outlook across this site. As such, the placement of this block within 7m of the neighbouring industrial site is not considered to result in any prejudice the develop-ability of the neighbouring site.

Overshadowing & Losses of Light

78. In the interests of ensuring that the development does not appear unduly overbearing to surrounding properties, SPD1 establishes a standard for new development to sit underneath a 45-degree line drawn from a 2m height at the nearest edge of an affected property (including side and rear garden boundaries) towards the proposed buildings. The proposed buildings should also sit underneath a 30-degree line drawn from a 2m height at the nearest habitable room windows within neighbouring properties that face towards the proposed buildings.

79. In the event that these relationships cannot be achieved, a careful balance of this harm in the context of the other considerations should be made. A full test of daylight and sunlight impact on surrounding properties can also assist in understanding and weighing up the harm in the balance of considerations. Daylight and sunlight testing has been carried out and is discussed in the next section.
80. Given the extent of the site, the tests of overshadowing and light loss as per the 45 and 30 degree line criteria will be reported building by building, as per the below.

South site

Block A

81. Blocks A borders with Abbey Wharf to the east and 119 to 125 Carlyon Road to the south, across the Grand Union Canal. The separation with Abbey Wharf (in excess of 20m) is substantial and has been discussed above in relation to privacy. Despite the generous separation, the heights of the buildings are such that the 30 degree line test will not be met from the windows of the lower levels of the Abbey Wharf building, and the same is true of the proposed flats facing towards Abbey Wharf. Given the growth area setting and the generous separation which meets SPD1 criteria in relation to privacy, the relationship is considered to be acceptable.
82. At its closest point, the block will sit 34.75m from the boundary with residential gardens along Carlyon Road (119 Carlyon Road is the closest). At this distance, the proposal will meet the 45 degree testing from this garden space. At its closest point, the block will sit 51m from the rear elevation of a dwelling along Carlyon Road (123 Carlyon Road). The 30-degree line test from this elevation will be marginally failed (by about 0.3 metres). The 30-degree line test will be passed from other properties along here, as it is a deep extension at no. 123 which is bringing the rear elevation closer to the development than with other properties.

Blocks B and C

83. Blocks B and C border with 87 to 113 Carlyon Road to the south, industrial units to the west and 34 and 36 Woodside End to the north.
84. To the south, the block will sit 30.5m from the Carlyon Road gardens (at the closest point, to 99 Carlyon Road) and 45m from the Carlyon Road dwellinghouses (at the closest point, to 109 Carlyon Road). Relative to the garden boundary, the 45-degree line test is met for all properties. The 30-degree line test is failed to a small extent (maximum of 2m height) at properties that have been extended, although the test is fully met for un-extended properties.
85. To the north, the block will sit 22m from the rear boundary of properties along Woodside End and 38m the rear wall of 34 Woodside End and 41m from the rear wall of 36 Woodside End. The 45 degree and 30 degree tests are comfortably passed relative to these properties.

Block D

86. Block D borders with 36 Woodside End to the west.
87. Block D has been designed to give significant clearance to 36 Woodside End as Block D's central garden space will sit largely along the edge of this property. For the 3 metres of depth beyond the dwellinghouse and into the garden of 36 Woodside End, the development will project at a relatively close distance of 9.4m. This relationship would not meet 45 degree testing, although would meet 1:2 rule testing which is considered to be a relevant policy in this context, when considering a projection alongside the rear of a domestic property. The property at 36 Woodside End would otherwise be given a generous clearance by the proposed development and the garden environment would largely continue to feel unconstrained and open in character.

Block E

88. Block E is located centrally in the site, away from boundaries and does not raise concerns relating to overshadowing & losses of light.

Block F

89. Block F is located along the eastern edge of the site, across from the emerging Abbey Wharf development. The separation with Abbey Wharf (in excess of 20m) is substantial and has been discussed above in relation to privacy. Despite the generous separation, the heights of the buildings are such that the 30 degree line test will not be met from the windows of the lower levels of the Abbey Wharf building, but the same is true of the proposed flats facing towards Abbey Wharf. Given the growth area setting and the generous separation which meets SPD1 criteria in relation to privacy, the relationship still considered to be acceptable.

North site

Block G

90. Block G sits adjacent to the rear boundary of 148 and 150 Mount Pleasant. 148 and 150 Mount Pleasant is a solely commercial retail building and does not warrant testing against residential amenity standards.

Block H

91. Block H borders with 11 Woodside End.

92. Similar to the approach taken with Block D, block H has been designed to give significant clearance to its neighbouring property as its central garden space will sit largely along the edge of this property. For 1.5 metres of depth beyond the dwellinghouse and into the garden of 11 Woodside End, the development will project at a relatively close distance of 3.75m. This relationship would not meet 45 degree testing, although would meet the 1:2 rule test. The property at 11 Woodside End would otherwise be given a generous clearance by the proposed development and the garden environment would largely continue to feel unconstrained and open in character

Block J

93. Block J borders with 12 Woodside Place.

94. Similar to the approach taken with Blocks D and H, block J has been designed to give significant clearance to its neighbouring property as its central garden space will sit largely along the edge of this property. For 4.2 metres of depth beyond the dwellinghouse and into the garden of 12 Woodside Place the development will project at a relatively close distance of 3.6 metres. This relationship would not meet 45 degree testing and would also fail 1:2 rule guidance. The property at 12 Woodside Place would otherwise be given a generous clearance by the proposed development and the garden environment would largely continue to feel unconstrained and open in character. Nonetheless, the lack of compliance when assessed against both 1:2 rule relationship and 45-degree line testing is acknowledged.

Block K

95. Block K borders with 11 Woodside Place and 36 Woodside Close.

96. Similar to the approach taken with Blocks, D, H and J, block K has been designed to give significant clearance to its neighbouring property at 11 Woodside Place as its central garden space will sit largely along the edge of this property. For 4.5 metres of depth beyond the dwellinghouse and into the garden of 11 Woodside Place the development will project at a relatively close distance of 3.8 metres. This relationship would not meet 45 degree testing and would also fail 1:2 rule testing which is considered to be relevant in this context, when considering a projection alongside the rear of a domestic property. The property at 11 Woodside Place would otherwise be given a generous clearance by the proposed development and the garden environment would largely continue to feel unconstrained and open in character. Nonetheless, the lack of compliance when assessed against both 1:2 rule relationship and 45-degree line testing is acknowledged.

97. The northern part of this block borders close to the rear garden boundary with 36 Woodside Close. 36 Woodside Close's main rear elevation doesn't look towards the development, although block K will extend within close proximity of the garden (about 2.5m). The first 6m of the garden will see a noteworthy breach of the 45 degree line in terms of impact on that part of the rear garden of 36 Woodside Close. The building of block K will extend about 7m above the 45 degree line taken from this boundary.

Block L

98. Block L borders with the rear gardens of 122-144 Mount Pleasant.
99. Block L is the smallest block and is formed of the four terraced town houses to a height of three storeys. When testing the proposed block in the context of the affected houses, all of the relevant testing with the 45 degree and 30 degree lines is passed.

Block M

100. Block M borders with 134-146 Mount Pleasant.
101. Block M is formed of one of the smaller blocks of apartments on the north site, rising to a height of 4 storeys. When testing the proposed block in the context of the affected houses, all of the relevant testing with the 45 degree lines is passed, however when considering windows at the rear of the outriggers to these properties, the 30 degree line testing is marginally failed, with the worst breach being by a height of 1.75m.

Summary

102. Overall, the development has a guidance compliant relationship with its surroundings in many respects, although there are some breaches of SPD guidance as follows:
103. A number of properties for which 30 degree line, 45 degree line, and (where relevant) 1:2 rule testing is not fully complied with. To summarise, in terms of properties whose rear gardens and rear windows face the development site, all properties are compliant with guidance with the exception of some properties which have been extended and which sit along the north side of Carlyon Road, with the most severe breach to these properties stemming from block C, whose roof level extends above the 30 degree line from the Carlyon Road properties by up to about 2 metres. In addition, as a result of the height and placement of block M, some properties along the west side of Mount Pleasant will see windows in their outriggers fail 30 degree line testing, with the most severe breach seeing block M's roof project above the 30 degree line by about 1.75m. In addition, 36 Woodside Close will see a 6m deep section of its garden enclosed by a structure that is about 7m in excess of the 45 degree line. This results from the height and placement of Block K; however, this property is oriented away from the development and the main aspect from the house into the garden will retain an open character.
104. In terms of properties which sit alongside the development site and have a side-to-side relationship with it, 11 and 36 Woodside End sit alongside blocks H and D respectively and fail 45 degree testing for parts of the garden closest to the rear of the house. However, given the side-to-side relationship it has been deemed appropriate to apply the 1:2 guidance. The 1:2 guidance is complied with in these cases. 11 and 12 Woodside Place sit alongside blocks K and J respectively and fail 45 degree testing as with the above properties. In these cases, 1:2 rule testing is also failed, with the 1:2 guidance being breached by a depth of 2.6m relative to 11 Woodside Place and 2.4m relative to 12 Woodside Place.
105. Given the scale of development, the degree of non-compliance against SPD1 criteria is considered minor and is considered acceptable given the substantial benefits of this proposal.

Daylight, Sunlight and Overshadowing

106. The applicants have submitted a daylight, sunlight and overshadowing assessment prepared by suitably qualified experts. The report looks at impacts this development would have on surrounding properties in terms of changes to daylight and sunlight exposure. Overall, testing shows that 80% of potentially affected windows will meet the typical recommendations (as set by the BRE) for good daylight and 86% of potentially affected windows will meet the typical recommendations for good sunlight.
107. Daylight testing is carried out through two tests, the Vertical Sky Component (VSC) and the No Sky Line (NSL) tests. The VSC test analyses impact on windows based on how much of the sky would be visible from the window in existing and proposed scenarios. The results are expressed in comparative percentage terms and the BRE considers a VSC score of less than 27% and less than 0.8 times its former value to result in reduced daylight to that window which is likely to be noticeable. The NSL test analyses the parts of a room from which the sky would be visible through particular windows in existing and proposed scenarios in percentage terms. The BRE considers an NSL score of less than 0.8 times its former value to result in reduced daylight that is likely to be noticeable. Generally, windows/rooms that pass one or both of the above tests are considered to result in BRE compliance.

108. Sunlight testing is carried out through the Annual Probable Sunlight Hours (APSH) tests. The APSH testing assesses windows that may be affected by the development whose orientations are within 90 degrees due south. The testing considers if these relevant windows can receive one quarter of the annual probable sunlight hours (APSH) based on the built form that may obstruct it. A second test considers whether at least 5% of the APSH will be received during the winter months between the autumn and spring equinoxes. If both tests are passed, then the room should receive enough daylight to maintain a good living environment.

109. BRE testing is to be used as a guide rather than strictly enforced. The BRE guidelines identify that the standards they establish generally represent acceptable impact in the context of a low density residential area and it is therefore widely understood that some flexibility and reasonably flexible judgement needs to be exercised at sites where a more urban character is sought. It is generally understood that across growth areas in London, VSC figures of between 10% and 20% are considered to be an acceptable reduced standard where a more urban character will be part and parcel of development that is intended to significantly boost housing numbers.

110. In terms of the individual breakdown, buildings along the following roads were tested for impact as they had the potential to be detrimentally affected by the proposal: Woodside Close, Woodside Place, Woodside End, Carlyon Road and Mount Pleasant. In addition, the emerging Abbey Wharf development was tested for impact, although the considerations for Abbey Wharf are slightly different given that the building does not represent an established residential environment and is instead an emerging residential environment. The individual tests are discussed below.

Woodside Close

111. Woodside Close is a road which borders the site from the north, some of the houses along here directly adjoin the site and have been tested for impact. Of the tested properties, 41, 43 and 47 Woodside Close (odds) and 26-36 Woodside Close (evens) will pass all BRE tests and will not experience any noticeable change in their daylight and sunlight under BRE guidelines.

112. Numbers 45 and 49 Woodside Close will experience some losses under BRE testing. 8 out of 12 of the windows tested on these properties meet the guidelines for the VSC test but the other 4 (2 at each property) fail, with reductions of between 21 and 35%. However, these windows are slim slot windows that form parts of bays whose other windows comfortably meet BRE criteria. As such, there is a clear justification for this impact being acceptable. These properties pass all tests associated with NSL and APSH testing.

113. 51 Woodside Close had 25 windows tested for VSC with 20 out of 25 passing. The other 5 experience relative reductions in the range of 20-29% (only slightly below the 20% reduction or 0.8 times former value benchmark for acceptability). 4 of the 5 failed windows are panes within the curved ground floor bay, although at least four other panes in this bay meet BRE criteria. The final window serves a utility room which has two other windows, thus also providing a clear justification for accepting this impact. This property passes all tests associated with NSL and APSH testing.

Woodside Place

114. Woodside Place is a road which borders the site from the west. 4 properties (9, 10, 11 and 12) along this road were tested and all saw some deficiency in BRE compliance. For the house pair at no's 9 and 11, 16 of the 20 tested windows satisfy VSC criteria with the other 4 experience reductions in the range between 24% and 30%, but, all represent thin slot windows in the side of squared bays where the main windows serving these rooms would comfortably meet BRE recommendations. All criteria relating to NSL testing and APSH testing will be comfortably met.

115. In relation to testing at 10 and 12 Woodside Place, 21/23 tested windows will satisfy VSC criteria with the two deficient windows again representing secondary panes within bays. NSL and APSH testing is fully satisfied.

Woodside End

116. Woodside End borders the site from the west and is the road which would be extended through the site. Numbers 26-32 (evens) met all BRE tests whilst numbers 9, 11, 34 and 36 see some failures. Across numbers 9 and 11, 24 out of 24 tested pass VSC testing, with 9 of those failing representing

secondary pane windows to six-pane bay windows (reductions range between 23-39%). The 10th failing window is a secondary window within the flank of 11 Woodside End, close to the rear corner of the property. It is assumed that this window serves as a secondary window to a dual aspect room, whose main window would be to the rear. NSL and APSH testing is passed in full.

117. Numbers 34 and 36 see 24 of 30 tested windows meeting VSC criteria. Five of the six failures (23-55% reductions) are again to individual secondary panes within bays whilst the sixth window is a window within a side dormer window which looks over to the development site. This window has been established through extension of the property and currently enjoys very unobstructed views across the Abbey Industrial site, owing to its positioning at the end of the street. The window would retain 17% VSC from a starting point of 38% which falls below BRE recommendations. The window would also fail NSL testing, with a 42% reduction versus an acceptability benchmark of 20%. The window would pass APSH testing. The window likely serves a habitable room in this loft environment, but paying mind to its highly unobstructed nature at present and the inevitability of some impact where dense regeneration is proposed, the impact to this window is to be accepted on balance.

Carlyon Road

118. Carlyon Road runs east to west to the south of the site, and is separated from the site by the Grand Union Canal. Houses on the north side of Carlyon Road back on to the southern towpath of the canal and some would sit directly across from the proposed development across the canal.

119. Numbers 85 – 135 (odds) have all been tested as potentially affected properties, with numbers 85 – 95, 125 – 129 and 133 – 135 meeting BRE guidance in full. This leaves numbers 97 – 123 and 131 (15 properties) as deficient in BRE terms. Across these properties 78 windows have been tested for VSC and 39 (50%) pass the test. The other 39 windows will experience relative reductions in VSC between 20 and 25%, slightly short of the 20% BRE acceptability criteria. NSL testing and APSH testing is passed in all cases.

120. The quantity of windows which fall short of standards (39) is notable, however the testing confirms that the extent of the failures to each of these windows is generally fairly small (up to 5% worse than the acceptable standard) and as such it is considered that the actual experienced outcome would likely be similar to a BRE compliant scenario. In view of the other benefits of the scheme, the impact to these properties is to be accepted.

Mount Pleasant

121. Mount Pleasant runs to the east of the northern part of the site. Compared to the other roads tested, the houses along Mount Pleasant are older and have projecting outrigger features along their rear extents. This results in a number of the windows alongside the outriggers with low existing levels of light which, when subjected to the daylight modelling are very sensitive to changes in the environment in terms of the modelling, with relatively small absolute changes in the light being reflected as larger and somewhat misleading as percentage alterations. The BRE acknowledges this where its guidance states that “a larger relative reduction in VSC may also be unavoidable if the existing window has projecting wings on one or both sides of it, or is recessed into the building so that it is obstructed on both sides as well as above.”

122. 19 properties along this road were tested, including 77-87 (odds) and 120-146 (evens). 8 of the properties saw some breaches of BRE guidelines, whilst 11 were in full compliance. Numbers 128, 132 and 136 all saw some breaches of VSC but full compliance with NSL and APSH tests. At 128, 6 out of 7 windows meet VSC with the failure seeing a reduction in value by 22%. At 132, 6 out of 8 windows meet VSC with the two failures seeing reduction by 21-22%. At 136, 5 of 7 windows meet VSC with the two failures seeing reduction by 24-26%. These windows are generally rear bedroom windows with single aspect.

123. At number 138, 4 out of 7 windows will meet VSC criteria, with the three failing windows seeing reductions between 21 and 31%. NSL testing is met. APSH testing is not fully met as there is one room to this property (out of four tested) which fails the winter APSH test since only 1% of its APSH are likely to be experienced in the winter, where at least 5% is expected. However, this window will experience 33% of its APSH in the yearly context, notably exceeding the minimum expectation of 25%.

124. At number 140, 1 of 5 windows will meet VSC criteria, with the four failing windows seeing

reductions between 20 and 32%. All of the rooms of the property will meet NSL criteria bar one which would experience a reduction of 32%. The room will retain light coverage to 67% of its extent and is served by a window that receives 25.5% VSC. The property meets sunlight testing guidelines.

125. At number 142, 1 out of 6 windows will meet VSC criteria, with the five breaching windows experiencing a reduction between 24 and 36%. Three of these windows have their existing baseline daylight obstructed by the rear additions to which they are adjacent, meaning that even in the existing scenario they fail VSC testing, with a figure of below 27% in the existing scenario. The other two windows are unobstructed but retain VSC figures which are close to the compliance levels (27%) of 24-26%. In terms of NSL testing, 1 out of 5 tested rooms meet BRE criteria. 2 of the 4 failed rooms experience reductions of between 24 and 26% which is only modestly beyond the guideline of 20%. The other two would experience reductions between 52 and 58%, however both of these rooms are located in a deep extension and are unusually close to their rear garden fence which limits daylight penetration to these rooms. In terms of APSH testing, 2 out of 5 rooms meet criteria for annual and winter APSH. Of the remaining 3, 2 meet BRE criteria for annual APSH but fall short on the 5% winter APSH benchmark, retaining 2-3% winter APSH rather than 5%. The remaining room is obstructed by the rear addition to which it is adjacent and does not meet BRE criteria in its existing scenario anyway. Despite this, the room retains 17% annual APSH, which falls short of the 25% target.
126. At number 144, 1 of 9 windows meet VSC criteria, with the 8 failures experienced relative reductions between 24 and 40%. Four of these windows are obstructed by the rear additions to which they adjoin resulting in sub 19% existing VSC for these windows. The remaining unobstructed windows will retain 19-23% VSC (where the target is 27%). NSL testing is met for all rooms. For APSH testing, 3 of 6 rooms meet BRE criteria, with 3 rooms failing on winter APSH levels (retaining 2-3% versus a target of 5). All rooms comply with year round APSH targets.
127. Number 146 has particularly deep outrigger rear additions which sees windows with low existing levels of light and leaves these windows very sensitive to changes in the environment. At this property 4 of 7 windows meet the VSC criteria with the 3 that fail to do so seeing reductions between 24% and 50%. One of these windows is heavily obstructed by the rear projection it is alongside, whilst the other two have highly unobstructed views (with existing VSC levels of 34-38% that reduce to 17-23% which is still relatively close to the target of 27%). All of the rooms meet NSL testing. In APSH testing, 1 of 4 rooms tested meets the BRE criteria for both annual and winter scenarios. 2 of the other rooms will achieve annual targets but not winter targets, retaining 1-3% versus a target of 5%. The remaining room is through to be a kitchen and retains 19% annual APSH, below the 25% target.

Abbey Wharf

128. Abbey Wharf is the emerging development to the east of the south part of the development site. A key element of the Abbey Wharf development is the use of projecting balconies which overhang each of the windows below. The BRE guidelines acknowledge such situations as an additional constraint on achieving good daylight and sunlight levels as the balconies will establish a baseline position where the top part of the sky is blocked out. This means that even a modest obstruction opposite may result in a large relative impact on the VSC. To negate the effect of this, the applicants have tested a 'no balcony' scenario as well as a 'with balcony' scenario.
129. The existing site would also experience highly unobstructed views across the site given the existing low rise nature of the current uses. The growth area status and site designation seeking a development of density would naturally result in significant implications for the views becoming notably more obstructed. It is noted that the buildings proposed closest to Abbey Wharf would be of a similar height to Abbey Wharf itself, incurring a proportionate impact consistent with the emerging built form across both Abbey Wharf and the proposed development.
130. 254 windows were tested for VSC compliance and 152 (60%) of these windows passed the test. The failure range was significant, ranging from 29-82%. The more notable losses occur to the 56 windows that are recessed below large projecting balconies which is a defining characteristic of this building – the range of impact to these windows is 25-82%. Where balconies are not present, the impact to those 46 windows sits in a more modest 29-54% range. Where the balconies are removed and re-tested in this hypothetical scenario, VSC figures of over 16.5% are achieved in all cases, which compares favourably to the figures returned for the unobstructed windows and also compares favourably with many accepted VSC ranges at other growth areas in London. The residential typologies are clearly comparable to typologies seen across London and in Brent (such as Wembley) and the potential impact of the VSC figures is therefore considered differently and is still deemed acceptable, especially given

that these residential units represent emerging homes rather than existing homes.

131. In terms of NSL testing, 97 of 193 rooms (50) meet BRE criteria. Those that fail the criteria experience relative reductions of 21-72%. 64 of the rooms falling short are bedrooms and 32 are open plan living spaces with kitchens. As is the case with VSC, the rooms currently receive abnormally high levels of daylight due to the nature of the development site at present.
132. In terms of APSH testing, 147 of 191 south facing rooms (77%) tested meet BRE criteria across both annual and winter scenarios. The remaining 44 rooms are all bedrooms oversailed by balconies and experience reductions of up to 87.5%. However, the 'no balconies' hypothetical test has returned results showing that all of these rooms meet APSH guidelines when the balconies are removed. This confirms that the impacts shown by the testing are far more attributable to the presence of balconies than by the proposal itself.

Overshadowing

133. BRE overshadowing guidance seeks to establish criteria for retaining good levels of direct light to garden and other outdoor amenity spaces. The criteria for an acceptable impact is for at least 50% of a garden space to receive at least 2 hours of direct sunlight on the 21st March.
134. 31 separate private garden spaces were seen as potentially affected by this development. 25 (80.6%) of these garden spaces meet BRE overshadowing guidance, whilst 6 fall short of the target. The gardens which fall short serve 124, 134, 136, 140, 144 and 146 Mount Pleasant. 124 Mount Pleasant falls short of guidance as 49% of its garden receives the 2 hours of sunlight, just 1% short of the target. This also represents a 20.1% change on the existing situation. 134, 136 and 140 Mount Pleasant experience slightly greater reductions compared to the existing, of 22% to 31%. Finally, 144 and 146 Mount Pleasant will experience material reductions in light to their gardens with 9.3% and 0% of these gardens received at least 2 hours of direct sunlight respectively.
135. To provide an additional point of comparison, the same test has been carried out for the day with the most sunlight hours (21st June) where it is found that all of the gardens will experience 2 hours of direct sunlight to over 50% of their areas. This will ensure that even the gardens which are affected to a notable extent will retain good daylight in the summer months, even if their overall daylight exposure is below BRE guide lines.

Summary

136. A large array of properties surrounding the site have been tested for relevant daylight and sunlight impacts. In the case of residential properties to the north and west (Woodside Place, Woodside End and Woodside Close), all of the properties will comply with BRE standards for daylight and sunlight, or possess very clear contextual features which justify accepting BRE breaches (breached windows serving secondary windows or peripheral panes of bay windows). One window in 36 Woodside End would fall short of daylight expectations and would serve a primary window to a habitable room. However, this window sits in a side dormer extension and currently benefits from an unusually unobstructed view across the site, at the end of its road.
137. In the case of Carlyon Road, VSC breaches are observed in some instances to rear facing windows and the quantity of windows which fall short of standards (39) is notable. However, the testing confirms that the extent of the failures to each of these windows is generally fairly small (up to 5% worse than the acceptable standard) and as such it is considered that the actual experienced outcome would likely be similar to a BRE compliant scenario.
138. In the case of properties along Mount Pleasant, the houses are older and have projecting outrigger features along their rear extents. This results in a number of the windows alongside the outriggers with low existing levels of light which, when subjected to the daylight modelling are very sensitive to changes in the environment in terms of the modelling, with relatively small absolute changes in the light being reflected as larger and somewhat misleading as percentage alterations. The BRE acknowledges this where its guidance states that "a larger relative reduction in VSC may also be unavoidable if the existing window has projecting wings on one or both sides of it, or is recessed into the building so that it is obstructed on both sides as well as above." Some breaches of both daylight and sunlight tests are observed across these houses, although a number of these breaches are attributable to poor existing conditions along these properties.

139. The emerging Abbey Wharf site sees 40% of affected windows failing VSC testing, although it is acknowledged that the urban character of this block and its immediate siting next to another allocated site in a growth area does warrant reasonable acceptance of a more flexible standard (15% VSC) which would be consistent with the urban grain which is proposed and building typologies in other London growth areas. In terms of daylight testing, whilst a number of windows fall short of standards, supplementary testing has shown that this is attributable to the presence of oversailing balconies within the Abbey Wharf development rather than the proposal of this development.

140. Six residential gardens along Mount Pleasant will fall short of overshadowing guidelines for retaining good levels of direct sunlight to garden spaces, with two of these gardens failing to a material extent. All gardens meet an adjusted standard for direct sunlight during the summer solstice.

141. Taken as a whole, 75% of tested windows meet VSC guidance for daylight, 80% of rooms tested meet NSL guidance for daylight, 86% of rooms tested meet APSH guidance for sunlight and 80% of gardens meet overshadowing guidance. This clearly indicates that a notable percentage of surrounding sites will fall short of BRE expectations, but this also indicates a relatively high pass rate given the growth area status and the clear intent for this site to adopt a denser massing than its surroundings. Given the significant regenerative benefits of the scheme and the substantial number of new homes that will be delivered by it, officers accept the daylight and sunlight impacts of the scheme and do not consider them to reflect an unusual or anomalous scenario given the scale of the development.

Transport

142. The scale of this development is such that it would be likely to have a significant impact on local transport networks. A Transport Assessment is therefore required to consider this impact and this has been prepared and submitted with the application.

Car parking

143. In terms of car parking, the site does not have good access to public transport services, so the higher residential allowances set out in Table 6 at Appendix 1 of the adopted DMP 2016 apply. The location of the site to the northwest of the Dudding Hill railway line also means that the Outer London employment standard of one space per 200m² applies.

144. The proposed residential units would therefore be allowed up to 639 car parking spaces. Between 6-15 spaces would be allowed for the commercial and affordable workspace areas, depending upon the exact subdivision between these uses.

145. The scheme proposes provision of 172 off-street residential car parking spaces in the basement and undercroft car parks, plus nine on-street spaces and four spaces on the driveways of the houses. This accords with maximum standards, with the provision of 20 spaces at the outset for disabled drivers meeting Brent's and TfL's standards for Blue Badge parking. Headroom of 3.4m is shown for both car parks, allowing access by high-top conversion vehicles for wheelchairs.

146. The ratio of spaces to flats would be only about 32% though, giving rise to potential concerns regarding overspill parking in the surrounding heavily parked area. The continuing heavily parked nature of the surrounding area during both the daytime and overnight has been confirmed by parking surveys undertaken through the Transport Assessment in April 2018.

147. Car ownership data from the 2011 Census suggests that about 0.81 cars per flat are owned by residents in this area, which would result in about 287 cars overspilling from this development if car ownership stays at this level. With the Woodside Avenue area in particular experiencing high levels of parking, including extensive footway parking, this is a potential cause for concern.

148. To address this, it is recommended that £150,000 be provided towards the funding of a future Controlled Parking Zone in the area, with a 'permit-free' restriction also placed on all dwellings within this development to prohibit residents from obtaining permits once a CPZ is introduced. This will help to protect the amenities of existing residents in the Woodside Avenue area and further afield and help to maintain safe access to and from the site by vehicles and pedestrians.

149. No off-street parking is proposed for the commercial units and this is welcomed, helping to encourage

the use of public transport to and from the site by staff and visitors.

150. Notwithstanding the above car parking provision, TfL have encouraged the further reduction in car parking on site. In response, Brent officers remain comfortable with the level proposed as it is considered that this strikes a good balance between ensuring practical and suitable living arrangements within this location with a low PTAL level and the need to encourage sustainable forms of transport within new developments.
151. TfL also requested that the 9 allocated car parking spaces on street are removed to minimise the car dominance of the public realm and to remove the 4 visitor parking bays across the road from block L as they are unnecessary. The 9 on street parking spaces are in the form of 4 private drive-ways to the houses forming block L and 5 parallel spaces to the rear of block M within a loop road around this block. The applicants have considered this request and have agreed to the removal of the 4 visitor parking bays and to instead replace this space within 1 bay for the use of a car club, as would be required as part of the applicant's travel plan obligations.
152. A Car Park Management Plan has been included within the Transport Assessment. Access to spaces within the car park is to be via a key fob operated barrier system, with fobs leased annually to allow flexibility in allocation as residents move in and out of the development in future years. Enforcement will be undertaken using cameras and patrols. Details of the car park management plan are recommended to be conditioned to any forthcoming consent.
153. At least 20% of spaces will require active electric vehicle charging points and a further 20% passive charging points and this has been acknowledged in the Transport Assessment. However, the applicants are proposing to provide 20% active and 80% passive charging points, in line with the draft London Plan requirements, which is welcomed. Once again, it is recommended that EVCP are conditioned to any forthcoming consent.

Cycling

154. The London Plan requires the provision of at least 910 long-term and 15 short-term bicycle parking spaces for residents, plus up to about 15 long- and short-term parking spaces for the commercial units (depending on their exact use).
155. A total of 1,069 secure long-term spaces on single-tier racks are indicated in storage rooms around the edges of the car parks and on the ground floors of blocks at the northern end of the site to meet long-stay requirements. A further 19 'Sheffield' stands (38 spaces) are shown within the public realm, around the entrances to blocks G, F and E. to provide visitor spaces. Originally, just 16 such visitor spaces were shown, however additional stands were added following TfL comments identifying a shortfall in visitor cycle parking.

Servicing

156. In terms of servicing, the commercial units generally require access by 8m rigid vehicles, although a food retailer occupying the larger unit could require access by 12m urban artic vehicles. A parallel lay-by for loading measuring 14m x 3.5m to accommodate a large vehicle or two vans is proposed alongside the new spine road close to the commercial units to meet requirements.
157. For the residential units, the main spine road and the cul-de-sac from Woodside Place provide good penetration through the site to access bin stores and entrance cores for most Blocks. Further access to Blocks A, B and C along the southern side of the site will be provided via shared surface areas for use by pedestrians and service and emergency vehicles only.
158. Fire appliances would therefore be able to access all blocks in the development and a Fire Safety Strategy has been prepared to demonstrate that Building Regulation requirements will be met.
159. Refuse vehicles can also get to a point within 10m of all bin stores on the northern part of the site. However, most of the bin storage for the southern part of the site is located around the edge of the basement car park, so a management arrangement whereby bins are brought out to a central collection point close to the car park access ramp will be employed on collection days.
160. This will form part of a Delivery and Servicing Plan for the site; a Framework version of which has been included in the Transport Assessment. This sets out how the anticipated 47 deliveries that will be made

to the development each day can be managed to reduce their impact.

161. The intention, once the development is occupied, is to gather survey data for all deliveries to the site over a two week period and to seek areas where deliveries by the same supplier or of similar goods could be consolidated to reduce overall vehicle movements. The other main aim will be to encourage off-peak deliveries where possible and whilst it is assumed that a delivery booking system will be used to achieve this, it has not been confirmed. Nevertheless, the Delivery & Servicing Plan will be a live document that will be subject to continuing review and submission and operation of a final DSP should be secured through an appropriate planning condition.

Access routes

162. The main access to the development will be via a new central spine road through the site, connecting Mount Pleasant and Woodside End. This will be expected to be adopted as public highway through a S38 Agreement.

163. The road has been shown with an asphalt carriageway of 5.5m width with a 2m wide footway along its northern side and a 1.7m footway on its southern side laid in block paving. The southern footway should be widened to 2m to meet highway design standards, and revised details to achieve 2m wide southern footpath are recommended to be conditioned

164. Otherwise, the carriageway could potentially accommodate casual pay and display parking along one side of the street for visitors. However, there is a pinch-point where the new road passes the corner of 150 Mount Pleasant, so the carriageway has been reduced to 3.5m width for a distance of 8m in this location. This will only allow single-file traffic flow, but this will serve as a traffic calming feature. Priority signs are proposed to indicate a right-of-way for vehicles entering the estate.

165. Aside from the pinch point, two speed tables are proposed in block paving along the length of the new road raised up to be flush with the footways with tactile paving to encourage crossing. These are welcomed as further traffic calming features, as is the 20mph speed limit proposed for the road.

166. As the new link road could offer potential scope for traffic to bypass peak-hour queues along Mount Pleasant, further S278 works to introduce traffic calming in Woodside Avenue, Woodside End and adjoining streets, with a 20mph speed limit, are also sought.

167. The kerb radii at the junction of the new road with Mount Pleasant are proposed to be increased to about 10m with the proposal to allow turning into and out of the site by refuse vehicles without overrunning opposing traffic lanes.

168. The accesses from the main spine road into the car parks are generally fine. The southern basement car park will be accessed via a 5.5m driveway to a gradient of 8.5% along the western side of the site, turning 90° into an 18m long, 7.5m wide (incl. 500mm margins & central strip), 12.2% (with transition lengths) gradient ramp into the basement. The northern undercroft car park is shown accessed via a 7.5m wide (incl. margins and median strip) ramp to a gradient of 10% directly from the spine road. The kerb radii at this entrance can be reduced to 2m or so though, as only access by cars is proposed. All junctions along the spine road will need to be provided with suitable dropped kerbs and tactile paving, which is missing from the detailed landscape drawings.

169. Oversailing balconies are proposed over the footway in two locations on Blocks F and G and oversailing licences under S177 of the Highways Act 1980 will be required for these.

170. The other vehicular access road into the site will be from Woodside Place, forming a cul-de-sac. This is again recommended for adoption through a S38 Agreement as far as the site boundary with Woodside Close and including the southern length of the T-shaped turning head (n.b. the loop to the rear of Block M is not considered suitable for adoption). This would mean that the five parking spaces indicated along the street would be incorporated into any future CPZ though, which would mean that with the proposed 'car-free' agreement, they would only effectively be available to Blue Badge holders or to casual visitors on a potential pay and display basis.

171. This cul-de-sac is proposed to be surfaced entirely in block paving and a smaller upstand of 25m or so between the footways and carriageway would be fine to provide more of a shared surface feel to the street. As with the spine road, an increased width of 2m for the southern footway is required (this could

be taken from the carriageway width) and the kerb line needs to merge smoothly into the existing kerbline of Woodside Place.

172. The proposed provision of a pedestrian link to Woodside Close, comprising both a flight of 10 steps and a 30m long, 1.2m wide ramp, both with suitable corduroy tactile paving, is particularly welcomed in terms of providing permeability to and through the site for pedestrians and these links should also be included in the adoption agreement. This link will provide access from the northern end of the site to both Woodside Close and via a Brent Council maintained footpath to Mount Pleasant (westwards).
173. The scheme also includes pedestrian links on either side of the site to the Grand Union Canal, plus a path along the canal bank which would link to a new path fronting the adjoining development at Abbey Wharf. These paths are also welcomed, but would not be suitable for adoption as publicly maintainable highway. They should instead be secured as permissive paths for use by the public.

Transport Impact

174. To understand the volumes of traffic generated by the site at present, cameras were placed at the four separate entrances to the estate over a three day period (incl. a Saturday) in April 2018. These identified a maximum total of 1338 vehicular movements into and out of the estate between 7am-7pm on a weekday. This in turn translated to average existing weekday peak hour flows of 33 arrivals/16 departures in the am peak hour (8-9am) and 54 arrivals/57 departures in the pm peak hour (5-6pm).
175. Journey to work data from the 2011 Census for the immediate area was then used to translate these flows into a multi-modal profile of total trips to and from the site by all modes, on the basis of an average of 42.6% of trips being by car drivers.
176. Estimates of future trips to and from the site by all modes of transport were then drawn from comparisons with seven other residential developments in outer London that have low levels of off-street parking. These sites comprise a mixture of town centre and suburban sites and are thus considered to produce an accurate comparison to this proposal.
177. For the commercial units, trip rates have been derived from comparisons with two office developments and three convenience foodstores in London, which are considered to represent a worst case.
178. In terms of vehicular trips (incl. taxis and delivery vans), the development is estimated to generate 57 arrivals/62 departures in the morning peak hour (8-9am) and 46 arrivals/44 departures in the evening peak hour (5-6pm).
179. When compared with existing flows into and out of the manufacturing estate, only the morning peak hour would therefore be likely to see an increase in traffic as a result of this development, with the afternoon peak hour seeing a fall in overall traffic flows.
180. The impact of the development on the priority road junctions of Woodside Avenue/Mount Pleasant and the main site access/Mount Pleasant was then tested using standard junction modelling software, including an allowance for future traffic growth to 2028. This exercise showed neither junction operating beyond 20% of its capacity in either peak hour, thus leaving plenty of spare capacity, so there are no concerns with the impact of traffic on junction capacity along Mount Pleasant.
181. With regard to flows further afield, the increase in the morning peak hour flows along Mount Pleasant would average about 4-5% above existing flows, which is not considered significant enough to cause concern. Flows in the evening peak hour would again fall from present values.
182. For other modes of transport, overall rail and Underground trips are estimated to increase by 73 trips in the morning peak hour and by 10 trips in the evening peak hour compared with the existing situation. Assuming Underground trips use Alperton station and rail trips use Stonebridge Park station, then this would amount to an additional 2-3 passengers per Underground train and 3-4 passengers per London Overground train in the morning peak hour, with less than one additional passenger per train in the evening peak hour. Discussions have taken place with TfL and an agreed contribution of £166,000 has been secured towards improvement of the step free accessibility of the closest tube station (Alperton). This would be secured within the section 106 agreement.
183. For buses, an additional 50 journeys in the morning peak hour and 8 journeys in the evening peak hour are predicted. This would amount to approximately one additional passenger per bus on average on the

five bus services passing within 640 metres of the site in the morning peak hour, which is not considered to be significant.

184. However, only route 224 (4 buses/hour) currently passes close to the site along Mount Pleasant, with the other routes calling at Alperton station as the nearest stop. Transport for London propose to amend this by extending route 83 along Mount Pleasant and Beresford Avenue to terminate at Stonebridge Park station, which would be of use to residents of this development using that station. Whilst some funding has been secured for this from the nearby Northfields development, further funding may also be sought by TfL from this development, as this site would also benefit from such an extension.

185. It has been agreed between the applicant and TfL that the bus capacity contribution can change dependent on whether the commercial units are eventually occupied by A, B or D uses, as they attract different trip rates. The s106 agreement can capture this nuance. The bus contribution will be used to increase capacity along local bus routes since local bus services have been identified as at or over capacity by TfL, a trend which the trips generated by this development would likely worsen without suitable mitigation. The contribution amounts as agreed are as follows:

Bus Capacity Improvements:

In the event of a B use coming forward on site only: £513,000

In the event of a D or B & D uses coming forward on site: £622,250

In the event of an A or A & B or A & D or A, B & D uses coming forward on site: £717,250

186. For non-motorised modes, walking journeys are estimated to increase by 82 trips in the morning peak hour and 49 trips in the evening peak hour, whilst cycling trips are predicted to rise by 8 trips in the morning peak and 4 trips in the evening peak hour.

187. To assess the impact that these additional journeys may have on the road network, the quality of the existing surrounding pedestrian and cycling environments has been assessed using PERS and CERS audits.

188. The worst performing routes in this respect were Woodside Avenue and adjoining streets, where on-street parking causes significant obstruction, the quality of the paving is poor, the footways are interrupted by numerous dropped kerbs and where there is a shortage of dropped kerbs and tactile paving at junction crossing points.

189. Comments above have already referred to the likely need for a CPZ in the area to mitigate parking impact, for which a financial contribution is sought. This would help to address the footway parking issue if pursued.

190. Earlier comments have also referred to the need for S278 works along Woodside Avenue to provide traffic calming and any such scheme should also address the quality of the footways where necessary, such as through the provision of dropped kerbs and tactile paving at junctions.

191. In terms of crossing points, the PERS audit also identified shortcomings with the existing pedestrian refuges on either side of the Mount Pleasant/Woodstock Road junction, in terms of narrow width and lack of dropped kerbs and tactile paving. It is therefore recommended that improvements to these crossing points are also added to the scope of the S278 works.

192. It is also noted that although the junction of Mount Pleasant/Ealing Road scores well, it has limited pedestrian crossing provision. However, this is subject to further study and potential mitigation works connected with the nearby Northfields development proposals (ref: 18/0321), with Brent having separately developed a preliminary design for improvements. No further S106 funding is therefore sought from this development.

193. For public transport stops, it was noted that the two nearest stops along Mount Pleasant lack shelters and are squeezed between driveways to adjacent houses. However, it would be difficult to rectify this given the shortage of space available and as these are not major stops, this concern can be disregarded.

194. Shortcomings at Alperton station include lack of step-free access and lack of mapping information. A scheme to improve the forecourt area has been prepared, but requires final approval and implementation by TfL as land owners of the forecourt area. Funding towards this (and step-free access) would be a

suitable use for any CIL funding from the development.

195. The CERS audit of cycling facilities rated most of the links and junctions around the site as average, so thus able to benefit from improvements such as cycle lanes.
196. However, the traffic-free east-west cycle route close to the site along the Grand Union canal towpath was not included in the audit, whilst the new spine road through the site will ultimately deliver a new pedestrian-cyclist link through the site to link to Atlip Road and Alperton station, as and when adjoining sites come forward for development.
197. For the route towards Stonebridge Park station, the Northfields development will also provide a new cycleway along Beresford Avenue and old North Circular Road. Intervening sites between this development and the Northfields site are generally providing increased highway width along their frontages as and when they come forward, which would ultimately provide additional space to extend allow a cycleway to be extended along Beresford Avenue to connect to this site.
198. The CERS audit also noted a shortage of cycle parking facilities at Stonebridge Park station, but there are proposed developments close to that station that would be better placed to deliver such facilities.
199. The accident history for the area over the five year period January 2013-December 2017 has also been examined. This identified twelve accidents within about 200 metres of the site, predominantly along Mount Pleasant. One accident resulted in serious injury, whilst both a pedestrian accident and a cyclist accident were recorded at the zebra crossing to the east of the site. However, there were no particular recurring accident patterns in close vicinity of the site that would be likely to be exacerbated by this proposal.
200. A cluster of accidents was recorded further west at the junction of Ealing Road and Mount Pleasant and this area is known to have a poor accident history. A road safety scheme is shortly to be implemented along Ealing Road and as mentioned above, a preliminary design for improvements to pedestrian crossing facilities at the Mount Pleasant junction has been drawn up that can be funded from the Northfields development junction works budget.

Travel Plan

201. To help to minimise car journeys and encourage greater use of sustainable transport to and from the site, a Residential Travel Plan has been prepared.
202. This aims to reduce the proportion of trips made to and from the site by car drivers by 10 percentage points from an estimated baseline of 17% to 7% over a five-year period. Please note though that the timescales for the Travel Plan may need to be adjusted depending upon the length of the overall construction programme, as it is to be delivered over 10 phases.
203. The Travel Plan is to be managed by a site-wide Travel Plan Co-ordinator, whose duties will include the provision of transport and marketing information through display boards, marketing brochures and welcome packs for new residents, promotion of cycling and encouragement of car sharing and Car Clubs at the site.
204. The proposed measures are very limited though (no mention is made of personalised journey planning for example) and there is a lack of firm detail or commitment regarding measures in the Travel Plan. In particular, no information has been provided on any engagement with a potential Car Club operator to ensure that the requisite financial support will be provided to establish Car Club vehicles on the site. To this end, it is essential that at least two years free membership of the Car Club is offered to all new residents of the development to help to make a scheme viable. Given the lack of detail in the Travel Plan, it is recommended that a Car Club be secured separately in the S106 Agreement for the development.
205. The Travel Plan is to be monitored biennially, with the first survey undertaken within the first year of occupation to firmly establish a baseline position. All surveys are confirmed as being in line with TRICS and/or i-TRACE methodology, as required.
206. As things stand, the submitted Travel Plan is too lacking in details and firm commitments to serve as a final document, but forms a reasonable framework from which a final Travel Plan can be developed and finalised prior to occupation of the development.

Construction Management

207. Finally, a Framework Construction Logistics Plan has been submitted with the application. Whilst the construction programme has yet to be drawn up in detail, this framework plan sets out some principles regarding the management of construction works.
208. Works will be confined to 8am-6pm on weekdays and 8am-1pm on Saturdays, with HGV movements restricted to those hours and avoiding peak hours (7-8am & 5-6pm). All vehicles will approach and leave the site to/from the east, via North Circular Road, Beresford Avenue and Mount Pleasant, entering the site at the existing main access from Mount Pleasant. This is confirmed as being the most appropriate route, keeping traffic away from residential areas and the congested Ealing Road as much as possible.
209. Deliveries will be pre-booked and drivers required to phone ahead to ensure there is sufficient space within the site to receive the delivery.
210. Use of the Grand Union Canal for deliveries should also be explored.
211. It is confirmed that the site will be self-contained, with hoardings set up to protect the site that will not need to encroach over the public highway. All unloading and parking will take place within the site, although staff will nevertheless be encouraged to use public transport. The retention of pedestrian and cyclist access from Woodside End will assist in this respect.
212. It is confirmed that wheel-washing facilities will be provided to minimise any muck carried onto the highway, whilst any damage to the highway will be monitored and repaired.
213. The Framework Construction Logistics Plan is therefore fine, but will need to be developed into a final document in line with TfL guidance prior to works commencing on site, once the main contractor is appointed and the construction programme is finalised.

Sustainability and Energy

214. 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.
215. 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 79 regulated tonnes of Carbon Dioxide per annum, which is down from a baseline emission of 587 regulated tonnes per annum when designed to meet minimum building regulation requirements. This equates to an 87% 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 (approx. £142,200) will be secured through the Section 106 agreement.
216. The details of the energy efficiency improvements are as follows:

Be Lean (total savings from 'be lean': 60 tonnes / 10%)

A number of passive design measures and measures improving energy efficiency of building services have been included in the design to help to reduce the CO₂ emissions. MVHR ventilation is to be used in all flats in achieving these savings.

Be Clean (total savings from 'be clean': 165 tonnes / 28%)

The use of a gas powered Combined Heat and Power (CHP) system to minimise energy demand. The CHP will provide 86% of heat for space heating and hot water. The remaining 14% of heat demand will be covered by high efficiency gas boilers. Plans have been submitted that show how the CHP could be connected up to a future district heat network (if and when available), future proofing the development from this perspective – this would be secured by condition. The air quality report (discussed below) confirms that the CHP plant would meet a minimum emissions standard, and this is set out as one of the proposed air quality impact mitigation measures.

Be Green (total savings from 'be green': 283 tonnes / 48%)

A photovoltaic potential will be maximised by providing PV panels to all available roof space. It is expected that the flat roofs and pitched roofs will accommodate up to 1,841 PV panels with a total peak output of 662 kWp, when using the highest efficiency panels (Sunpower X22-360). The panels will be facing SE and SW to

align with the buildings orientation and will be installed at a 15 deg pitch on the flat roofs and 15-35 degree pitch on the pitched roofs. This system will generate 545 MWh electricity per year, offsetting 283 tonnes of CO₂.

217. The GLA has reviewed the energy and sustainability aspects of the proposal in depth and further information and analysis of the energy strategy has been exchanged with the GLA since the GLA's stage 1 response.

218. Policy CP19 of Brent's core strategy stipulates a requirement for all major non-residential floorspace (where the cumulative non-residential floorspace exceeds 1,000sqm) to achieve a BREEAM rating of 'Excellent'. The commercial floorspace is in excess of 1,000sqm and a S106 obligation will therefore be imposed which secures appropriate BREEAM verification, with testing being undertaken at both pre build and post build stages.

Overheating

219. An overheating analysis has been undertaken in order to assess performance of the proposed development against criteria of thermal comfort and urban climate projections. A sample of the expected worst performing residential units, sample corridor and a sample commercial unit were modelled. The predicted internal temperature was simulated considering all aspects of occupancy, solar gain and predicted internal heat gains. Specific weather conditions were tested to consider the building performance against urban heat island effects and projected future climate conditions.

220. The calculation results show that all tested residential units meet thermal comfort overheating criteria under 'future near extreme summer' conditions, demonstrating that the building is resilient to overheating during its lifetime. A complete series of tests, including 2 additional projected weather files representing distinct near-extreme summer conditions, informed the overheating strategy, which includes passive design considerations and mechanical ventilation. Mechanical cooling is not necessary for the residential units. However, commercial units are likely to require mechanical cooling to comply with thermal comfort requirements. Mechanical ventilation with heat recovery and summer bypass is required for ground floor residential units to comply with relevant criteria. It is also proposed for the commercial units, although the mechanical heating on its own does achieve compliance with overheating criteria for the commercial units.

221. Subsequent to the submission of the overheating assessment, non-material plan changes were requested and received which resulted in a number of habitable room windows being made larger, in the interests of providing more daylight into flats. This potentially has implications for the overheating assessment and associated mitigation. A condition will require that the overheating assessments and mitigation are updated to reflect the revised plans, and that the relevant mitigation is implemented prior to occupation.

Drainage and Flooding

222. The applicant has submitted a drainage strategy and flood risk assessment with the application, which have been reviewed by Brent's Local Lead Flood Authority. The Local Lead Flood Authority makes the following observations:

223. This development falls within the Flood Zone 1 and the risk of flooding is very low. There are no historical records of any flooding at this site but there have been a number of isolated incidents of the onsite pumping station for the foul sewer system failing. This pumping station is part of the public sewer network and within the responsibility of Thames Water. As discussed earlier, the new development will deliver a new pumping station and this will be to a high standard with a minimal risk of failure.

224. In order to reduce the risks of flooding in the area and within the development site, the development will provide storage tanks, permeable paving and green roofs for surface water discharge with a flow control device. The flow will be restricted to 9 l/s. In addition, the proposals to introduce landscaping across the site will also reduce the flow compared to the non-permeable surfaces that are currently present across the site.

225. This proposal will result in a reduction in the surface water discharge to the existing drainage network from the site by approximately 80%. As a result, this development will reduce the flood risk in this area and will minimise associated risks for prospective residents of the site.

226. Existing surface water is discharged to the Grand Union Canal and it is proposed that the proposed development will utilise the existing outfalls to discharge to the Canal. The Canal and River Trust, who have commented in respect of the impact on the canal, have not raised concerns in relation to this.

227. A condition will require that the drainage and flood risk documents are adhered to in full.

Construction Management

228. The development is within an Air Quality Management Area and located very close to other residential and commercial premises. Demolition and construction therefore has the potential to contribute to background air pollution levels and cause nuisance to neighbours. A requirement for a construction method statement is to therefore form a condition of the consent. The applicant did submit a Construction Management Plan however this is not suitable for this size of development and does not provide any details on whether any piling works will be undertaken. Full details will be secured through the full condition requirement.

Noise Impact

229. The applicant has submitted a noise impact assessment which has identified that the sources of environmental noise are relatively low and the internal conditions of all flats would fall within the acceptable range recommended in BS8233:2014. Potential for unacceptable noise impact in relation to construction and demolition for existing residents has been identified. The applicant's noise impact assessment includes a recommendation for Method Statements in relation to construction noise to be submitted. Similar details are to be required through a construction method statement which will be required by condition (as identified above).

230. Environmental Health officers have reviewed this assessment and agree with its methodology.

Air Quality

231. The proposed site is within an air quality management area and therefore due to the size of the development the applicant is required to carry out an air quality impact assessment that should consider the potential emissions to the area associated with the development as well as the potential impact on receptors to the development. The applicant has provided an air quality assessment by Aether dated November 2018. This assessment methodology is accepted however the report was compiled prior to onsite energy generation being finalised and an updated air quality will therefore be needed. Brent's Environment Health officers are also not satisfied that the report clearly demonstrates an air quality strategy that will achieve the air quality neutral requirements set out in the Mayor's guidance. These matters will need to be addressed and an appropriate condition will require the submission of these details at a later date.

232. Brent is currently part of the 'London low emission construction partnership'. Therefore, the use of Non Road Mobile Machinery of net power between 37kW and 560kW is required to meet at least Stage IIIA of the EU Directive 97/68/EC and its amendments. This will apply to both variable and constant speed engines for both NOx and PM. A condition will require that these requirements are met.

Contaminated Land

233. A land contamination assessment has been submitted with the application. The assessment is awaiting review from Brent's Environmental Health officers. Depending on the conclusions of the Environmental Health officers, a condition relating to further assessment into contaminated land may or may not be needed. In the draft decision notice, a condition requiring a full contamination assessment to be submitted has been included, although this may require amendment or removal in the final decision notice based on the outcome of officer review. As stated within the recommendation, the Head of Planning would reserve the right to amend this condition accordingly following presentation at committee.

Ecology, Trees and Landscaping

234. The applicants have submitted a preliminary ecological assessment with the application. The report establishes the existing ecological value of the site and sets out a strategy for protecting and enhancing existing biodiversity on site. The application site was determined to be of negligible ecological interest,

comprising industrial buildings and hardstanding. However, the buildings may support nesting birds and the adjacent canal could see use by bats as a foraging and commuting corridor.

235. The lack of notable ecological impacts identified would result in there being no further consideration of ecology at a later stage warranted, with the preliminary ecological study providing sufficient detail to inform the planning proposals.

236. Despite the lack of impact, the applicant's ecological assessment sets out a schedule of biodiversity mitigation and enhancements that will help to ensure a net gain in biodiversity is achieved through the development. The enhancements recommended for this site comprise:

- The installation of green/brown roofs and/or green/living walls
- The installation of bat boxes on elevations of the buildings adjacent to the canal
- The installation of bird nest boxes into the external walls of the new buildings
- The use of native and/or wildlife friendly tree and shrub species
- The establishment of areas of species-rich wildflower grassland within areas of amenity grassland

237. A condition will require all of these aspects of mitigation and enhancement to be implemented.

238. The site sees minimal tree coverage, being heavily comprised of hardstanding and tight knit industrial development. The proposal would introduce extensive tree planting across the site which is welcomed. Tree planting is proposed along all of the new streets within the development. Brent's tree officer strongly supports this and has requested that a detailed landscaping condition includes details of all proposed tree species, as well as details of a rain garden and the use of high retention soil for tree planting.

239. A comprehensive landscaping strategy forms part of the proposal which seeks to significantly improve the natural plant life and ecological value of the site. In terms of the public realm of the development, all new streets created by the development would see street tree planting, including a wide landscaping strip along the new adopted thoroughfare through the centre of the site. There will also be a particular focus on extensive landscaping by the canal frontage at the southern end of the site, with large grassed areas, defensible planting between the building lines and this area and numerous street trees. Significant planting is also proposed within the communal podium gardens, including strips of defensible planting around the edges of these spaces to assist with resident privacy and a large landscaping buffer at the northern end of the site to maximise softness to the edge of the site where it adjoins the triangular plot of land to the north west and to the houses at the rear.

240. The landscaping strategy is strongly welcomed and clearly offers a significant improvement compared to the existing situation, which currently sees a minimal/practically non-existent landscaping offer.

241. A condition will require that an external lighting plan is submitted.

Wind and Microclimate

242. A wind and microclimate report has been submitted. The results of the testing and associated mitigating landscaping result in a development that is designed to be a high-quality environment for the scope of use intended of each areas/building (i.e. comfortable and pleasant for potential pedestrians) and that the development does not introduce any critical impact on the surrounding areas and on the existing buildings. However, some areas where wind levels would exceed general tolerances have been identified, with those locations all being by the entrances to some of the blocks. Suitable wind mitigation has been recommended within the report and this mitigation would largely be achievable through additional vegetation which would buffer gusts of wind at these locations.

243. A condition will require that the mitigation measures set out in the wind and microclimate report are implemented prior to the first occupation.

Fire Safety

244. The applicant has submitted a report setting out that the functional requirements of Part B of the Building Regulations can be satisfied for the development, in respect of fire safety. The report sets out preliminary details in respect of an evacuation strategy, a means of warning and escape system, the use

of sprinkler systems in the taller blocks, minimisation of travel distances for residents, smoke ventilation, provision of refuge areas, emergency escape signage and lighting, limitation of internal and external fire spread and access and facilities for the fire and rescue service.

245. Fire safety is not a formal planning consideration; however, officers have sought to ensure that fire safety is an aspect that has been considered from the outset. Whilst more detailed design work will inevitably be needed, the fire safety report submitted provides a clear indication that fire safety is being considered and confirms, at this early stage, that the development is already likely to comply with the relevant part of the Building Regulations governing fire safety.

Archaeology

246. The applicant has submitted an archaeological assessment to consider whether any subterranean heritage assets are likely to be encountered during the building of the development. For this purpose, it is confirmed that the site does not fall within an archaeological priority area as defined by Brent Council and that no archaeological designated heritage assets, as defined by the NPPF, are recorded as being on or in close proximity to the site.

247. The site can be considered to have a general low archaeological potential for all past periods of human activity and past activities and uses (industrial) on the site are considered likely to have had a severe negative archaeological impact. The survey's author does not recommend any further archaeological mitigation measures to be needed in this particular instance. Brent's heritage officer agrees with the findings of the report and does not consider that any planning conditions in relation to archaeological findings are needed.

Conclusion

248. Officers consider that taking the development plan as a whole, the proposal is considered to accord with the development plan, and having regard to all material planning considerations, should be approved subject to conditions and completion of legal agreement.

249. The levels of external amenity space within the proposed development do not accord with those specified within Policy DMP19. However, given the level and quality of amenity space proposed, provision of public open space and the proximity to Grand Union Canal, the quality of accommodation for future residents is considered to be good. The limited conflict is substantially outweighed by the very considerably benefits of the proposed development.

Equalities

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

CIL DETAILS

This application is liable to pay **£9,884,149.96** * 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): 18964 sq. m.

Total amount of floorspace on completion (G): 60529.77 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
(Brent) Dwelling houses	39521.63		27139.49	£200.00	£0.00	£8,141,846.48	£0.00

(Brent) General business use	1382.63		949.45	£40.00	£0.00	£56,967.09	£0.00
(Brent) Social housing	19625.51		13476.83	£0.00	£0.00	£0.00	£0.00
(Mayoral) Dwelling houses	39521.63		27139.49	£0.00	£60.00	£0.00	£1,628,369.30
(Mayoral) General business use	1382.63		949.45	£0.00	£60.00	£0.00	£56,967.09
(Mayoral) Social housing	19625.51		13476.83	£0.00	£0.00	£0.00	£0.00

BCIS figure for year in which the charging schedule took effect (Ic)	224	336
BCIS figure for year in which the planning permission was granted (Ip)	336	
TOTAL CHARGEABLE AMOUNT	£8,198,813.57	£1,685,336.39

*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.



Application No: 18/4919

To: Mrs R Jubb
Bell Cornwell LLP
Unit 2
Meridian Office Park
Osborn Way
Hook
RG27 9HY

I refer to your application dated **20/12/2018** proposing the following:

Demolition and erection of a mixed use development of buildings ranging between 3 and 14 storeys in height comprising 581 residential units, flexible commercial floorspace falling within use classes A1, A2, A3, A4, B1(a), B1(c), D1 or D2, associated car parking, landscaping and ancillary facilities (Phased Development)

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

at 1-26A, coachworks & storage areas, Abbey Manufacturing Estate, all units Edwards Yard, Mount Pleasant, Wembley, HA0

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: 10/02/2020

Signature:

Gerry Ansell
Head of Planning and Development Services

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:-

The National Planning Policy Framework (2018 - revised 2019)
The London Plan (2016)
Brent Core Strategy (2010)
Brent Development Management Policies (2016)
Brent Site Specific Allocations Document (2011)
SPD1: Design Guide for New Development (2018)
Alperton Masterplan (2011)
Brent Draft Local Plan (2018)

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

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

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

Proposed South Site Basement - BM32835-01-B1-SH-A-01-00B1 D0-1
Proposed South Site Ground Floor - BM32835-01-00-SH-A-01-0001 D0-2
Proposed South Site First Floor - BM32835-01-01-SH-A-01-0002 D0-2
Proposed South Site Second Floor - BM32835-01-02-SH-A-01-0003 D0-2
Proposed South Site Third Floor - BM32835-01-03-SH-A-01-0004 D0-2
Proposed South Site Fourth Floor - BM32835-01-04-SH-A-01-0005 D0-2
Proposed South Site Fifth Floor - BM32835-01-05-SH-A-01-0006 D0-3
Proposed South Site Sixth Floor - BM32835-01-06-SH-A-01-0007 D0-3
Proposed South Site Seventh Floor - BM32835-01-07-SH-A-01-0008 D0-3
Proposed South Site Eighth Floor - BM32835-01-08-SH-A-01-0009 D0-2
Proposed South Site Ninth Floor - BM32835-01-09-SH-A-01-0010 D0-2
Proposed South Site Tenth Floor - BM32835-01-10-SH-A-01-0011 D0-2
Proposed South Site Eleventh Floor - BM32835-01-11-SH-A-01-0012 D0-2
Proposed South Site Twelfth Floor - BM32835-01-12-SH-A-01-0013 D0-2
Proposed South Site Thirteenth Floor - BM32835-01-13-SH-A-01-0014 D0-2
Proposed South Site Roof Plan - BM32835-01-R1-SH-A-01-00R1 D0-1

Proposed North Site Basement - BM32835-02-B1-SH-A-01-00B1 D0-1
Proposed North Site Ground Floor - BM32835-02-00-SH-A-01-0001 D0-3
Proposed North Site First Floor - BM32835-02-01-SH-A-01-0002 D0-3
Proposed North Site Second Floor - BM32835-02-02-SH-A-01-0003 D0-3
Proposed North Site Third Floor - BM32835-02-03-SH-A-01-0004 D0-3
Proposed North Site Fourth Floor - BM32835-02-04-SH-A-01-0005 D0-3
Proposed North Site Fifth Floor - BM32835-02-05-SH-A-01-0006 D0-3
Proposed North Site Sixth Floor - BM32835-02-06-SH-A-01-0007 D0-3
Proposed North Site Seventh Floor - BM32835-02-07-SH-A-01-0008 D0-3
Proposed North Site Eighth Floor - BM32835-02-08-SH-A-01-0009 D0-3
Proposed North Site Ninth Floor - BM32835-02-09-SH-A-01-0010 D0-3
Proposed North Site Roof Plan - BM32835-02-R1-SH-A-01-00R1 D0-2

Proposed South Elevations 01 & 02 - BM32835-01-ZZ-SH-A-03-0001 D0-2
Proposed South Elevations 03 & 04 - BM32835-01-ZZ-SH-A-03-0002 D0-3
Proposed South Elevations 05 & 06 - BM32835-01-ZZ-SH-A-03-0003 D0-3
Proposed South Elevations 07 & 08 - BM32835-01-ZZ-SH-A-03-0004 D0-2

Proposed South Elevations 09 & 10 - BM32835-01-ZZ-SH-A-03-0005 D0-1
Proposed North Elevations 11 & 12 - BM32835-02-ZZ-SH-A-03-0006 D0-3
Proposed North Elevations 13 & 14 - BM32835-02-ZZ-SH-A-03-0007 D0-3
Proposed North Elevations 15 & 16 - BM32835-02-ZZ-SH-A-03-0008 D0-3
Proposed North Elevations 17 & 18 - BM32835-02-ZZ-SH-A-03-0009 D0-3
Proposed North Elevations 19 & 20 - BM32835-02-ZZ-SH-A-03-0010 D0-3
Proposed North Elevations 21 & 22 - BM32835-02-ZZ-SH-A-03-0011 D0-2
Proposed North Elevations 23 - BM32835-02-ZZ-SH-A-03-0012 D0-1 D0-2

Proposed Basement Plan - BM32835-00-B-SH-A-90-00B1 D0-1
Proposed Ground Floor Plan - BM32835-00-00-SH-A-90-0001 D0-2
Proposed First Floor Plan - BM32835-00-01-SH-A-90-0002 D0-2
Proposed Second Floor Plan - BM32835-00-02-SH-A-90-0003 D0-2
Proposed Third Floor Plan - BM32835-00-03-SH-A-90-0004 D0-2
Proposed Fourth Floor Plan - BM32835-00-04-SH-A-90-0005 D0-2
Proposed Fifth Floor Plan - BM32835-00-05-SH-A-90-0006 D0-2
Proposed Sixth Floor Plan - BM32835-00-06-SH-A-90-0007 D0-2
Proposed Seventh Floor Plan - BM32835-00-07-SH-A-90-0008 D0-2
Proposed Eighth Floor Plan - BM32835-00-08-SH-A-90-0009 D0-2
Proposed Ninth Floor Plan - BM32835-00-09-SH-A-90-0010 D0-2
Proposed Tenth Floor Plan - BM32835-00-10-SH-A-90-0011 D0-2
Proposed Eleventh Floor Plan - BM32835-00-11-SH-A-90-0012 D0-2
Proposed Twelfth Floor Plan - BM32835-00-12-SH-A-90-0013 D0-2
Proposed Thirteenth Floor Plan - BM32835-00-13-SH-A-90-0014 D0-2
Proposed Roof Plan - BM32835-00-R1-SH-A-90-00R1 D0-1

Existing Site Location Plan - BM32835-00-00-SH-A-90-1001 D0-2
Proposed Site Location Plan - BM32835-00-00-SH-A-90-1002 D0-2
Proposed Block Plan - BM32835-00-00-SH-A-90-1004 D0-2

Hard & Soft GA Plan Legend - 32835-SW-XX-RD-L-91-100 D0-1
Hard & Soft GA Plan 01 - 32835-SW-XX-RD-L-91-101 D0-1
Hard & Soft GA Plan 02 - 32835-SW-XX-RD-L-91-102 D0-1
Hard & Soft GA Plan 03 - 32835-SW-XX-RD-L-91-103 D0-1
Hard & Soft GA Plan 04 - 32835-SW-XX-RD-L-91-104 D0-1
Hard & Soft GA Plan 05 - 32835-SW-XX-RD-L-91-105 D0-1
Hard & Soft GA Plan 06 - 32835-SW-XX-RD-L-91-106 D0-2
Hard & Soft GA Plan 07 - 32835-SW-XX-RD-L-91-107 D0-1
Hard & Soft GA Plan 08 - 32835-SW-XX-RD-L-91-108 D0-1
Hard & Soft GA Plan 09 - 32835-SW-XX-RD-L-91-109 D0-2

Landscape Masterplan - 32835-00-G1-SH-A-91-0001 D0-1

Proposed Ground Floor Plan Canal Public Pathway Intersecting Red Line Boundary -
BM32835-01-00-SH-A-01-0015 S2-1

District Heat Network Future Connection - 6277-M101-P

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

- 3 No development (save enabling works and demolition) within each phase (as defined in the Section 106 Agreement accompanying this permission) shall commence until all of the land within that phase is bound by a Section 106 Agreement in substantially the same terms as the Section 106 Agreement accompanying this permission, unless otherwise agreed by the Local Planning Authority.

Reason: To ensure the development can be lawfully implemented

- 4 The development hereby approved shall be carried out in full accordance with the phasing plan with reference: PL1, PL2, PL3, PL4 and PL5.

The phases of development identified on this plan are to be referred to for the purposes of considering other relevant conditions pursuant to this planning permission that require details to be discharged on a phase-by-phase basis.

The phasing plan may be updated from time to time subject to the written approval of the Local Planning Authority. Any revised phasing plan submitted shall show the location of phases, the sequencing for those phases and indicative timescales for their delivery. Any revised phasing plan which is approved in writing by the Local Planning Authority shall be implemented in full from the point at which it is approved. Any revised phasing plan which is approved in writing by the Local Planning Authority, shall, for the purposes of considering other relevant conditions pursuant to this planning permission that require details to be discharged on a phase-by-phase basis, become the relevant phasing plan to refer to.

Reason: To allow the Local Planning Authority to understand the relevant phase of development that is subject to condition discharge, and to ensure coordination between the phasing plan as approved.

- 5 The development hereby approved should be built so that 90% of the residential units achieve Building Regulations requirement M4(2) – ‘accessible and adaptable dwellings’ and that the remaining 10% of the residential units achieve Building Regulations requirement M4(3) – ‘wheelchair user dwellings’ with the exception of the relevant disabled car parking spaces which shall provide a 1200mm space on one side of the parking space.

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

- 6 The car parking spaces, bicycle storage and residential and commercial refuse stores for each phase of the development shall be provided and made available prior to the first occupation of the relevant phase of the development hereby approved. These provisions shall thereafter be maintained for the lifetime of the development unless alternative details are first approved in writing by the Local Planning Authority.

Reason: To ensure that the development complies with parking and refuse requirements.

- 7 a) The affordable workspaces within the first floor of block G and ground floor of block F shall only be used for purposes within the use class B1(c), unless otherwise agreed in writing by the Local Planning Authority.
- b) The 645sqm commercial unit within the basement and ground floor of block G shall only be used for purposes within uses classes A1, A2, A3, A4, B1, D1 or D2, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure appropriate use of the retail units in line with expectations.

- 8 Unless otherwise agreed in writing by the Local Planning Authority, no individual commercial unit larger than 499 square metres shall operate within the development site.

Reason: To ensure that the vitality of Brent’s retail centres is not detrimentally affected by this development.

- 9 The development hereby approved 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.

- 10 A communal television aerial and satellite dish system for each building shall be provided, linking to all residential units within that building 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.

- 11 The residential units hereby approved shall at no time be converted from use class C3 residential to a use class 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 equivalent provision in 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 Unless alternative details are first agreed in writing by the Local Planning Authority, the details of mitigation set out in section 7 of the submitted Flood Risk Assessment (prepared by Odyssey, dated December 2018) and the drainage and SuDS strategies set out in sections 4 and 5 of the submitted Drainage Strategy (prepared by Odyssey, dated November 2018) shall be fully implemented for each phase of the development prior to first occupation of the relevant phase of the development hereby approved.

- 14 Unless alternative details are first agreed in writing by the Local Planning Authority, the details of biodiversity mitigation and enhancement set out in section 6.0 of the submitted Preliminary Ecological Assessment (prepared by ACD Environmental, dated November 2018) shall be implemented in full for each phase of the development prior to first occupation of the relevant phase of the development hereby approved.

Reason: To ensure that the development enhances local ecology and biodiversity.

- 15 Prior to first occupation of any residential dwellings within block E, the future connection to a district heating network shall be implemented in full accordance with the details shown on plan ref 6277 M 101 P.

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

- 16 Prior to commencement of the development hereby approved, a construction logistics plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall

thereafter operate in accordance with the approved construction logistics plan.

Reason: To ensure the development is constructed in an acceptable manner.

Pre-commencement Reason: The condition relates to details of construction, which need to be known before commencement of that construction.

17 Prior to the commencement of the development hereby approved:

- A survey of the condition of the waterway wall and a method statement and schedule of works identified shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Canal and River Trust. The repair works identified shall be carried out in accordance with the agreed method statement and repairs schedule by a date to be confirmed in the repairs schedule.

Following the completion of the works and within 6 months of first occupation of phases 5, 6 and 7 of the development hereby approved, as indicated on phasing plan PL5:

- A further survey of the waterway wall shall be carried out, and the details submitted to and approved in writing by the Local Planning Authority in consultation with the Canal and River Trust, to demonstrate that any necessary repair works have been carried out and that no additional damage to the wall has occurred.

Reason: To ensure that the structural integrity of the Grand Union Canal is retained.

Pre-Commencement Reason: The integrity of the Grand Union Canal has the potential to be compromised during construction and details must therefore be agreed prior to commencement.

18 Prior to the commencement of the development a detailed Impact Assessment shall be undertaken and submitted to and approved in writing by the Local Planning Authority in consultation with the Canal & River Trust, to demonstrate that ground movement loading generated throughout the construction phases and permanent design shall not pose a threat to the integrity of the Canal walls, foundations, lining, lock's, weirs and any other associated canal infrastructure.

Reason: To ensure that the structural integrity of the Grand Union Canal is retained. Information should be provided prior to commencement as impacts on the canal corridor may occur during the initial construction and demolition phases.

Pre-Commencement Reason: The integrity of the Grand Union Canal has the potential to be compromised during construction and details must therefore be agreed prior to commencement.

19 No development shall take place until the details of a Risk Assessment Method Statement (RAMS) have been submitted to and approved in writing by the Local Planning Authority for all activities which have a potential to impact the integrity of the Canal or any of its associated infrastructure,. These details shall include a programme of implementation in accordance with the Canal & River Trust Code of Practice for Third Party Works.

The requirements set out in the RAMS shall be followed, save for minor variations which are otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the structural integrity of the Grand Union Canal is retained. Information should be provided prior to commencement as impacts on the canal corridor may occur during the initial construction and demolition phases.

Pre-Commencement Reason: The integrity of the Grand Union Canal has the potential to be compromised during construction and details must therefore be agreed prior to commencement.

- 20 Notwithstanding the details of the submitted air quality assessment (prepared by Aether, dated November 2018) Ref: AQ_assessment/2018/Alperton, prior to the commencement of the development, an updated report shall be submitted outlining any changes to the air quality assessment, compliance with Air Quality Neutral criteria and any necessary additional mitigation measures that arise as a result of the revisions to the scheme.

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

Reason: to ensure an acceptable impact from the development.

Pre-commencement Reason: The air quality impact of the development could be impacted during construction and details should therefore be known and agreed up front.

- 21 Prior to the commencement of the development a Construction Method Statement shall be submitted to and agreed by the Local Planning Authority outlining measures that will be taken to control dust, noise and other environmental impacts of the development.

Reason: To ensure an acceptable impact on the surrounding environment during construction.

Pre-commencement Reason: The impacts being controlled through this condition may arise during the construction phases and therefore need to be understood and agreed prior to works commencing.

- 22 a) Prior to the commencement of each phase of the development (excluding demolition), 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 for each phase, 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 for each phase 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 for each phase prior to first occupation of that phase of the development hereby approved.

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

Pre-commencement Reason: Contamination needs to be addressed prior to construction as the soil will not be as accessible following this.

- 23 Prior to commencement of the development, excluding demolition and site clearance, a plan indicating the provision of electric vehicle charging points within at least 20% of the approved car parking spaces within the site shall be submitted and approved in writing by the Local Planning Authority. Thereafter, the agreed electric vehicle charging points shall be provided and made available for use. The provision of electric vehicle charging points shall be in accordance with adopted London Plan standards, providing both active and passive charging points.

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

- 24 Prior to commencement of each phase of the development, excluding demolition, site clearance and works below ground level, a revised overheating assessment for the relevant phase of the

development shall be submitted to and approved in writing by the Local Planning Authority. The overheating assessments shall assess the potential for overheating in the context of changes to the number, positioning and size of the windows in the development since the initial submission of the application. The overheating assessments shall also set out details of any additional mitigation required to ensure an acceptable internal heat environment for the residential units.

The development shall thereafter be carried out in accordance with the approved overheating assessments and all relevant mitigation measures shall be installed prior to first occupation of the relevant phases of the development.

Reason: To ensure that an acceptable internal heat environment will be experienced in each residential unit, in the interests of providing a good quality of accommodation.

- 25 Details of materials for each phase of the development, 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 on the relevant phase of the development, excluding demolition, site clearance and laying of foundations. 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.

- 26 Details of suitable mitigation to establish a comfortable pedestrian environment in respect of wind conditions experienced by pedestrians at the entrances of that building, as identified in figure 2.4 of the submitted Wind Microclimate Desk Study (prepared by BMT, dated November 2018 – Ref: 600010rep1v2 Release: 2) shall be submitted to and approved in writing by the Local Planning Authority, prior to any works commencing on the relevant phase of the development, excluding demolition, site clearance and laying of foundations. The approved details shall thereafter be implemented prior to first occupation of the relevant phase of the development, or, other timescales as agreed in writing by the Local Planning Authority.

Reason: To ensure a suitable pedestrian comfort level for the development.

- 27 Notwithstanding the details already submitted, further details of external noise and its effect on the residential development shall be submitted to and approved in writing by the Local Planning Authority, prior to any works commencing on the relevant phase of the development, excluding demolition, site clearance and laying of foundations. The revised details shall show results (and any associated mitigation that is necessary) of an assessment meeting the requirements of BS4142 which fully considers the impact of nearby industrial units, including the Liberty Centre.

The approved details shall thereafter be implemented in full for each phase of the development prior to first occupation of the relevant phase of the development hereby approved.

Reason: To ensure that the development enhances local ecology and biodiversity.

- 28 Within six months of commencement of works above ground level, a scheme of detailed landscaping proposals shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Canal and River Trust.

The submitted scheme shall identify:

- The landscaping associated with each phase.
- All plant species, densities of planting as well as species and soil densities for all proposed trees and plants.
- Details of any new habitat created.
- Detailed plans of the child play spaces.
- Details of the use of rain gardens and high retention soil.
- External lighting locations and lux levels.
- Details of vehicle barriers preventing vehicles from being driven into the canal.

The approved landscaping for each phase of the development shall be completed prior to first planting season after the occupation of the relevant phase 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. To ensure the character of the Grand Union Canal is retained, and to maximise biodiversity benefits, in accordance with the Blue Ribbon Network Policies of the London Plan.

- 29 Where photovoltaic panel arrays are proposed on the roof as part of a phase of the development hereby approved, detailed drawings showing the photovoltaic panel arrays shall be submitted to and approved in writing by the Local Planning Authority within six months of the commencement of development for the relevant phase.

The photovoltaic panel arrays shall be installed in accordance with the approved drawings and made operational prior to occupation of the relevant phase.

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

- 30 Prior to the commencement of phases 4, 5, 6 and 7 of the development hereby permitted, as indicated on phasing plan PL5, a revised Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Canal and River Trust. The Construction Environmental Management Plan shall include details of:

Proposed surface water arrangements (either via drains or surface water run-off) during the demolition/construction works. Details should confirm the following:

- No surface water (either via drains or surface water run-off) or extracted perched water or groundwater should be allowed to be discharged into the canal during the demolition/construction/enabling works. Such waters should be discharged to the available foul sewer or be tankered off-site.
- The existing surface water drains connecting the site with the canal must be capped off at both ends for the duration of the works – i.e. at the point of surface water ingress and at the outfalls to the canal.
- Whether the drainage system discharging to the canal serves residential or commercial areas and how many car parking spaces it serves.

Reason: To ensure demolition and construction works do not have any adverse impact on the water quality of the Grand Union Canal.

- 31 Prior to the first occupation of any properties in a particular phase of the development hereby permitted, confirmation must be provided to the Local Planning Authority that all wastewater network upgrades required to accommodate the additional flows from the development of that phase have been completed.

Alternatively, a housing and infrastructure phasing plan relating specifically to the provision of wastewater network upgrades has been agreed with the Local Planning Authority, in consultation with Thames Water, to allow additional properties to be occupied.

Where a housing and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

Reason: The development may lead to sewage flooding and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional flows anticipated from the new development.

- 32 In the event that one or more of the commercial units hereby approved are occupied by a business that makes use of a commercial kitchen, details of the extract ventilation system and odour control equipment for the commercial kitchen, including all details of any external or internal ducting, must be submitted to and approved in writing by the Local Planning Authority. The approved equipment shall be installed prior to the commencement of any use of the commercial kitchen. The development shall thereafter be operated at all times during the operating hours of the use and maintained in accordance with the manufacturer's instructions.

Reason: To protect the amenity of nearby residents.

- 33 Prior to occupation of the development hereby approved, a car parking management plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter operate in accordance with the approved parking design and management plan.

Reason: To ensure the development provides a safe and efficient environment in respect of pedestrian and vehicular movement across and within the site.

- 34 Prior to occupation of each phase of the development hereby approved, a delivery and servicing plan for that phase shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter operate in accordance with the approved delivery and servicing plan.

Reason: To ensure the development provides a safe and efficient environment in respect of the interplay between pedestrians and delivery/servicing vehicles.

- 35 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.

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 Notwithstanding the approval of this application, the approach to the facade treatment on buildings is not considered to be acceptable. In discharging the condition requiring details of materials to be submitted and approved, alternative facade treatments should be considered that propose a greater use of brick at higher levels, in lieu of metal cladding, on relevant buildings.
- 5 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.
- 6 The Canal and River Trust advise the applicant of the following:
 - Any access to, or oversailing, the Canal & River Trust's land or water during the construction must be agreed in writing with the Canal & River Trust before development commences. Please contact Bernadette McNicholas in the Canal & River Trust's Estate Team at Bernadette.McNicholas@canalrivertrust.org.uk for further information.
 - Any surface water discharge to the waterway will require prior consent from the Canal & River Trust. Please contact Chris Lee from the Canal River Trust Utilities Team (Chris.Lee@canalrivertrust.org.uk).
 - The applicant/developer should refer to the current Canal & River Trust "Code of Practice for Works affecting the Canal & River Trust" to ensure that any necessary consents are obtained, and liaise with the Trust's Third Party Work's Engineer:
<http://canalrivertrust.org.uk/about-us/for-businesses/undertaking-works-on-our-property>.
 - Any additional moorings require the approval of the Canal & River Trusts' Business Boating Team. The applicant is advised to contact the Boating Business Manager, Tom Jackson if they wish to pursue this (Tom.Jackson2@canalrivertrust.org.uk) to discuss this
- 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

This page is intentionally left blank

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

18 February, 2020
04
19/2163

SITE INFORMATION

RECEIVED	17 June, 2019
WARD	Welsh Harp
PLANNING AREA	
LOCATION	44 Queens Walk, London, NW9 8ER
PROPOSAL	Demolition of existing building and erection of a 2 and 3 storey building accommodating 7 dwellings with installation of new vehicular access (to Queens Walk) and associated landscaping.
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_145749</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 "19/2163" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab

RECOMMENDATIONS

That the Committee resolve to GRANT planning permission subject to the following conditions and informatives.

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

Conditions

1. 3 Years to commence development
2. Development to be built in accordance with approved plans
3. Communal indoor amenity space to be used for incidental purposes
4. Revoke permitted development rights to convert units to C4 use (small scale HMO)
5. Water consumption to be limited to 105 litres per head per day
6. Carry out works to remove existing and form new crossover before occupation
7. Provide parking spaces and visibility splays before occupation
8. Restricted outlook of specified windows and use of privacy screens where appropriate
9. Carry out development in accordance with tree report.
10. Carry out development in accordance with flood report.
11. Submit construction management statement prior to commencement
12. Submit details of tree supervision prior to commencement
13. Submit details and samples of materials prior to above ground works commencement
14. Submit revised long stay cycle storage and revised refuse storage details prior to occupation
15. Submit detailed landscaping details prior to above ground works commencement

Informatives

- a) CIL liable approval
- b) Party Wall
- c) Building near boundary
- d) Highways to be contacted to carry out works to form/remove crossovers
- e) Highways to be notified of condition of highway ahead of highway works
- f) Guidance note that removal of hedge is a civil matter and that grant of planning permission does not infer that the hedge should be lost
- g) Guidance note against soil mounding within oak tree root protection areas
- h) Asbestos safety information
- i) London Living Wage
- j) Fire Safety

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

committee.

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

SITE MAP



Planning Committee Map

Site address: 44 Queens Walk, London, NW9 8ER

© Crown copyright and database rights 2011 Ordnance Survey 100025260



This map is indicative only.

PROPOSAL IN DETAIL

Demolition of existing building and erection of a 2- to 3-storey building accommodating 7 dwellings (3 x 1 bed, 3 x 2 bed, 1 x 3 bed) with installation of new vehicular access (to Queens Walk) and associated landscaping.

EXISTING

The application site is occupied by a two-storey detached dwelling house. The site is on the corner of Queens Walk and Salmon Street. The surrounding area is mainly residential in character with two storey houses. The adjacent property along Salmon Street is a two and a half storey detached residential building.

There are two mature Oak trees on site protected by a tree protection order (TPO). The site is not within a conservation area nor is the building listed.

AMENDMENTS SINCE SUBMISSION

The proposed development has been revised as follows:

- Top floor flat and associated balustrades removed
- Replacement of one of three bedroom flats at ground floor with a one bedroom flat
- Re-arrangement of the garden spaces to create a larger communal garden at the rear
- Creation of an interior communal space accessible from the rear garden at ground floor level to increase the amount and variety of amenity space available to residents
- Alterations to balconies, including relocating flat 4's balcony from the side to the front of the flat and the reduction in size of flat 6 and 7's roof terraces
- Simplification of materials palette, including the removal of red metal cladding and some areas of grey metal cladding and an increase in brick cladding
- Addition of brickwork texturing to the north west elevation (adjacent to Cherrylands Close)
- Other minor alterations including relocating of some windows and changes to the cycle storage arrangement

Further amendments were received to comply with 1:2 guidance in relation to Cherrylands Close. This involved:

- Reduction in footprint of the part of the building projecting alongside Cherrylands Close to ensure sympathetic relationship with this neighbouring property, resulting in flat 3 reducing from a 2b3p flat to a 1b2p flat and flat 6 reducing from a 1b2p flat to a 1b1p flat.

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. Representations received: 78 properties were consulted. 29 objections and 1 petition containing 4 signatories from 4 addresses were received. Objections were generally made on grounds of character, massing, parking stress, highway safety, overcrowding, amenity impact and overdevelopment.
2. Principle: The principle of the demolition of a house and the site's redevelopment for residential purposes is considered to be acceptable. The wider area is predominantly residential in nature and the proposed additional housing (including the provision of one x three-bedroom family unit) is in accordance with planning policy.
3. Character and appearance: The proposal's design is considered to have regard to the character of its surroundings and to not inappropriately challenge or dominate surrounding development. The character is clearly different to that of its surroundings but in a way that officers consider acceptable.
4. Standard of accommodation: The living conditions of future occupiers of the development would be acceptable and would meet the relevant standards.
5. Impact on neighbouring amenity: The proposal is considered to not result in an unduly harmful impact on the surrounding properties in terms of privacy, loss of light and outlook, and complies with the Council's guidance as set out in SPD1.
6. Parking & servicing: It is considered that the appropriate provision of parking spaces, cycle parking and the modest amount of traffic that would be generated by the development would not undermine highway safety.

7. **Trees & landscaping:** The site has two formally protected Oak Trees which will be protected during construction. Comprehensive planting and tree planting is proposed with a condition securing more detail of this at a later stage. This aspect of the scheme is acceptable.

MONITORING

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

Floorspace Breakdown

Primary Use	Existing	Retained	Lost	New	Net Gain (sqm)
Dwelling houses	161		161	652.74	491.74

Monitoring Residential Breakdown

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

RELEVANT SITE HISTORY

An application (17/0965) was made to demolish the existing dwellinghouse and associated buildings and to erect a part 2 and part 3 storey building with a basement level to provide 7 self-contained flats (2 x 1bed, 2 x 2bed, 2 x 3bed and 1 x 4bed) with associated vehicular and pedestrian access, basement car parking, cycle and bin storage, landscaping and amenity space.

The application was refused by Brent Council for the following reasons:

- The proposed residential accommodation is not considered to be sufficiently high quality. This is due to insufficient amenity space (and what is proposed is considered poor quality), and a convoluted route to the communal amenity space to the rear, and some of the units having poor outlook and internal daylight resulting in an oppressive environment. The proposal is therefore contrary policies DMP1 and DMP19 of Brent Development Management Local Plan 2016 and the guidance contained in Supplementary Planning Guidance 17 Design Guide for New Development.
- The proposal, by reason of its design, appearance layout and depth of the roof pitch would result in an overly bulky building, which would be out of character with the streetscene and detract from the surrounding area. This is contrary to policies DMP1 and DMP19 of Brent Development Management Plan 2016 and the guidance contained in Supplementary Planning Guidance 17 Design Guide for New Development.
- The Arboricultural report fails to demonstrate the proposal can be implemented without substantial harm to the two mature Oak trees protected by TPO. The proposal is therefore contrary to Policy 7.21 of the London Plan 2016 and DMP 1 of the Development Management Policies 2016.

The applicant lodged an appeal (APP/T5150/W/17/3185922) wherein the appeal inspector upheld the reasons for refusal specified by the Council. The appeal inspector also found an additional reason for refusal in relation to impact on the rear bedroom first floor side window at no. 42 Queens Walk, where the massing of the development was considered to be overbearing in relation to the living conditions within this bedroom. This additional reason for refusal must form a material planning consideration in the context of further proposals.

CONSULTATIONS

78 properties were notified of the original development proposal on 19/09/2019.

The same properties were notified of the current (revised) development proposal on 18/12/2019.

Across both consultation periods, objections were received from 29 properties and one objecting petition containing 4 signatories from 4 addresses was also received.

The comments received are summarised below:

Ground of objection	Officer Response
The development is too large and is significantly taller than no. 42 Queens Walk	The previous scheme which was dismissed at appeal was 2.84m taller than this proposal (12m tall versus 9.16m tall) and bulkier than this proposal with substantial out of character roof forms which emphasised the prominence of the building. The proposal is therefore about 25% lower in scale than the appeal scheme.
The development will cause overcrowding	The density of the development is considered to be acceptable, making efficient use of the land given that the building is considered to be in keeping with its context and all dwellings exceed expected space standards for internal and external spaces.
The development will cause problems with drainage capacity	A series of drainage improvements have been included within the proposal. There is no requirement to interrogate sewerage capacity on a minor development proposal of this scale.
The development will erode the character of the area and is not in keeping	This is addressed at paragraphs 4-14 below.
Trees must be preserved at all cost	This is addressed at paragraphs 41-47 below.
The scheme retains the previously rejected contemporary design	This proposal is materially different from the previous scheme. It has a simpler façade with a contemporary feel and has a reduced massing along the Salmon Street façade, which is considered to result in a building which integrates more sympathetically with 42 Queens Walk.
The development will cause parking stress on local roads due to underprovision of parking	This is addressed at paragraph 35 below.
The road junction of Salmon Street and Queens Walk is congested with traffic and the application fails to consider the impact of the development on the transport network	This scheme is not expected to materially affect the transport network as it is small in scale.
The front doors for main entrances at ground floor open directly onto the main living room area, reducing privacy and outlook for these flats and poorer security.	This is only the case for one such flat (flat 2). Flat 1 has an alternative hallway entrance from within the main core of the building. There is no policy resisting this arrangement and it is a common arrangement for many existing homes including new-build flats and older homes which have a “cottage” type of layout.
Some of the layouts are not logical, with a two bedroom flat on the fourth floor having two bathrooms and a three bedroom flat at ground	It is not a requirement of policy or guidance for three bedroom flats to have more than one

level having only one bathroom.	bathroom.
Concern that the layout will be adapted post planning to provide additional bedrooms.	Future internal changes would not require planning permission and any existing homes (including those surrounding the site) could be changed in the future. However, a condition has been recommended to restrict the ability to convert the property to a House in Multiple Occupation through permitted development to ensure a satisfactory standard of accommodation is provided.
The scheme will bring extra traffic, congestion and fumes into the area.	The on-site parking has been reasonably minimised which will assist with dis-incentivising car use and encourage the associated benefits of reduced congestion and fumes. Highways officers consider that suitable overspill parking space exists on the street to accommodate the expected demand without disturbing the highways. The proposal is not expected to result in material impacts on highway congestion or air quality.
The development will set a precedent.	All proposals are considered on their individual merits. Brent's policies seek to protect the integrity of the borough's suburban character, away from corner plots there is little justification for an increase in scale.
The development will result in a loss of natural light to surrounding properties.	This is addressed at paragraphs 20-24 below.
14/2450 was refused for being overbearing on neighbours' outlook yet was smaller	This application was for a householder development to build a rear extension to a dwellinghouse and is not deemed to be particularly comparable. Nonetheless, this proposal sought to erect a two storey addition within 1 metre of a neighbour's boundary and would therefore represent a more overbearing impact than this proposal for which the proposed addition would be more than 5 metres from the boundary with 42 Queens Walk at its closest point.
There is a school within approximately 150m of the site and associated safety concerns	Highways officers do not consider that this development would materially affect school activities or worsen safety. A condition will ensure that visibility splays either side of the vehicle access are maintained so that passers-by (especially children) have good visibility when crossing the road.
The site will compromise privacy to 42 Queens walk and properties across the road from it	This is addressed at paragraphs 15-19 below.
This scheme is larger than the previous scheme	The previous scheme which was dismissed at appeal was 2.84m taller than this proposal (12m tall versus 9.16m tall) and bulkier than this

	<p>proposal with substantial out of character roof forms which emphasised the prominence of the building. The proposal is therefore about 25% lower in scale than the appeal scheme.</p> <p>This proposal has a simpler façade with a contemporary feel and has a reduced massing along the Salmon Street façade, which is considered to result in a building which integrates more sympathetically with 42 Queens Walk.</p>
The potential for anti-social behaviour will increase.	The addition of new residents is not a cause of anti-social behaviour in itself. The site has been designed with an open front garden and good levels of natural street surveillance which should help to limit the potential for ASB and crime
The vehicular access to the site is dangerous	The vehicular access is suitably sited and visibility splays are to be provided and required to be maintained by condition.
The building is an eyesore	The building does not have a 1930s appearance but does respond appropriately to the neighbouring developments in terms of scale. The corner plot presents an opportunity for a building of a differing architectural style and slightly greater prominence to sit comfortably without detracting from the character along either of the streets it adjoins.
What about room for the refuse bins?	This is addressed at paragraph 40 below.
At most, there should be a pair of semi-detached houses on this plot.	The development proposed is considered to be suitable in terms of appearance, massing, density on site quality.
The Queens Walk elevation is a side profile of the building.	<p>It is agreed that the development's principal/front elevation addresses Salmon Street rather than Queens Walk. Occupying a corner plot, the development has to principally respond to one of its bordering roads. Salmon Street is a more significant through route than Queens Walk and the choice of more prominently addressing Salmon Street is considered logical.</p> <p>The side profile of the building facing Queens Walk is considered to be acceptable and it is noted that this elevation sees a reduction in scale which helps to establish a sympathetic relationship with the neighbour at no. 42.</p>
The balconies along the east elevation of the scheme would overlook no. 42 Queens Walk's garden.	This is addressed at paragraph 18 below.
Only 1 family sized dwelling in a scheme of 7 dwellings does not adequately address Brent's need for family housing.	This is addressed at paragraph 2 below.
Brent should not let the developer's need to	The proposal has been considered on its merits having regard to planning policy and material

recoup costs affect their decision making.

planning considerations. Developer costs are not a material planning consideration for this scheme.

Internal consultation

Environmental Health - recommended that as the site is located within an Air Quality Management Area that a Construction Method Statement is conditioned to any forthcoming consent that outlines measures that will be taken to control dust, noise and other environmental impacts of the development.

POLICY CONSIDERATIONS

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

London Plan March 2016

Policy 3.5

Core Strategy 2010

CP 1 – Spatial Development Strategy

CP 2 – Population and Housing Growth

CP 17 – Protecting and Enhancing the Suburban Character of Brent

CP 21 – A Balanced Housing Stock

Brent Development Management Policies 2016

DMP 1 Development Management General Policy

DMP 9B On site Water Management and Surface Water Attenuation

DMP 11 Forming an Access on to a Road

DMP 12 Parking

DMP 18 Dwelling Size and Residential Outbuildings

DMP 19 Residential Amenity Space

The following are also relevant planning considerations:

The National Planning Policy Framework 2019

Mayor of London's Housing SPG 2016

SPD1 Brent Design Guide 2018

Brent's Waste Guidance

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

In addition, the Examination in Public for the Draft New London Plan has been completed and the Panel Report has been received by the GLA. The GLA have now released a "Intend to publish" version dated December 2019. This carries substantial weight as an emerging document that will supersede the London Plan 2016 once adopted.

The Regulation 19 consultation for Brent's draft Local Plan has also recently completed and comments of the policies have been assessed. It can only be given limited weight at this stage of its preparation.

Key relevant policies from these documents include:

Draft London Plan 2019

Key policies include:

D6: Housing quality and standards

T5: Cycling

Brent's Local Plan

Key policies include:

BP2: East

BD1: Leading the Way in Good Urban Design
BH1: Increasing Housing Supply in Brent
BH6: Housing Size Mix
BG12: Trees and Woodlands

DETAILED CONSIDERATIONS

Principle of development

1. The NPPF 2019 states that a sufficient amount and variety of land is necessary in order to meet the Government's objective of delivering a sufficient supply of housing. Small and medium sized sites can make an important contribution to meeting the housing requirements of an area, and can be built out quickly in comparison to a larger site. In this instance, the application site is located within an existing residential area within Brent's suburban fabric. Policy CP 2 of Brent's Core Strategy and draft policy BH1 of Brent's Local Plan includes housing targets for the borough, reflecting the London Plan. Draft policy D3 of the London Plan seeks for new developments to make the best use of land by following a design led approach that optimises the capacity of sites. There is no objection to the principle of the creation of additional residential dwellings in this location.
2. Policy CP21 seeks to maintain and provide a balanced housing stock in Brent. The proposal would result in the loss of an existing family sized dwelling. The proposal would provide 1 x 3 bed units, 3 x 2 bed units and 3 x 1 bed unit in accordance with the requirements set out in policy CP2 and CP21. The mix of units is also consistent with the requirement set out in draft policy BH6. As such, the general principle of development is considered to be acceptable, particularly as it does not result in the loss of family sized units on the site (3 bedrooms or more) given the provision of a family sized unit within the development proposal.
3. Therefore, in principle and subject to other material considerations, the proposal is considered to be acceptable.

Design and appearance

4. Policy CP17 seeks to protect the suburban character of Brent from inappropriate development. This includes limiting development outside of main town centres and away from corner plots on main road frontages, which would erode the character of suburban housing. Infilling of plots with out of scale buildings that do not respect the settings of the existing dwellings will not be supported. Policy DMP1 seeks to ensure that development is "of a location, use, concentration, siting, layout, scale, type, density, materials, detailing and design that provides high levels of internal and external amenity and complements the locality,"
5. The existing building has a traditional 1930s appearance. It is located on a corner plot on the junction of Salmon Street and Queens Walk. Salmon Street (between Fryent Way and Blackbird Hill) is a London Distributor Road.
6. Within the previous appeal, the Inspector did not raise an objection to the general scale of the proposed building (which was considered to complement the streetscene). However, they did raise concerns with the pitched grey zinc roof design that was considered to be an unduly dominant and oppressive feature that would result in a building with a top heavy appearance. This was one of the grounds that the appeal was upheld on.
7. The design of the building as now proposed has significantly changed since the appeal. The use of the pitched roof design is no longer proposed and the proposed new building is now of a modern design and appearance with rectilinear massing and flat roofs. The location of the plot at a corner provides a natural position for a building of a differing design. The scale of the building reflects the transition in scale between the surrounding houses on Queens Walk and the taller flatted building fronting Salmon Street would therefore be considered appropriate, and consistent with the approach applied within policy CP17.
8. On the Salmon Street frontage, the maximum height of the building (up to three storeys) sits below the maximum height of the Cherrylands Close development to which it is adjacent. Closer to the junction of Salmon Street and Queens Walk, the building massing reduces to reflect the greater separation from the larger Cherrylands Close building.

9. On the Queens Walk frontage there are two main building heights. The part of the building that extends closest to the neighbouring suburban housing is set back from the frontage and has a height which broadly corresponds to the eaves height and dormer window level height of this adjoining property at 42 Queens Walk. The main massing of the building is positioned 2.5m further in from the boundary with 42 Queens Walk and sits 1.4m above the roof ridge of 42 Queens Walk. However, by virtue of its placement in the north western part of the building, this part of the building is clearly designed to relate to the Cherrylands Close context and would be of more limited visibility from the Queens Walk elevation, which is acknowledged as being more sensitive.
10. The building maintains generous set backs from both the Salmon Street and Queens Walk frontages (over 6m) that maintains the open character of the corner plot and would respect the building lines of No. 42 Queens Walk and Cherrylands Close.
11. A key façade feature of the building on the Salmon Street elevation is a framed stack of balcony spaces and associated windows/doors at the northern edge of the building. The feature establishes a vertical emphasis on this side of the building which helps to detract from the perception of the building's width. Overall, the proposed building's massing and relationship with its surrounding context, to both the more sensitive suburban context of Queens Walk and the more substantial suburban context of the Cherrylands Close development along Salmon Street, is considered to be acceptable.
12. A residential material palette based around brick has been proposed. The proposal is for a light grey brick palette, supplemented by a band of commercial red brick at the lower part of the building. The red brick will also be used to add emphasis to the key features of the building, including the dedicated residential entrances along the frontage, the stack of balconies along the Salmon Street elevation and the angled window projections along the rear elevation. The brick façade will be broken up through two bands of re-oriented brick headers atop the first and second floors. Finally, a grey metal cladding would be used to strongly define the main building entrance at the base of the framed balcony stack.
13. The material palette is considered to be acceptable in principle and the predominant use of brick will foster a residential character befitting of the location; however, the colour scheme for the materials is quite modern (grey bricks and commercial red bricks are generally not traditional to a Metroland setting). A standard condition will apply in respect of material samples being submitted and approved by officers. However, it is considered likely through this process that changes to the colour of the brick cladding will need to be made through this process so that the delivered building would complement its suburban setting appropriately.
14. In summary, the proposal is acceptable in terms of its design and appearance. The design as now submitted is considered to have overcome the previous concerns raised by the Inspector.

Impact on neighbouring amenity

Privacy

15. SPD1 requires a minimum distance of 9m to be maintained between habitable room windows and the boundary with neighbouring private rear gardens and a distance of 18m to be maintained between directly facing habitable room windows.
16. As discussed above, two properties immediately adjoin 44 Queens Walk, those being 42 Queens Walk to the east and a block of flats forming the Cherrylands Close residential development to the north. There are no habitable room windows in the southern aspect of Cherrylands Close to the north. In addition, the view from the host property towards this site is to a flank wall on the western side and to a car parking area on the eastern side, which would not have a private nature warranting of protection from overlooking.
17. The two storey element of the scheme that sits alongside the building of No. 42 Queens Walk does not contain any habitable room windows at first floor level. The window is to a bathroom and is to be obscured glazed and opening at high level only. At ground floor level outlook is relied from bedroom windows in an easterly direction to No. 42 Queens Walk, and these windows sit within 9m from the boundary. However, they face the garage of No. 42 Queens Walk and in the event that this garage was demolished, views would be restricted through the introduction of a 2m high boundary fence. This would also apply for any habitable room windows within 9m of the boundary with the rear garden of No. 42 Queen Walk at ground floor level.

18. On the upper floors, the new building is designed so that it does not have windows or balconies which would enable a view into the garden of no. 42 Queens Walk at a distance of less than 9m, in line with SPD1 requirements. On the first floor, flat 3's windows that are less than 9 m from the boundary are angled, projecting windows which have an obscure glazed east facing component and a clear glazed north facing component to avoid undue levels of overlooking into the garden of no. 42. The bathroom window on the flank elevation to Flat 4 would also be obscured glazed. On the second floor, the massing of the building is sufficiently recessed from no. 42's garden for such design to be necessary (i.e. habitable room windows are over 9m from the boundary with the rear garden). Nevertheless, any second floor windows that either serve secondary windows to habitable rooms or to bathrooms that face over the rear garden of No. 42 would be obscured glazed. Flat 6 benefits from a roof terrace which extends within 9m of the boundary with no. 42 Queens Walk. The eastern balustrade to this balcony should be built to high level (1.7m) and obscure glazed to preserve privacy to the garden of no. 42 and a condition will require this. The condition will also require high level/obscure glazed treatment between the terraces serving flats 6 and 7 to preserve internal privacy between flats.
19. In conclusion, the proposal would not be considered to result in harmful levels of overlooking to the neighbouring occupiers. It meets the requirements of policy DMP1 and SPD1 in this respect.

Outlook/Overbearing Appearance and Light

20. The first floor side facing bedroom window in the west facing flank of 42 Queens Walk was identified by the inspector during the previous appeal of warranting protection from undue encroachment in terms of loss of outlook. The impact of the previous proposal on the ground floor windows was considered to be acceptable by the Inspector. The existing house's single storey side extensions extend up to the boundary with no 42 Queens Walk whereas the proposed plans would see a full separation between the boundary with no 42 Queens Walk of 4.75m to the two storey element of the proposed building and 7.2m to the three storey element of the proposed building. This broadly equates to an 8.6m separation from the identified flank window to the two storey element and 11.1m from the identified flank window to the three storey element. By comparison, the distance from the boundary to the flank of the two storey house in the context of the appeal scheme is 0.15m and the distance from the identified flank window to the flank of the appeal proposal is 4.65m, demonstrating that a considerably more generous separation has been established within this scheme in comparison to the previous one.
21. The key test, in line with Brent's SPD1 guidance, of the amenity impact on this window would be a test of 30 degrees, taken from this window at a height of 2m above the bedroom floor towards the development. The 30-degree line test would be comfortably met from this upper floor window, there would also be a substantial separation of 8.6m from this window (the bedroom is served by a secondary window on the rear elevation as well) to the built form of the proposal, retaining a good level of outlook to the side of the bedroom. A similar test of 25-degrees, taken from the centre of the window would also be passed (with the proposed development not projecting above a 25 degree line taken from this point), confirming that suitable daylight for the habitable room would be retained as defined within BRE guidance.
22. The new building would project significantly beyond the rear wall of no. 42 but will be significantly set in from the boundary (between 5.0m and 9.3m depending on the part of garden tested). Given the substantial set in, it is considered appropriate to apply a 45-degree test along the length of the garden between 42 and 44 to ascertain whether the development is too overbearing on the amenity of the neighbour's garden. The 45-degree line is shown on the drawings and it is noted that the proposed building does not breach this line at any point alongside the main rear garden of no. 42 Queens Walk. Alongside the side of the dwellinghouse itself at no. 42, a small breach of the 45 degree line is apparent by virtue of a small roof stack (appearing to contain a riser) which projects above the main roof of the building. This breach would only be experienced from a very small section of no. 42's property, in an area to the side of the house which would have a lower amenity value than the main rear garden space. The proposed development would project beyond a SPD1 1:2 angle taken from the nearest habitable room window of No. 42. However, this would be some distance from that window (approximately 16 m) and the development would fall below a 30 degree angle taken from this window, so the level of impact is not considered to be unduly detrimental.
23. In respect of Cherrylands Close to the north, the proposed development would project about 2.5m at upper floor levels to the east of the main east (rear) elevation of this building. Whilst it does not project alongside sensitive garden space of this development, given the side-on relationship of the proposed building with the Cherrylands Close building, it would be appropriate to apply 1:2 relationship testing, as set out in Brent's SPD1 guidance. In applying this test, the closest set of main habitable windows (a dormer window and first floor window) have been tested for this impact and it is shown that the built form

of the proposal fully complies with this relationship for a distance of 9.3m from this window, in excess of the standard set out in SPD1 for a good level of outlook. As such, the development is considered to be suitably sympathetic to the living conditions of occupiers in the Cherrylands Close development.

24. Overall, the impact of the development on the surrounding properties is considered to be in compliance with the expectations for such impact within Brent's SPD1 guidance – the design guide for new development. This means that privacy and undue dominance and sense of enclosure to surroundings are both addressed and mitigated in line with guidance expectations. In making this conclusion, officers would also note that the previous concerns relating to impact on the rear bedroom flank upper floor window at no. 42 Queens Walk raised by the appeal inspector have also been addressed.

Quality of Accommodation

25. All seven flats exceed the minimum space standards as set out in policy 3.5 of London Plan and draft policy D6. Five of the flats benefit from dual outlook, with the exception of flats 3 and 5, which have outlook in an easterly and westerly direction. As these units are not south facing they would not experience problems associated with south facing units and overheating. Likewise, as they are not north facing, they will receive adequate levels of light.
26. The two ground floor flats are accessed from Salmon Street with their own front doors. The entrance to the upper floor flats is also accessed from Salmon Street at the northern end of the site. All entrances are legible. There are no more than three units per core.

External amenity space

27. Policy DMP19 requires one and two bedroom units to have access to 20sqm of external amenity space and for family units (including ground floor flats) to have access to 50sqm of external amenity space. The policy notes that whilst it is expected the new development should provide private external amenity space, it recognises that when sufficient private amenity space cannot be achieved to meet the full requirement of the policy, the remainder should be applied in the form of communal amenity space.

28. A table breaking down the amenity space for this scheme is set out below:

Unit	Floor	No. of beds	Standard	Private amenity	Shortfall
1	Ground	1	20	21	0
2	Ground	3	50	50.5	0
3	1st	1	20	4.67	15.33
4	1st	2	20	6	14
5	1st	2	20	6.5	13.5
6	2nd	1	20	12	8
7	2nd	2	20	18	2
Total					52.83
Communal space					115
Shortfall					0

29. Whilst upper floor units do not have access to 20sqm of private external amenity space, all units within the development will have access to the communal garden at the rear of the site. The communal garden is 115sqm, thus providing 16.4sqm of communal amenity space per flat. When combining private and communal amenity space, the flats have access to at least 20sqm each of external amenity space thus complying with DMP19. Flat 3 marginally falls short of the London Plan standards for private amenity space provision (by 0.3m), although given that this is the only shortfall this is acceptable on balance. The balcony is otherwise high quality and has a width of 2.5m and a depth of between 1.6m and 2m, resulting in a good level of usability.

30. The applicants also propose a 16.5sqm indoor communal recreation room accessed from the communal garden. This could be used for indoor games/activities and is considered to be a positive inclusion within the scheme.

31. It is considered that the quantum of external amenity space now proposed, in addition to the access

arrangements for the upper floor flats to the communal garden (via direct access from the internal access core) has overcome the previous concerns raised by the Inspector in relation to the quantum of external amenity space and access arrangements to the communal garden which was previously accessed through walking around Salmon Street before re-entering the site and proceeding past the side of the building.

Highways

Car Parking

32. Car parking allowances for a dwelling house are given in the Development Management Policies Appendix 1. The maximum allowance for the existing 4-bed dwelling house is 2 parking spaces and this can currently be accommodated within the front garden.
33. The proposed 7 self-contained flats will have a maximum parking allowance of 1 space for the 1-bed and 2-bed units and 1.5 spaces for the 3-bed units. A total of seven and a half parking spaces are therefore permitted, which is a significant increase in maximum parking standards.
34. The scheme proposes a 3.7m wide crossover on the eastern side of the property on Queens Walk which would be positioned over 15m away from the junction of Queen's Walk with Salmon Street. This will lead to 5 car parking spaces arranged perpendicular to the highway and accessed from a 6.2m wide aisle. The location of the vehicle access and the arrangement of car parking spaces is acceptable.
35. The proposed number of car parking spaces would be less than the maximum car parking standards allowable. To justify this level of car parking, the applicant's transport consultants undertook overnight parking surveys within the vicinity of the site on two separate occasions during the early hours of the morning, with one of the days being the morning after a Wembley Stadium event day. This indicates that there is some spare capacity on Queens Walk (approximately 18 unused spaces with the Salmon Street end having a lower car parking occupancy than the Church Lane end) for any overspill car parking. This being the case, the lower parking provision would be in line with the Council's DMP policy and so the level of car parking based on the evidence submitted would be satisfactory. Two cars are able to be accommodated on-street along the site frontage (Queens Walk frontage), but the adjustments to the waiting restrictions to provide parking bays will need to be funded by the developer as part of the works to amend the site access.
36. The site has an existing vehicle access which will become redundant and therefore needs to be reinstated to footway at the developer's expense, to be secured by condition. The plans confirm that the access would have suitable pedestrian visibility splays with no obstruction over 0.85m in height for 2m either side of the access. A condition will secure the provision and maintenance of these parking spaces and the maintenance of the visibility splays at the correct height and distance either side of the access.
37. At least 1 of the bays would be capable of providing a disabled parking space which would meet the minimum requirements.

Cycle Parking

38. The proposal requires a minimum provision of 12 long stay cycle parking spaces. Eleven dedicated bicycle storage spaces would be located in an undercroft within the secure private rear garden area whilst further cycle parking could be provided in two of the private gardens. However, the plans do not indicate the type of cycle storage that will be provided and the width of the access path is insufficient to ensure efficient circulation space for accessing the cycle storage. A condition will require that details are submitted setting out an acceptable arrangement that meets LCDS standards for cycle storage. Highways officers deem that it would be appropriate and that there would be, for example, sufficient space for the cycle storage to be arranged at 90 degrees to the current arrangement and set across six Sheffield stands. The undercroft location and the positioning behind a secure gate ensures that the cycle storage would be secure and weatherproof.
39. A significant number of short stay cycle spaces are shown at the front of the building, however these are surplus to requirements given the low number of homes and detract from the relationship between the main entrance and the garden space. The cycle parking condition will also require the short stay cycle parking to be significantly reduced so as to maximise the benefit of the landscaped front garden for

residents.

Refuse

40. The refuse store would provide 2 x 1100l bins and a 240l bin. This would amount to a sufficient amount in order to provide the minimum requirements for standard waste, recycle waste and food waste storage. The store would be located approximately 12m away from the footway which is just beyond the maximum carry distance of 10m for 1100 l bins. However, the bin store is large enough for the development's refuse requirements to be met wholly through the provision of 7-8x 240l bins within this space. 240l bins have a maximum carry distance of 20m which this would scheme's arrangement would comply with. A condition will require that an alteration to the type of bins within the bin store is proposed, submitted, approved and implemented ahead of occupation.

Trees

41. Two protected oak trees sit within the property, adjacent to the Salmon Street boundary. In landscape terms, they are of high visual amenity, and make a significant contribution to the character and appearance of the area. As part of the previous appeal, the Inspector raised concerns with the submitted arboricultural implications assessment did not fully consider the root protection zone (RPA) nor were detailed engineering solutions specific to the trees provided as pathways to the development and amenity space were sited within the RPAs. The Inspector concluded that further information in relation to these matters was required at the application stage to ensure that the health and longevity of the two trees is maintained, given their important in landscape terms.
42. A robust tree survey and arboricultural method statement has been submitted which seek to safeguard the highest levels of protection for these trees. The scheme as now submitted has been amended so that the built form of the development sits outside of the root protection area (RPA) of these two trees. The RPA has been modified to take into account an asymmetric root spread given the proximity of the trees in relation to the pavement and carriageway of Salmon Street, which is likely to result in the roots of the trees being more concentrated within the application site. The basement element of the previous proposal has also been removed which is welcomed from a tree protection point of view. It is also welcomed that the scheme does not contain hard surfacing within the RPAs of the two protected Oaks. Ground treatment beneath the two trees consists of soft flower beds/grass. Proposed pathways have also been kept to a minimum.
43. The Tree Officer has reviewed the latest proposal and confirms that it has addressed the previous issues of encroachment into the RPA of both trees and has been improved again to replace the previously specified hard landscape beneath the canopy with a less invasive grass and natural play area. The tree officers also notes from the landscape proposals that 'playful grass banks' are proposed. The tree officer has highlighted concerns against any soil mounding to create features within the RPA's of the retained and protected trees. This can be added as an informative with full details of the landscape works conditioned to any forthcoming consent.
44. The arboricultural method statement recommends crown clean through the removal of deadwood and storm damaged branches on one of the trees and a crown lift to 3 metres and removal of ivy followed by a re-inspection for the other protected tree. Finally, a nearby Cypress hedge of category C (poor) quality is proposed to be felled to accommodate the development.
45. A schedule of tree planting in place of the hedge is requested to compensate for the loss of this hedge and to form a suitable screen between the two properties. A landscaping condition will require tree planting with suitable species and stem girths to be proposed in this location.
46. It is understood that this hedge falls within the ownership of the neighbouring site at Cherrylands Close, but that the hedge cannot be retained with the proposed development in situ. This planning permission does not have any bearing on whether the neighbouring landowner should accept the loss of their hedge and whether or not the hedge is removed would therefore be a civil matter between the applicant and the neighbouring landowner. An informative will remind the applicant of this.
47. In conclusion, it is considered that the scheme has been amended to cover the previous concerns raised by the Inspector in relation to the protected Oak Trees. The proposal accords with draft policy BG12.

Environmental Health

48. The development is within an Air Quality Management Area and located very close to other residential premises. Demolition and construction therefore has the potential to contribute to background air pollution levels and cause nuisance to neighbours. A construction management plan will therefore be required by condition for pre-commencement discharge.
49. Given the age of the building to be demolished it is possible that asbestos may be present. The applicant should be reminded of their duties under the Control of Asbestos Regulations and must ensure that a qualified asbestos contractor is employed to remove all asbestos and asbestos-containing materials and arrange for the appropriate disposal of such materials. An informative will remind the applicant of this.

Drainage

50. The applicant has prepared a Flood Risk Assessment (FRA) in support of their proposal. The main sources of information to undertake flood risk assessment are the flood maps and data of the Environment Agency and the previous flood studies by the Local Authority. There are no major watercourses around the site and the site has no history of flooding. The site lies within the Flood Zone 1 (low probability flooding).
51. Brent policy DMP9B encourages the use of SuDS and a reduction in surface water runoff to improve the sustainability of development.
52. In order to improve on site drainage and minimise flood risk, SuDS features are to be implemented and are set out in the applicant's flood risk assessment. The surface runoff of the site will be improved by implementing a raingarden and permeable paving. Also, an underground storage tank of 6.5 cubic metres will be implemented in order to attenuate the surface runoff from the site. The storage tank will not be contained within the RPAs of the oak trees and will instead be below the car parking area. The development will not give rise to backwater affects or divert water towards other properties.
53. The applicant's report demonstrates that the proposal will be safe, in terms of flood risk, for its design life and will not increase flood risk elsewhere. It also clearly indicates a positive response that seeks to address the requirements of policy DMP9B.
54. A condition will be imposed requiring the applicant to limit the development's water consumption to no more than 105 litres of water per head per day, in the interests of sustainability.

Equalities

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

Summary

56. Following the above discussion, and weighing up all aspects of the proposal, officers consider that the proposal accords with the development plan, having regard to material planning considerations, and should be approved subject to conditions.



Application No: 19/2163

To: Mr Pender
PPM Planning Limited
185 Casewick Road
West Norwood
London
SE270TA

I refer to your application dated **17/06/2019** proposing the following:

Demolition of existing building and erection of a 2 and 3 storey building accommodating 7 dwellings with installation of new vehicular access (to Queens Walk) and associated landscaping.

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

at **44 Queens Walk, London, NW9 8ER**

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: 10/02/2020

Signature:

Gerry Ansell
Head of Planning and Development Services

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 2019
London Plan 2016
Brent's Core Strategy 2010
Brent's Development Management Policies 2016
Brent's Supplementary Planning Document 1 - Design Guide for New Development 2018

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

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

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

160308/00/P0
160308-11-P1
160308-12-P17
160308-13-P16
160308-14-P5

Supporting documents

Tree Survey, Arboricultural Impact Assessment, Arboricultural Method Statement & Tree Protection Plan – In Accordance with BS 5837:2012, REV B, prepared by Hayden Arboricultural Consultants
Tree Protection Plan 6099-D Rev B
Flood Risk/Surface Water (SuDS) Assessment together with Appendix A prepared by UK Flood Risk - Flood Risk Consultants
Surface water storage requirements for sites
Appendix E Proposed Surface runoff Improvement Measures (SuDS)

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

- 3 The room denoted as "communal room" within drawing 160308-12-P17 hereby approved shall not be used other than for purposes incidental to the residential units hereby approved and shall not be used for any other purpose.

Reason: To ensure an appropriate standard of accommodation in accordance with policy DMP1.

- 4 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.

- 5 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.

- 6 Prior to occupation of the development hereby approved:

- The existing vehicular access to the site, rendered redundant by this development, shall be reinstated to footway and the proposed new vehicular access along Queen's Walk shall be implemented in full.

- Two parking bays shall be provided along the street and adjustments to the existing waiting restrictions to accommodate these bays shall be made.

These works shall be carried out by Brent's Local Highway Authority at the expense of the applicant.

Reason: To ensure a safe and convenient means of access to and from the site by residents and visitors.

- 7 Prior to first occupation of the development hereby approved, the five approved car parking spaces within the property forecourt shall be marked out and made available for use. Following occupation, the hedge along the Queens Walk frontage either side of the vehicular access shall be maintained with a maximum height of 0.85m from the ground level. Both the parking spaces and hedge shall be maintained in the above arrangement for the lifetime of the development, unless an alternative arrangement is first approved in writing by the Local Planning Authority.

Reason: To ensure the development appropriately mitigates impact on the local highway in respect of parking stress and road safety and visibility.

- 8 The east face of the windows on the first and second floor of the eastern face of the building, serving the living/kitchen/dining room, bathroom and bedroom of flat 3, bathroom of flat 4, and living/kitchen/dining and bathroom of flat 6 (as shown on the approved plans) shall be constructed with obscure glazing and non-opening or with openings at high level only (not less than 1.7m above floor level) and shall be permanently returned and maintained in that condition thereafter unless the prior written consent of the Local Planning Authority is obtained.

A suitable privacy screen across the full extent of the eastern and western edges of the private outdoor terrace space serving flat 6 shall be constructed to a height of no less than 1.7 metres and shall be permanently returned and maintained in that condition thereafter unless the prior written consent of the Local Planning Authority is obtained.

Reason: To minimise interference with the privacy of the adjoining occupiers and between proposed flats.

- 9 The development shall be carried out in full accordance with the methodologies detailed in the Tree Survey, Arboricultural Impact Assessment, Arboricultural Method Statement & Tree Protection Plan (prepared by Hayden's Arboricultural Consultants, dated May 2019 - Ref no: 6099 Rev B) unless alternative details are first agreed in writing by the Local Planning Authority.

Reason: To ensure the development appropriately protects the protected Oak Trees and other trees within the site.

- 10 The development shall be carried out in full accordance with the methodologies detailed in the Flood Risk/Surface Water (SuDS) Assessment (prepared by UK Flood Risk Consultants, dated May 2019 – Ref no: DFRA 728/1402) unless alternative details are first agreed in writing by the Local Planning Authority.

Reason: To ensure the development appropriately mitigates flood risk and improves on site

drainage.

- 11 Prior to the commencement of the development a Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority outlining measures that will be taken to control dust, noise and other environmental impacts of the development.

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

Reason: To ensure a suitably limited impact on surrounding properties.

Pre-commencement Reason: This condition seeks to approve construction practices, which must be accounted for before commencement.

- 12 No works or development shall take place until a scheme of supervision for the arboricultural protection measures required by Condition 9 has been submitted to and approved in writing by the Local Planning Authority. This scheme will be appropriate to the scale and duration of the works and will include details of:

- a. Induction and personnel awareness of arboricultural matters
- b. Identification of individual responsibilities and key personnel
- c. Timing and methods of site visiting and record keeping, including updates
- d. Procedures for dealing with variations and incidents.

The scheme of supervision will be administered by a qualified arboriculturist instructed by the applicant and approved in writing by the local planning authority. The scheme of supervision shall be carried out as approved.

Reason: To prevent any damage to retained trees including TPO trees.

Pre-commencement Reason: There is the potential for trees to be damaged during construction processes and appropriate measures must therefore be prepared and approved prior to construction/commencement being undertaken.

- 13 Details of materials for all external work, including samples which shall be viewed on site or in an agreed location by a planning officer, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development (excluding any demolition, site clearance and the laying of foundations).

The submission shall include details of revised brickwork, which has a colour and texture befitting of the suburban location.

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.

- 14 Further details of cycling parking and refuse storage shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development (excluding any demolition, site clearance and the laying of foundations). Such details shall include: the following:

- The type of cycle stores to be used ensuring the cycle storage is both secure and weatherproof (including elevational details of any external cycle stores within the private garden areas for flats 1 and 2)
- An appropriate arrangement of twelve such cycle storage spaces that provide sufficient spacings between stands and sufficient circulation/aisle space for the stores to be accessed by residents
- A reduction or removal of the short stay visitor cycle parking
- A reconfiguration of the refuse storage, proposing all of the development's refuse

capacity requirements through the sole use of Eurobins with a 240 litre capacity.

The development shall thereafter be implemented in accordance with the approved details prior to commencement of use of the development.

Reason: To ensure a suitable and usable cycle store for residents that will maximise the usability and encourage uptake of cycling among residents and to ensure ease of refuse collection.

- 15 Details of the landscaping within the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development (excluding any demolition, site clearance and the laying of foundations). Such details shall include:
- (i) A planting plan for of the front and rear garden areas, including the provision of a replacement hedge along the boundary with Cherrylands Close;
 - (ii) provision of any front garden wall, fences or other form of boundary treatment to be provided or retained;
 - (iii) any car parking spaces for 5 cars, including the size and siting of the parking area, defined points of access and the surfacing materials to be used;
 - (iv) details of surfacing materials for pathways/patios within the site;

The hard and soft landscape works and boundary treatments shall be carried out in full accordance with the as approved details prior to the use of the building hereby approved, unless alternative timescales have been submitted to and approved to be agreed in writing by the Local Planning Authority and the works shall thereafter be carried out in accordance with the approved timescales .

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

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

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 to form the site access 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 This planning permission does not have any bearing on whether the hedge between the subject site and the neighbouring site to the north should be removed. Whether or not the hedge is removed to accommodate this development would be a civil matter between the applicant and the neighbouring landowner.
- 7 The applicant is advised that landscape features that result in soil mounding (for example, grass banks) have the potential to detrimentally affect the root systems of the protected oak trees on site if implemented within the trees' root protection areas and such an approach should be avoided.
- 8 Given the age of the building to be demolished it is possible that asbestos may be present. The applicant should be reminded of their duties under the Control of Asbestos Regulations and must ensure that a qualified asbestos contractor is employed to remove all asbestos and asbestos-containing materials and arrange for the appropriate disposal of such materials.
- 9 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.
- 10 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

This page is intentionally left blank

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

18 February, 2020
05
18/4920

SITE INFORMATION

RECEIVED	21 December, 2018
WARD	Kilburn
PLANNING AREA	
LOCATION	1-8 INC Neville House & Neville House Garages, Neville Road, 1-64 INC Winterleys and Seahorse Day Nursery, Albert Road, 113-128 Carlton House and Carlton House Hall, Canterbury Terrace London, NW6
PROPOSAL	Demolition of all existing buildings and erection of a part six, nine, ten and twelve storey building arranged around a courtyard (Western Building) providing 135 residential units including a concierge and residential communal room at ground floor and a part four, five, eight, nine and ten storey L shaped building (Eastern Building) providing 84 residential units. Construction of a basement under the Western Building with a car lift and access from Albert Road. The provision of a pedestrian and cycle shared surface along Neville Road, with associated cycle provision, bin stores, landscaping and ancillary works (Revised Description).
PLAN NO'S	See Condition 2.
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_143297</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 "18/4920" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab

RECOMMENDATIONS

Subject to any Stage 2 Direction by the Mayor of London pursuant to the Mayor of London Order, Grant planning permission subject to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Development Management or other duly authorised person to agree the exact terms thereof on advice from the Director of Legal Services and Procurement.

- Payment of Council's legal and other professional costs in the preparation and management of the Agreement
- Notice of Commencement of works
- Notify the Council on sale of proportions of private sale units
- The securing of the affordable units
- Early and late stage viability review
- Public realm and highways works through the submission of a Public Realm Delivery Programme and entering into s38/278 Agreements
- Training and employment
- Submission of Framework Travel Plan, Health Centre Travel Plan and Residential Travel Plan
- Carbon offsetting
- Contribution (figure to be confirmed at a later stage) towards a local carbon off-setting scheme to achieve a zero carbon development
- Restriction of access to parking permits for residents to 22 units in Blocks F & G
- Submission of Public Access Plan, Public Access Delivery Plan, and Public Access Management Plan


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

1. Time Limited Permission
2. Approved Plans/Documents
3. Affordable Units (x112)
4. Private Sale Units (x107)
5. Wheelchair Accessible Units
6. Removal of Permitted Development
7. Contamination
8. Construction and Environmental Plan
9. Construction Logistics Plan
10. External Materials
11. Landscaping
12. Children's Play Space Delivery Plan
13. External Lighting
14. Drainage Strategy
15. Details of Mechanical Plants
16. Air Quality Mitigation Measures Confirmation
17. Detail of Entrance Gates Denmark Road
18. Water Use
19. CHP Units
20. HS2 Structural Details
21. HS2 Tunnel Boring
22. Thames Water Piling Method Statement
23. Considerate Construction
24. PV Panel Details
25. Ecological Enhancements
26. Bat Emergence Surveys
27. Tree Report
28. Bins & Bikes
29. Details of Privacy Screens
30. Details of Satellite Dishes
31. Noise Impact
32. Non-Mobile Machinery
33. Air Quality Boiler Emissions

- 34. Thames Water Waste Water
- 35. Thames Water Surface Water
- 36. Thames Water Network Upgrade
- 37. Overheating
- 38. Wind & Microclimate
- 39. Neville Road Restricted Vehicular Access

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 not that such change(s) could reasonably have led to a different decision having been reached by the committee.
2. That, if the legal agreement has not been completed by the statutory determination date for this application (including determination dates set through agreement), the Head of Planning is delegated authority to refuse planning permission.

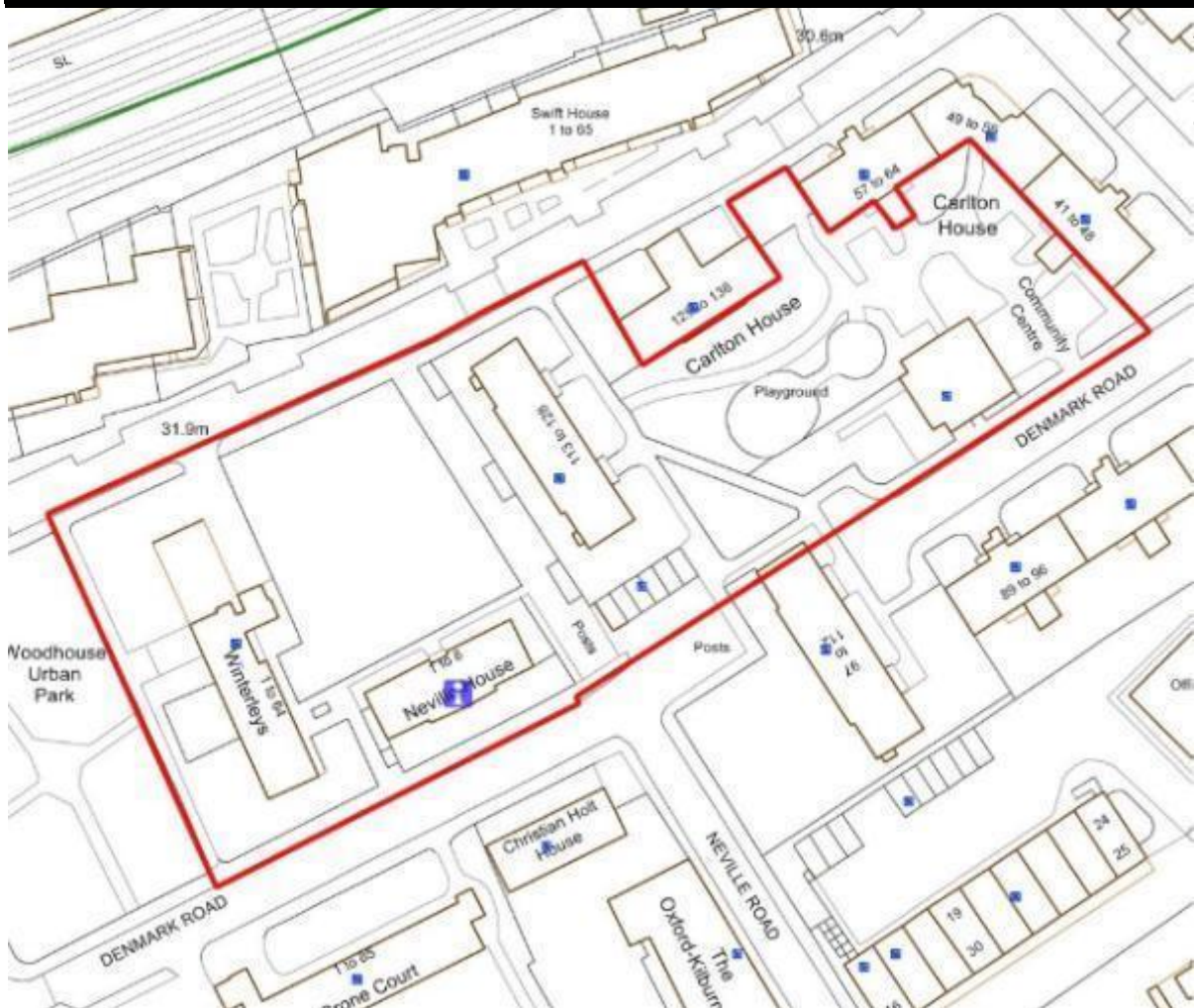
SITE MAP



Planning Committee Map

Site address: 1-8 INC Neville House & Neville House Garages, Neville Road, 1-64 INC Winterleys and Seahorse Day Nursery, Albert Road, 113-128 Carlton House and Carlton House Hall, Canterbury Terrace London, NW6

© Crown copyright and database rights 2011 Ordnance Survey 100025260



This map is indicative only.

PROPOSAL IN DETAIL

Demolition of all existing buildings and erection of a part six, nine, ten and twelve storey building arranged around a courtyard (Western Building) providing 135 residential units including a concierge and residential communal room at ground floor and A part four, five, eight, nine and ten storey L shaped building (Eastern Building) providing 84 residential units. Construction of a basement under the Western Building with a car lift and access from Albert Road. The provision of a pedestrian and cycle shared surface along Neville Road, with associated cycle provision, bin stores, landscaping and ancillary works (Revised Description).

EXISTING

The site is approximately 0.78 hectares and located to the south of Albert Road within the South Kilburn Estate. The site is bound to the south by Denmark Road, Woodhouse Urban Park is located to the west and to the north east are the retained Carlton House residential blocks. To the north of the site is Albert Road and beyond this are residential blocks and the railway line.

The site is located within the South Kilburn Growth Area and subject to the South Kilburn Masterplan and the South Kilburn Supplementary Planning Document. The site forms part of Phase 4 of the 8 Phase Regeneration Programme. The site consists the following:

- Winterleys House (12 storeys, 64 dwellings, with a small nursery at ground floor)
- Neville House (4 Storeys, 8 dwellings)
- Carlton House (4 Storeys 16 dwellings)
- Carlton Hall (Single Storey Community Centre, currently in a meanwhile use as a GP Practice)
- Single storey garages

No part of the site is located within a Conservation Area, nor are any buildings on site listed. The site has a Public Transport Accessibility Level of 5 (PTAL 5). It is noted that a very small part of the north of the site falls within the HS2 Safeguard Zone.

AMENDMENTS SINCE SUBMISSION

It is important to note that the scheme has been amended since these comments, the main changes include a reduction in massing and footprint to Blocks F & G to address impact to outlook, daylight and sunlight to neighboring properties. This has led to a reduction in unit numbers and the incorporation of some affordable housing into the north east corner of Western Block. The design of the extended Neville Road has been altered to address concerns raised by GLA and TfL. This included the omission of car parking on the road and bollard controlled entry restricted to emergency/servicing and refuse vehicles only.

SUMMARY OF KEY ISSUES

The key planning issues for Members to consider are set out below. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Members will need to balance all of the planning issues and the objectives of relevant planning policies when making a decision on the application:

- **Representations received** – Five representations were received, three objected to the scheme whilst two made comments 'neither supporting nor objecting'.
- **Affordable homes / unit mix** – 53.6% provision of affordable homes in affordable rent tenure. 219 flats, 40 of which are 3+ bedroom/family sized dwellings, as such 18% of the new homes would be family sized dwellings. 20% of the affordable provision would be family sized, compared to 17 % of

the market housing being family sized.

- **Quality of accommodation** – The proposed accommodation would be of good quality size and layout, consistent with London plan and Brent Local Plan standards, with good access to light, outlook and amenity space overall. Levels of external amenity space meet Mayoral standards but fall below Brent standards as set out within Policy DMP19. However, given the proximity to open spaces and level of communal amenity space proposed, a good standard of accommodation is considered to be provided.
- **Neighbour amenity** – Some material loss of daylight/sunlight is identified to neighbouring properties, however the scale of harm considered in the context of the Mayor's guidance and the growth and regeneration of the wider South Kilburn Masterplan area is within tolerance and on balance the overall living conditions of these properties would not be significantly harmed and the impacts are considered acceptable.
- **Design** – The design broadly aligns with the layout in the South Kilburn Masterplan SPD, though the scheme is taller and denser, providing a greater uplift in both affordable and market units. The overall design approach is considered appropriate to the locality.
- **Highways** – No significant harm is considered to the highway network. The Western Block would be subject to a parking permit restriction secured by legal agreement and disabled parking can be applied for on street if required. Whereas owing to the nature of the decant 22 family homes within the Western Block would retain rights to apply for a parking permit.
- **Trees, landscaping and public realm** – All trees on site would be removed and measures would be put in place to protect those nearby retained trees off site. The proposed landscaping including the proposed tree planting schedule is considered to offset the loss of trees in terms ecology and visual amenity. The extension of Neville Road is considered to improve the legibility of the estate whilst providing improvements to the public realm.
- **Environment and sustainability** – Consideration has been given to ecology and the sustainable development of the proposals. Subject to appropriate conditions net gains for biodiversity can be secured for the site. The development is subject to requirements to secure 35% reduction over Part L building regulation requirements, net zero emissions target and BREEAM rating of excellent.

RELEVANT SITE HISTORY

84/1707 – Granted

Continued Use as pre-school playgroup (DEL).

CONSULTATIONS

Statutory / Non-statutory Consultees

Greater London Authority

The Greater London Authority were consulted on the originally submitted scheme and provided a Stage 1 response. It is important to note that the scheme has been amended since these comments, the main changes include a reduction in massing and footprint to Blocks F & G, this has led to a reduction in unit numbers and the incorporation of some affordable housing into the north east corner of Western Block. The design of the extended Neville Road has been altered to address concerns raised by GLA and TfL. This included the omission of car parking on the road and bollard controlled entry restricted to emergency/servicing and refuse vehicles only.

It was advised that the scheme did not comply with the London Plan, yet this could be remedied by addressing the following points:

GLA Stage 1 comments	Officer comments on revised scheme
<p><u>Principle</u> _ May comply with London Plan Policy 3.14, draft London Plan Policy H10 and Mayor's good practice guide to estate regeneration. This is subject to the provision of a phase-by-phase breakdown of the entire estate masterplan, which demonstrates the quantum of existing affordable housing is being provided on an equivalent basis across all 8 phases of the estate redevelopment.</p>	<p>The Planning Statement at pages 27 & 28 provides a phase by phase breakdown of the approved dwelling mix by housing mix and tenure as opposed to all 8 phases. However, it serves to demonstrate that this scheme and the wider approved scheme is broadly meeting the objectives of the wider South Kilburn Masterplan.</p> <p>It shows that approximately 1594 flats have been approved, of which 44% are affordable and approximately 23% are family sized dwellings. With 30% of the affordable units approved being family sized dwellings.</p>
<p><u>Housing</u> _ The previously submitted scheme provided 47% affordable housing by habitable room and the GLA noted that this was below the 50% affordable housing outlined in Policies 3.11 and 3.12 of the London Plan and H5 and H6 of the draft London Plan. As such viability would continue to scrutinise this to ensure maximum provision.</p> <p>Both early and late stage reviews were recommended.</p>	<p>Revised scheme provides 53.6% affordable provision. It is therefore felt that this point has been addressed.</p> <p>The Financial Viability is discussed in more detail within the detailed considerations section of the report.</p>
<p><u>Urban Design</u> _ The architectural intent was supported. Further delineation was suggested between pedestrian and vehicle traffic to ensure safety of the landscaping a play features on Neville Road.</p>	<p>The originally submitted scheme included a shared level surface. The scheme has now been amended to provide a kerb upstand, parking has been removed and the road would be bollard controlled with restricted access for refuse/emergency and service vehicles only. It is felt concerns raised have been addressed.</p> <p>This is discussed in more detail within the detailed considerations section of the report.</p>
<p><u>Sustainable Development</u> _ Revisions required before the energy can be considered acceptable and compliance with Policy 5.2 of the London Plan and Policy S12 of the draft London Plan confirmed.</p> <p>The applicant must provide an amended drainage strategy which provides further greenfield runoff rate calculations.</p> <p>Any shortfall in carbon reductions must be detailed and suitable contributions into the borough's carbon offset fund secured by conditions and s106 obligations.</p>	<p>Appropriately worded conditions have been recommended.</p> <p>S106 Carbon offset contributions are sought.</p>

<p><u>Transport</u></p> <p>States the shared surface was contrary to Policy D7 of the London Plan and measures should be taken to reduce conflict between vehicles and pedestrian.</p> <p>Noted that cycle parking should comply with the London Plan that parking should be reduced and does not accord with policy T6.1 of the draft London Plan.</p> <p>A revised Parking Design and Management Plan, Travel Plan, Servicing and Deliveries Plan and Construction Logistics Plan must be provided and adequately secured by Condition and 106 agreement</p>	<p>As stated Neville Road has been revised and it is felt the conflict has been sufficiently addressed. Parking has been reduced with no spaces on Neville Road.</p> <p>This is discussed in more detail within the detailed considerations section of the report.</p>

Transport for London

TfL were consulted on the originally submitted application and raised objections on the basis that they considered the development was dominated by the car and did not contribute to the Healthy Streets principles. They advised that the development should be car free and parking should be significantly reduced to disabled parking only. They requested cycle provision be clarified. TfL requested modal split assessment should be reviewed and an assessment of local stations, lines and bus route capacity should be investigated so that full assessment of the development's impact can be assessed. The scheme has since been revised with parking spaces omitted road Neville Road and bollard controlled access for emergency/servicing and refuse vehicles only, thereby reducing the dominance of the cars. These transport considerations are discussed in detail in the detailed considerations section of this report.

London Borough of Westminster

No objections are raised.

Thames Water

It has been advised that there are no objections subject to conditions and Informatives.

High Speed 2

It has been advised that there are no objections subject to conditions and Informatives

Internal Consultees

Brent's Environmental Health, Transport and the Lead Local Authority have been consulted and raised no objections subject to conditions. Their responses and conditions are discussed in the detailed considerations section of this report.

Public Consultation

Letters were sent to the occupiers of 641 nearby properties and the Queen's Park Residents Association, in addition to site and press notices (January 2019). Following revised plans a full public re-consultation took place (January 2020).

In total comments were 5 comments were received, 2 'neither objected nor supported the application' and 3 were objections. It is important to note that 4 of these were received in the initial round of consultation and one objection was received in the later round of consultation with reference to the revised scheme.

Five letters of objection were received raising some or all of the following points:

Comment	Response
<p>Parking Impact to local parking conditions, sufficient spaces should be allocated. Parking zone should be created for the development to prevent new development or existing residents encroaching on each other's parking. If sufficient parking is not shown number of units should be reduced.</p>	<p>Please see Transport section of this Report.</p>
<p>Cycle Parking Cycling provision inadequate especially due to lack of parking, this would result in bikes parked outside, attracting blight and crime.</p>	<p>Sufficient cycle provision has been provided please see Transport section of this Report. As such there is not a shortfall in provision for cycling meaning that the development is unlikely to encourage this behaviour.</p>
<p>Neighbouring Amenity Loss of privacy, light and outlook including balconies these were the appeal when purchasing.</p> <p>Overlooking</p> <p>Reduces light would increase energy use for flats affected. Suggests that compensation could be provided.</p> <p>Eastern Block should be reduced due to impact to Carlton House Block 129-136.</p> <p>Objector refers to reduce by light by 40% loss of light to room, bedrooms also lose light.</p> <p>States Appendix 2 incorrectly labels plans as 57-64.</p> <p>Balconies do not block light as suggested.</p> <p>Negative impact to neighbourhood. Notes at time of purchase plans were to build up to 6 a maximum of 6 storeys.</p>	<p>Please see Residential Amenity section of this Report.</p> <p>Although the title at the bottom of the page states it relates to 57-64, it is clear the diagram encompass all units from number 41-64 Carlton House.</p> <p>The submission states that balconies have self-hampering impacts. This is not to say that there is no light due to the presence of balconies but they do limit light.</p> <p>The SPD is indicative only and the increased height is considered acceptable as discussed in the Design & Residential Amenity sections of this Report.</p>

<p>Amenity space/courtyards overshadowed, private and enclosed land. Previously was open and accessible to all.</p> <p>Requests Council to imagine South Kilburn Parks being overshadowed now that the 2004 Masterplan has been cancelled by greed based bad design.</p> <p>External walkway lighting results in light pollution, states exiting lights would cause disturbance, could be resolved by limiting light in walkways outward.</p> <p>Tree proposed near Carlton House 41-48 would block light, location should be re-considered.</p>	<p>Please see Residential Amenity section of this Report.</p> <p>A condition is recommended in reference to external light and this would be reviewed at a later stage.</p> <p>It is rare to see a 10-12m tall <i>Amelanchier lamarckii</i>, normal height would be around 6-7 m. The tree has a light foliage pattern and a branch structure which is not overly dense, making it an ideal species to have in closer proximity to buildings.</p> <p>This taken with the distance to the buildings (4m) means it is not considered to give rise to adverse impacts to the amenity of occupants.</p>
<p>Character and Appearance Negative impact to neighbourhood.</p> <p>Acknowledges that scheme has been reduced since submission but states that this is not enough. States a further floor should be reduces and length of block should be half the length, and should be set further away from Carlton House Block 41-48 to integrate into the streetscene better.</p> <p>Eastern Block (Neville Road) does not fit with townscape, should be smoother not stepped.</p>	<p>Please see Design Considerations section of this Report.</p>
<p>Open Space/ Trees and Landscaping</p> <p>Increased built from/concrete, loss of green space, amenity space and trees.</p> <p>South Kilburn is a social challenge with an existing population who are used to open green spaces and 'homes of landscape. States this was before 'super prime, no plan, land mining (Brent Enclosures anti-social enterprise) arrived here'</p>	<p>Please see Trees & Landscaping section of this Report.</p>
<p>Density</p> <p>Garden area replace with 8-12 storeys, resulting in an area packed with concrete. Increase in traffic in</p>	<p>The density of the proposal is considered acceptable within</p>

<p>narrow roads. Overcrowded and 'overbuilt'.</p>	<p>the South Kilburn Regeneration Area. The impact to the character of the area is discussed in the Character and Appearance section of this Report.</p>
<p>Estate Regeneration Ballot</p> <p>Objection states the estate balloted the South Kilburn Masterplan of 2004, states this was cancelled in 2017 by Brent only 1/3 complete. States that the blocks were limited to between 4-6 storeys.</p> <p>Refers to 'Wembley Matters' and says that the application would require a new ballot. States the 2004 Masterplan would be cancelled and sub-ballots used 15 years later to drive 'dystopian overbuild pile up anti-social enterprise'.</p> <p>Plans now 're-tower' the estate. Refers to Battersea Power Station and the overshadowing, states this is compensated by green roofs.</p>	<p>The height and massing shown in the Masterplan is indicative only and each application is also subject to an individual assessment.</p> <p>A residential ballot was held in September/October 2019, a requirement for all regeneration schemes to access Mayoral funding. 84% of residents voted in favour of the continued regeneration of South Kilburn.</p> <p>Green roof are proposed along with PV panels. Refer to Residential Amenity section for discussion on Daylight and Sunlight.</p>
<p>Increased Housing</p> <p>One comment states if other impacts are addressed the application would be supported as it supports much needed housing.</p>	

POLICY CONSIDERATIONS

The London Plan

Policy 2.14	Areas for regeneration
Policy 3.1	Ensuring equal life chances for all
Policy 3.3	Increasing housing supply
Policy 3.4	Optimising housing potential
Policy 3.5	Quality and design of housing developments
Policy 3.6	Children and young people's play and informal recreation facilities
Policy 3.7	Large residential developments
Policy 3.8	Housing choice
Policy 3.9	Mixed and balanced communities
Policy 3.10	Definition of affordable housing
Policy 3.11	Affordable housing targets
Policy 3.12	Negotiating affordable housing
Policy 3.13	Affordable housing thresholds
Policy 3.14	Existing housing
Policy 3.16	Protection and enhancement of social infrastructure

Policy 5.1	Climate change mitigation
Policy 5.2	Minimising carbon dioxide emissions
Policy 5.3	Sustainable design and construction
Policy 5.5	Decentralised energy networks
Policy 5.6	Decentralised energy in development proposals
Policy 5.7	Renewable energy
Policy 5.8	Innovative energy technologies
Policy 5.9	Overheating and cooling
Policy 5.10	Urban greening
Policy 5.11	Green roofs and development site environs
Policy 5.12	Flood risk management
Policy 5.13	Sustainable drainage
Policy 5.14	Water quality and wastewater infrastructure
Policy 5.15	Water use and supplies
Policy 5.16	Waste net self-sufficiency
Policy 5.18	Construction, excavation and demolition waste
Policy 5.19	Hazardous waste
Policy 5.21	Contaminated Land
Policy 6.3	Assessing the effects of development on transport capacity
Policy 6.9	Cycling
Policy 6.12	Road network capacity
Policy 6.13	Parking
Policy 7.1	Lifetime neighbourhoods
Policy 7.2	An inclusive environment
Policy 7.3	Designing out crime
Policy 7.4	Local character
Policy 7.6	Architecture
Policy 7.7	Location and design of tall and large buildings
Policy 7.8	Heritage assets and archaeology
Policy 7.14	Improving air quality
Policy 7.15	Reducing noise and enhancing soundscapes
Policy 7.19	Biodiversity and access to nature

Draft London Plan 2019

In addition, consultation was carried out on the Publication Stage (Regulation 19) of Brent's new Local Plan from 24 October to 5 December 2019. The draft London Plan has been subject to an Examination in Public. These documents carry increasing weight in the assessment of planning applications as they progress through the statutory plan-making processes.

Key relevant policies from these documents include:

Draft London Plan 2019

Key policies include:

- H1 - Increasing Housing Supply
- H5 - Delivering affordable housing
- H6 - Threshold approach to applications
- H7 – Affordable housing tenure
- H10- Redevelopment of existing housing and estate regeneration
- H12 - Housing size mix
- 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

Core Strategy

CP1 Spatial Development Strategy
CP2 Population and Housing Growth
CP5 Placemaking
CP6 Design & Density in Place Shaping
CP9 South Kilburn Growth Area
CP15 Infrastructure to Support Development
CP17 Protecting and Enhancing the Suburban Character of Brent
CP18 Protection and Enhancement of Open Space, Sports and Biodiversity
CP19 Brent Strategic Climate Change Mitigation and Adaptation Measures
CP21 A Balanced Housing Stock
CP23 Protection of Existing and Provision of New Community and Cultural Facilities

Development Management Document

DMP 1 Development Management General Policy
DMP9a Managing Flood Risk
DMP9b On Site Water Management and Surface Water Attenuation
DMP12 Parking
DMP13 Movement of Goods and Materials
DMP15 Affordable Housing
DMP18 Dwelling Size and Outbuildings
DMP19 Residential Amenity Space

Other Relevant Policy Considerations

National Planning Policy Framework (NPPF)
Planning Practice Guidance (PPG)
Technical housing standards – nationally described space standards (2015)
National Design Guide (2019)
draft London Plan (December 2019)
Mayor of London - A City for all Londoners
Mayor's Good Practice Guidance to Estate Regeneration
LB Brent S106 Planning Obligations SPD (2013)
LB Brent Design Guide for New Development (SPD1)
LB Brent Residential Extensions & Alterations (SPD2)
LB Brent Basement SPD (Jun 2017)
LB Brent South Kilburn SPD 2017
LB Brent Waste Planning Guide SPG
LB Brent Air Quality Action Plan 2017-2022
Community Infrastructure Levy Regulations 2010
London Cycling Design Standards

DETAILED CONSIDERATIONS

Principle

1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that 'If regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the development plan unless material considerations indicate otherwise'.
2. The London Plan paragraph 2.14 includes South Kilburn as an area for regeneration. The principle of the redevelopment of the site is established by the South Kilburn Masterplan and Revised Supplementary Planning Document 2017. Pages 134-137 (Part 4) outline that the site is to be developed for mixed

tenure housing. The SPD sets a brief with design principles separately for 'Carlton House' (113-128 Carlton House and Carlton Hall) and 'Neville & Winterleys (Neville House and 1-64 Winterleys).

3. For Carlton House (east side of site) the SPD sets an indicative development capacity of 66 mixed tenure dwellings over an L-shaped building ranging between 4-6 storeys, with strong frontage onto Denmark Road and Neville Road. For Neville House and Winterleys (west side of site) the SPD sets an indicative development capacity of 137 dwellings over 2-9 storeys, ensuring the taller elements front Woodhouse Urban Park with breaks in height. This scheme broadly aligns with these design principles as discussed in the Design Considerations Section of the report.
4. It is acknowledged that the development exceeds the indicative heights outlined within the South Kilburn SPD. The heights are indicative only and that the proposal accords with the main principles of the masterplan, is reflective of the scale and massing of nearby development, whilst optimising the use of the Land in accordance with the London Plan Policy 3.3 of the London Plan and Policy GG2 of the draft London Plan and Policy CP2 of the Brent Core Strategy.
5. 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. Table 3.1 of the current London Plan gives Brent an annual housing target of 1,525 new dwellings while the draft London Plan (Table 4.1) significantly increases this to 2,915. It should be noted that with regard to the housing targets of the draft London Plan, the Inspectors' EIP Report, if accepted by the Mayor, would reduce this figure to 2,325.
6. 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.
7. The site (approximately 0.78ha) is located within an area with a public transport accessibility level ("PTAL") of 5-6, suggesting that an appropriate level of density for this urban location is in the range of 70-260 u/ha (200-700 hr/ha) for urban sites. The density for the proposed scheme exceeds the prescribed range at 280 u/ha and 788hr/ha. The proposed density is considered appropriate within its setting and would be a significant contribution towards meeting the Councils higher housing targets.
8. Notwithstanding the density figures above, policy acknowledges that a numerical assessment of density is but one factor to consider in assessing whether the site is capable of accommodating the proposed development. 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 the satisfactory resolution of any highways matters. Some of these matters have been discussed above, and the remainder will be discussed below.

Loss of Community Use Community Centre

CS Policy CP23 seeks to protect existing community facilities. It is noted the site includes Carlton Hall a former community use, this has been in a 'meanwhile' use as a GPs Surgery due to the closure of the Peel Site GP Surgery. The development would result in the loss of this centre a small community use (106sqm) on the ground floor of Winterleys Block. Carlton Hall was previously used by the South Kilburn Trust, which was re-located to the Carlton and Granville Centre. Section 7 of the South Kilburn SPD outlines the intention to consolidate or replace facilities with new ones, whilst noting that facilities should remain unless there is no need for them not just from their existing users but also potential other occupants.

9. A number of community centres have been completed as part of the regeneration (St Augustine's Sports Hall, The Tabot Centre After School Club under the Granville New Homes development; The Xhamia e Shqiptareve Community and Cultural Centre formerly the Old Shamrock, The Vale Community Centre and facilities within Moberly Sports Centre). The re-development of the Carlton and Granville Centre has recently been approved and would be accessible to all South Kilburn Estate residents. In addition a new school is

proposed within the Wordsworth and Masefield Site which will also enable out of hours community use.

10. Given the wider completed and proposed consolidation of community and education uses across the South Kilburn Regeneration Programme, the loss of community use is considered acceptable in principle in this instance. It is important to note that the indicative site specific parameters do not set an expectation for the provision of any community use on site.

Design Considerations

Layout and Access

11. The proposed layout broadly aligns with the indicative layouts outlined for the site on Pages 134-137 of the South Kilburn Supplementary Planning Document 2017. In line with the SPD, the development comprises two distinct built forms of development (Western and Eastern Blocks) separated by proposed extended Neville Road. Neville Road would be restricted to pedestrians and cyclists with bollard controlled access for emergency and service vehicles only.
12. The Western Block would be a courtyard block arrangement located adjacent to Woodhouse Urban Park. At ground floor level residential entrances are located along Denmark Road, Albert Road and Neville Road, with a residential communal room and concierge proposed at the corner of Denmark Road and Woodhouse Urban Park. Car Parking will be provided in a Basement underneath the northern half of the building and accessed via a car lift from Albert Road.
13. The Eastern Block comprises an L-shaped building fronting Neville Road and Denmark Road where residential entrances are located at ground floor level. This side of the site rationalises the existing courtyard amenity space and parking spaces and it is important to note that the retained Carlton House Blocks would retain access and use of their parking spaces and the new courtyard.

Scale and Massing

14. The Western Building varies in height between 6 and 12 storeys. The taller elements front Woodhouse Urban Park with 9 storeys (Block A) nearer Albert Road which increased to 12 storeys closest Denmark Road (Block B). The height steps down in the middle to 6 storeys along Albert Road and Denmark Road. The blocks fronting Neville Road range from 6 storeys which rises to a 10 storey block at the junction of Denmark Road (Blocks C & D).
15. The taller elements of the Eastern Building front Neville road with a 9 storey Block at the junction with Albert Road, reducing to 8 storeys in the centre and rises again to 10 storeys at the junction with Denmark Road (Block E). The height drops to 5 storeys to its eastern side and again reduces to 4 storey (Blocks F & G).
16. The South Kilburn SPD defines indicative massing for the site (Pages 134-137). Whilst the massing is broadly in line with that indicated within the SPD, it is recognised that parts are notably higher.
17. The changing character of the locality is acknowledged and accepted in regard to the wider regeneration of the estate. The increase in scale and massing is considered acceptable when compared to existing developments such as Craik Court (12-storeys), Hereford House (18-storeys) and Crone Court (12-storeys), and with more recent developments such as George House (11-storeys) and the proposed Peel scheme which buildings ranging between 5 and 16 storeys.
18. Having regard to the above, it is considered that the additional height, when viewed in the context of the, the surrounding development and proposals coming forward, is acceptable and will not be out of keeping, scale and character.

Elevations

19. The proposal takes some design cues from 19th Century mansion blocks. The street facing elevations would be finished predominantly in red brick, with re-constituted stone utilised for architectural detailing. The setbacks include bronze cladding which is considered to effectively break up the massing. White brick is utilised for the courtyard facing elevations to maximise light by creating bright and reflective

surfaces. Further details of materials would be secured by condition. Overall the proposed development is well designed and would be an appropriate and attractive addition within the streetscene.

Quality of Accommodation

20. To improve the quality of new housing, new development must meet with or exceed the minimum internal space standards contained within the London Plan (Policy 3.5 Quality and design of housing developments), and the nationally described space standards ("Technical Standards"). All units will continue to meet with or exceed the respective minimum standard. The proposed design approach includes the addition of deck/gallery access which is supported as it has maximised dual aspect units and could foster social interaction.
21. In terms of internal daylight, Average Daylight Factor (hereafter referred to as ADF) and Daylight Distribution (hereafter referred to as DD) testing has been undertaken to all habitable rooms/windows, the Annual Sunlight Probable Hours (hereafter referred to as APSH) test has been used to test sunlight and overshadowing has been tested to ground floor gardens within the proposed scheme. The ADF testing shows 75.8% (523) of rooms tested (x690) meet the targeted values of the BRE guide. The DD testing shows 67.3% (464) of rooms tested (x690) meet the targeted values of the BRE guide
22. In terms of sunlight, 211 rooms (30.6%) of all tested (x690) comply with BRE Targets, when considering south facing windows only (x461) the compliance increases to (46%).
23. The majority of homes achieve good levels of daylight to internal areas, many of the windows that reach are located beneath balconies that can have self-hampering effects, though conversely the balconies offer amenity benefits. On balance, having regard to the nature of the scheme and surrounding developments, it is considered that the living conditions of future residents in terms of daylight/sunlight is acceptable when weighed against the benefits of the scheme.
24. SPD 1 (2018) also advocates that development should provide adequate privacy for the new residents. Proposed Blocks A, B, C and D (referred to as the Western Block) form a courtyard style arrangement with inward facing balconies and communal amenity space within the courtyard. All directly opposing windows maintain the 18m separation distance.
25. The directly opposing windows of Block E on the eastern block and blocks C and D on the western block do not maintain an 18m separation distance, instead they maintain a distance of approximately 16m between opposing habitable windows, the distance between opposing balconies is approximately 14m. These distances are considered acceptable given the intervening 'Neville Road' public realm space, this intervening road is considered more public in nature and the proposed separation distances and balconies would offer natural surveillance.
26. It is noted that some windows may afford some oblique and intermittent views in day to day use between the residential uses and staircases, namely at the corners between the central blocks and the corners of Blocks A, B, C and D. However these are between staircases and habitable rooms and therefore would not result in conflicting views between future occupants of habitable rooms.
27. Some of the proposed amenity spaces are located with less than 9m between balconies and gallery access giving the opportunity for overlooking. In the interest of protecting future occupant's privacy a condition is recommended for a plan indicating balconies to be installed with privacy screen and details of these.
28. On balance the development would retain adequate privacy for future occupiers and neighbouring uses.

Amenity Space Provision

29. New developments, as confirmed by DMP19, should be providing private amenity space to all dwellings (normally 20sqm per flat, 50sqm for family housing). All proposed units provide private amenity space via balconies and ground floor terraces in line with standard 25 of Mayor's Housing SPG.
30. Where there is a shortfall in private amenity space, this should be made up through the provision of external amenity space. Two communal courtyard spaces would be provided, the eastern courtyard provides approximately 560sqm and the western courtyard provides approximately 582 sqm, giving a total area of 1142sqm.

- 31. Proximity to public open space can also be a mitigating factor which can be considered. The site is well served by existing open space. Kilburn Park is opposite, on the southern side of Carlton Vale. Queens Park is located both 800m of the site. Woodhouse Urban Park, which includes play for older children, is located directly adjacent to the west of the site.
- 32. The proposal falls short of the Council's standards for external amenity space as set out within Policy DMP19. However, the proximity to the public open space and provision of communal amenity space outlined above is considered to be a mitigating factor and in this instance the proposal provision of external amenity space below DMP19 is considered to be acceptable.

Child Playspace

- 33. Play space provision to cater to a range of age groups is proposed in accordance with the Mayor's 'Play and Informal Recreation' SPG, Policy 3.6 of the London Plan and draft Policy S4. Applying the playspace calculator, the estimated child yield is 116.6 children, which generates a requirement for approximately 1160sqm.

Age Range	No. of Children	Required play space (m2)
Under 5	51	510
5-12	39	390
12+	26	260
Total	116	1160

- 34. The proposal provides onsite playspace appropriate for under 5's via playspace equipment in both courtyards as well as informal play equipment on Neville Road. Taken cumulatively the onsite playable play space for under-fives exceeds the requirement outlined above.
- 35. Although there is a shortfall in playspace for the 5-12 and 12+ age ranges, in this circumstance the childplay space is considered acceptable owing the proximity to the adjacent Woodhouse Urban Park and Kilburn Park, on the opposite side of Carlton Vale. Details for the playspace will be secured by condition.

Impact to Residential Amenity

- 36. The impact on neighbours is a material consideration, and Policy DMP1 seeks to ensure that this is acceptable. The development is assessed against the standards within Brent's SPD1 guidance for new developments in respect of their impact on the nearest existing residential units and the other proposed residential blocks within the development.
- 37. The site is within the South Kilburn Growth Area and South Kilburn Regeneration Area. The context of the site sees residential uses to the north of the site, beyond Albert Road with the completed and occupied residential blocks George House and Swift House varying in height between 5 to 11 storeys. To the immediate east of the site is Woodhouse Urban Park, beyond which is Rupert Road and the residential block of Wallbrook Court is located over 45m from the application site. To the immediate south of the site in Denmark Rod, beyond which as existing are residential blocks, including Crone Court, Christian Hold House, Carlton House (no.s 97-112 & no.s 73-96), these form part of Phase 6 of the wider Regeneration Programme. To the east of the site is Canterbury Terrace, beyond which are the four storey residential flats of Carlton House no.s 1-40, these flats do not form part of the current regeneration programme.
- 38. It is important to note that the L-shaped four residential block (no.s 41-57) located to the north east side corner of the site and the four storey detached residential Carlton House Block (no.s 129-136) would be retained and do not form part of the current wider South Kilburn Regeneration Programme.

Privacy

- 39. The design guide for new developments SPD1 outlines the minimum distance between habitable facing windows is 18m and distance from windows to private amenity space should be 9m.

40. The only private amenity spaces that could be feasibly affected by the development are the balconies of the surrounding residential blocks, the proposed development retains at least 9m to all nearby private amenity spaces and thereby complying with SPD 1 (2018).
41. The habitable windows and balconies of proposed Block A and its proposed adjacent block maintain a distance of at least 18m to opposing habitable rooms and balconies of George House beyond Albert Road. It is noted opposing habitable room balconies and balconies between the proposed blocks B, C, D, E, F and G do not comply with the 18m separation distances outlined in SPD 1 with reference to the residential blocks located beyond, Albert Road, Rupert Road and Denmark Road respectively. However, this is considered acceptable given the public setting and intervening public highway which reduces perception of overlooking of individual properties and provides natural surveillance.
42. The 18m standard outlined in SPD 1 would applied more rigorously in more private settings. The proposed eastern block would be L shaped, with Blocks F and G oriented opposite retained Carlton House 129-136 as well as no.s 57-64 and the east elevation of proposed Block G would oppose the front elevation of retained Carlton House Block no.s 41-48.
43. Proposed Block G's windows serving the east and north elevations maintain a distance of at least 18m to opposing Carlton House no.s 41 -48, no.s 49-56 and 57-64 respectively. Proposed Block F and G's north elevation is designed with gallery access which would directly oppose Carlton House no.s 129-136. The gallery design provides access to the flats within these blocks, with a recessed area by the entrances to store two bikes. This area is not considered to form private amenity space, nevertheless the recessed and projecting elements retain an 18m separation distance to opposing windows/balconies.
44. Owing to the slightly projecting but enclosed balconies of Carlton House no.s 129-136, there is a small part of blocks F and G that fall marginally short of the 18m separation distance maintaining a distance of at least 17m. Given the very marginal.
45. Side windows are located in the west elevation of Carlton House no.s 129-136 which are located at distance of approximately 5.2m from windows serving habitable rooms of proposed Block E. However, these are at an oblique angle.
46. The layout of the site, orientation of proposed blocks compared to proposed blocks and separation distances and intervening roads is such that residential amenity of surrounding properties is sufficiently maintained.

Daylight and Sunlight

47. The originally submitted scheme has undergone reductions in height and mass to improve the daylight/sunlight and outlook impact to surrounding residential flats. In particular the footprint of Block G was reduced to increase the separation distance to Carlton House blocks and the height of Blocks F & G were reduced by two stories.
48. The design guide for new developments SPD1 outlines the 30 and 45 degree principles on pg.27. Where there are failures of these principles the impact on outlook and the sense of enclosure to neighbouring properties and garden space can increase. When considered with a daylight/sunlight study it can be established if any significant harm would arise to residential amenity.
49. The applicant has submitted a revised daylight sunlight analysis accounting for the revised scheme which is based the Building Research Establishment (BRE) guidance *Site layout planning for daylight and sunlight: a guide to good practice*, which advises on planning developments for good access to daylight and sunlight, and is widely used by local authorities during planning permission to help determine the impacts of new developments.
50. The London Plan SPG – Housing gives guidance stating at paragraphs 1.3.45 and 1.3.46:

1.3.45 An appropriate degree of flexibility needs to be applied when using BRE guidelines to assess the daylight and sunlight impacts of new development on surrounding properties, as well as within new developments themselves. Guidelines should be applied sensitively to higher density development, especially in opportunity areas, town centres, large sites and accessible locations, where BRE advice suggests considering the use of alternative targets. This should take into account local circumstances; the need to

optimise housing capacity; and scope for the character and form of an area to change over time.

1.3.46 The degree of harm on adjacent properties and the daylight targets within a proposed scheme should be assessed drawing on broadly comparable residential typologies within the area and of a similar nature across London. Decision makers should recognise that fully optimising housing potential on large sites may necessitate standards which depart from those presently experienced, but which still achieve satisfactory levels of residential amenity and avoid unacceptable harm.

51. In line with the flexibility outlined in the NPPF and The London Plan, where tests show windows and rooms do not meet BRE tolerances, other brackets have been used to gauge impact. For example categories of 0.6-0.8 former values have been used when assessing and summarising results.

52. The impact of the proposal on daylight and sunlight has been considered by the applicant. The following properties were considered for impact:

- Wallbrook Court; Falconbrook Court; George House; Swift House; Carlton House (41-63, 81-96 and 129-136); Christian Holt House; Peel Site; Crone Court

53. The table below shows the number of windows/rooms against each test and the level of complaint with BRE Guidance (where applicable).

Test	BRE Compliant
VSC (856 Windows)	510 (59.6%)
DD (533 Rooms)	386 (72.4%)
ADF (533 Rooms)	422 (79.2%)
APSH (322)	201 (62.4%)

Wallbrook Court

54. This is a residential block of flats that has been completed as part of the South Kilburn Regeneration Programme and sits east of the site beyond Rupert Road. The two windows that do not meet VSC BRE targets retain a value of at least 0.6. . 3 rooms do not meet DD testing, two of these have scores of 0.74 and 0.76 which is only a small margin short of the 0.8 target. The other windows that fall short have a ratio reduction score of 0.69 . 45 rooms were ADF tested, 44 (97.7%) were BRE compliant, with the remaining 1 room (2.2%) did not meet target levels. The room would retain between 0.6-0.8 times the former value.

55. All rooms complied with BRE APSH (Annual Probable Sunlight Hours - hereafter referred to as APSH).

Falconbrook Court

56. This building is a residential block of flats located south east of the proposed development and beyond Denmark Road.

57. 7 of the 9 windows passed VSC testing leaving 2 that did not meet the BRE target values, both windows had ratio reductions scores above 0.77 a small margin short of the 0.8 target. All rooms met BRE DD and in reference to ADF retained at least 0.8 times the former value.

58. APSH testing was not applicable.

George House

59. This is a residential block of flats, located north of the proposed development beyond Albert Road.

60. Of 160 windows, 116 passed VSC testing (72.5%) leaving 44 (27.5%) which did not meet BRE targets,. 20 (12.5%) of those achieved between 0.6-0.8 times their former value, 6 (3.75 %) would retain between 0.5-0.6 times their former value and 18 (11.25 %) would retain less than 0.5 times their former value. The worse affected are located in George House Block D and are located at ground floor, although there are windows on all floors that do not meet the BRE targets.

61. In regards to DD, 114 rooms were tested of which 81 (71%) completed with BRE Guidance, 33 (28.9%) rooms did not meet BRE targets. Of these, 17 retained values between 0.6-0.8, 8 retained values of between 0.5-0.6 and 8 retained values less than 0.5 times their former value.
62. 93 (81.6%) of those ADF tested rooms were BRE compliant, 21 rooms (18.4%) did not meet BRE targets. 11 rooms (52.38%) would retain between 0.6-0.8 times the former value, 8 rooms (38%) would retain between 0.5-0.6 and 2 rooms (9.5%) would retain less than 0.5 times the former value.
63. 98 rooms were APSH tested, with 68 (69%) comply with BRE, 27 (27.6%) rooms fell short of BRE targets of which 14 rooms retain values between 0.6-0.8 times the former value, 11 of these are considered to be marginal given that they retain at least 0.7 times their former values. 3 windows retain value between 0.5-0.6 of the former value and 10 retained less than 0.5 times the former value.

Swift House

64. This is a residential block of flats, located north of the proposed development beyond Albert Road.
65. Of the 159 windows VSC tested, 67 (42%) were BRE compliant, 92 (57.9%) did not comply, 48 (52.17%) would retain former values of between 0.6-0.8. 15 (16%) would retain values between 0.5- 0.6 and 29 windows (31.5%) of windows would retains less than 0.5 times their former value.
66. In regards to DD, 112 rooms were tested and 83 (74.1%) comply with BRE, with 29 (25.9%) did not meet BRE target levels. Of these 29, 22 (75.86%) retain values between 0.6-0.8 times their former value. 3 (10.3 %) of failures retain between 0.5-0.6 of their former value and 4 (13.8%) retain less than 0.5 times their former value.
67. 112 rooms were ADF tested, 106 (62.5%) were compliant, with the remaining 42 (24.28%) not meeting target levels. Of these rooms, 31 rooms (73.8%) would retain between 0.6-0.8 times the former value, 10 rooms (23.80%) would retain between 0.5-0.6 and 1 room (2.38%) would retain less than 0.5 times the former value.
68. 107 rooms were APSH tested, 40 rooms (37.4%) comply with BRE Guidance and 48 rooms (44.85%) did not. Of these, 48, 6 rooms (33%) retain between 0.6-0.8% of their former value, 12 rooms (25%) retain between 0.5-0.6 times their former value. 20 rooms (18.69%) retain less than 0.5 times their former value.

Carlton House (41-63, 81-96 and 129-136)

69. These Carlton House Blocks are four storey residential blocks located to the north and north east of the site and given their siting and proximity to the proposed site have the potential to be one of the more sensitively affected buildings.
70. 183 windows were VSC tested, 109 windows comply (59.23%) leaving 75 (40.76%) which did not meet the BRE VSC Guidance. 32 (42.66%) would retain former values of between 0.6-0.8 times former value, 15 (20%) retain between 0.5-0.6 and 28 windows (37.33%) retain less than 0.5 times their former value.
71. With regard to DD testing, 140 rooms were tested of which 88 (62.86%) complied with BRE Guidance, 52 rooms (37.14%) did not comply with BRE, of the failed windows 26 rooms (50%) retained between 0.6-0.8 of their former value, 9 rooms (17.3%) retained 0.5-0.6 times their former value and 17 (32.7%) retained less than 0.5 times their former values.
72. 140 rooms were ADF tested, 106 (75.71%) were compliant, with the remaining 34 (24.28%) failing. Of the failed rooms, 27 rooms (79.41%) would retain between 0.6-0.8 times the former value, 1 rooms (2.94%) would retain between 0.5-0.6 and 6 rooms (17.65%) would retain less than 0.5 times the former value.
73. Of the rooms that do not meet ADF tolerances in Carlton House 129-136, 18 windows would retain between 0.6-0.8 times their former value in reference to ADF. One room would retain between 0.4- 0.6 times its former value, this is a Living Room located at first floor. A total of three rooms would experience more severe impact retaining less than 0.5 times their former value, these rooms are living rooms located at ground and first floor. It is noted that Carlton House living rooms are served by balconies. These structures can create a self-hampering effect in terms of daylight provision to the site-facing residential

rooms below them.

74. Only three windows within Carlton House 41-64 & 81-96 do not meet the ADF tolerances within these blocks and these are living rooms located at ground floor. Two retain values of between 0.5 and 0.6 whilst one would retain less than 0.5 times its former value. Again the self-hampering effects on these balconies are acknowledged. All other rooms comply with ADF tolerances retaining at least 0.8 times their former values.
75. APSH testing found 65 windows were BRE compliant, 12 were not BRE compliant, of which 11 retained less than 0.5 times their former value and 1 between 0.6-0.8 times former value.

Christian Holt House

76. This is a two storey residential building located south of Denmark Road.
77. Of the 9 windows VSC tested, 1 complied with BRE Guidance and 1 retains between 0.5-0.6 times its former value, with 7 retaining less than 0.5 times the former value. The 1 window tested for APSH was BRE compliant. 6 rooms were tested for DD, 1 was compliant, 1 retained between 0.6-0.8 times the former value and 1 would retain less than 0.5 times its former value. 6 rooms were ADF tested, 1 room was BRE compliant and 5 retained values between 0.5-0.6.

Peel Site

78. To the south of the site beyond Denmark Road is are the buildings of 65-112 Carlton House , these are to be demolished as part of the Peel Development Site which forms part of Phases 3a & 3b of the South Kilburn Regeneration Programme. The Assessment asserts that detailed plans have been used using the public access website
79. 163 windows were VSC tested and 103 (63.19%) met BRE guidance, 60 fell short of BRE targets, 15 of these windows (25 %) retained values between 0.6-0.8 times their former value, 18 windows (30%) would retain values between 0.5-0.6 and 27 windows (45%) retain less than 0.5 times their former value.
80. 110 rooms were tested for DD and 85 rooms (77.27%) complied with BRE guidance, with 25 windows (22.72%) not meeting the BRE target levels. Of these rooms, 15 rooms (60%) retained values between 0.6-0.8 times their former value, 2 rooms (8%) retain between 0.5-0.6 and 8 (32%) would retain values less than 0.5 times the former value.
81. 110 rooms were ADF tested, 102 (92.72%) were compliant, with the remaining 8 (7.27%) did not meet target levels (0.8 times former values). Of the failed rooms 4 rooms (50%) would retain between 0.6-0.8 times the former value, 2 rooms (25%) would retain between 0.5-0.6 and 2 rooms (25%) would retain less than 0.5 times the former value.
82. 100% of the rooms tested for APSH were BRE compliant.

Crone Court

83. To the south of the site beyond Denmark Road is the residential block of Crone Court, identified on page 150-151 of the South Kilburn SPD to be demolished. Nonetheless the submission makes a VSC assessment only of the impact to Crone Court.
84. 119 windows were VSC tested and 56 (47%) met BRE guidance, whilst 63 did not meet BRE target levels, 34 of these windows (53.9 %) retained values between 0.6-0.8 times their former value, 8 windows (12.7%) would retain values between 0.5-0.6 and 21 windows (33%) would retain values less than 0.5 times their former value.

Impact to Amenity Spaces

85. An assessment of overshadowing to neighbouring amenity spaces adjacent to or within George House, Swift House and Woodhouse Urban Park shows compliance with BRE targets.

Summary

86. Whilst the impacts in the circumstances outlined above do not meet BRE guidance, flexibility in

encouraged by both BRE and London Plan SPG given the urban setting and wider growth area/regeneration area context the harm is not considered excessive in these circumstances.

87. It is important acknowledge the proximity of these retained blocks, combined with their self-hampering balcony features and lower density existing nature of development on this side of the site makes them sensitive to increased massing on the site.
88. The losses to daylight and sunlight would be noticeable to those affected units to varying degree. Many of the more affected properties are within blocks recently completed as part of earlier phases and there is reasonable degree expectation within area with a masterplan encompassing some significant regeneration and increase in development some loss of light may occur to achieve the wider objectives of the plan.
89. Many of the affected windows are set behind projecting balconies and the alternative tests without the balconies in place show that a reduction may still occur. Furthermore there is a lesser expectation for daylight in those bedrooms affected given the nocturnal use. As discussed many of the failed living rooms, owing to layouts for example in Carlton House are set behind balconies that are somewhat self-hampering.
90. To conclude, the impact to daylight and sunlight in some instances does not meet BRE Guidelines and ADF tolerances as outlined above. However, there is reasonable degree of expectation within a masterplan area encompassing some significant regeneration and increase in development that some loss of light may occur to achieve the wider objectives of the plan. Furthermore, the NPPF and paragraphs 1.3.45 and 1.3.46 of the London Plan SPG advocate a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site. In this instance it is considered that the range of loss is not so significant it would outweigh the benefits of the proposals and adjoining residents are considered to retain acceptable living conditions on balance.

Residential Provisions

Estate Redevelopment

91. Policy 3.14 (“Existing Housing”) of the London Plan (and draft LP Policy H10) together with the Mayor’s Estate Regeneration Good Practice Guide confirms that existing housing should be retained where possible and appropriate, except where there are acceptable plans for its replacement. The redevelopment of affordable housing should only be permitted where it is replaced by better quality accommodation, providing at least an equivalent floorspace.
92. The proposed development complies with the above policies and guidance in that there will continue to be an increase in affordable housing (floorspace and unit numbers). The proposed mix is considered to reflect the identified demand within the South Kilburn Estate.

Resident’s Ballot and Public Engagement

93. A residential ballot was held in September/October 2019, a requirement for all regeneration schemes to access Mayoral funding. 84% of residents voted in favour of the continued regeneration of South Kilburn.
94. Throughout the pre-submission process, the applicant has engaged with residents and key stakeholders. Meetings took place with Brent Council, the GLA, High Speed 2 and the adjacent Peel Site Project Team. A series of public meetings/events were held from early 2018 to June 2019 to discuss and elicit feedback on the proposal as it developed.
95. Public Engagement included:

A Project website www.southkilburnwcc.co.uk

3 x public exhibitions throughout the evolution of the design, where residents could meet the team, view the developing design, ask questions and give feedback

4 x resident design workshops focussing on specific topics as the design evolved.

— Youth film and music project specifically aimed at engaging young people in South Kilburn

— Presentation to the Kilburn and Kensal Forum

96. It is considered that the applicant has complied with the requirements of the Mayors Good Practice Guide to Estate Regeneration in that consultation has been: transparent, extensive, responsive, meaningful; and engagement has been proactive, and has involved residents.

97. Core Policy 2 (“Population and Housing Growth”) confirms that at least 25% of new homes will be family-sized units (3-bed or larger), and CP21 (“A Balanced Housing Stock”) confirms the need to provide an appropriate range and mix of self-contained units. Core Policy 2 also confirms that the Borough will aim to achieve the London Plan’s target of 50% affordable housing and DMP15 (“Affordable Housing”) seeks 70% of new affordable units to be social/affordable rented and 30% intermediate housing at affordability levels meeting local needs.

98. The proposed dwelling mix is outlined below:

	Social Rented	Private	Total
Studio	0	9	9
1b2p	52	36	88
2b	38	44	82
3b	20	18	38
4b	2	0	2
Total	112	107	219

99. The development proposes 219 flats, 40 of which are 3+ bedroom/family sized dwellings, as such 18% of the new homes would be family sized dwellings. 20% of the affordable provision would be family sized, compared to 17 % of the market housing being family sized.

100. The proposed family provision therefore falls short of CP2 by 7%. Paragraph 7.26 of the submitted Planning Statement asserts that 30% of consented scheme are for family units. Notwithstanding this analysis, it is important to recognise that the housing mix reflects the specific decant requirements of this scheme. In this instance the shortfall of 7% family provision is considered acceptable given the specific requirements and delivery of the wider south Kilburn regeneration and the shortfall is not so significant it would outweigh the benefits of the proposals.

Affordable Housing & Viability

101. 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.

102. Adopted DMP Policy 15 confirms the Core Strategy target (Policy CP2) that 50% of all new homes in the borough should be affordable. It states that 70% of new affordable housing should be social/affordable rented and 30% intermediate housing at affordability that meets local need.

103. The proposal would provide 219 residential units of which 112 would be provided as Affordable Housing at social rents specific to the Council’s needs. The proposal therefore exceeds the 50 % target set out in policy. The affordable provision does not meet the 70/30 tenure split between intermediate and social rent, instead 100% of the affordable units would be 100 percent social rent (112 units).

104. Notwithstanding the 50% affordable housing provision, the London Plan and Affordable Housing and Viability SPG asserts that all estate regeneration schemes must submit a Financial Viability Assessment (FVA). The submitted FVA has been independently reviewed to establish whether the current offer is the maximum reasonable amount.

105. The applicants FVA suggests that the proposed offer of 53.6 % on-site provision by habitable room (51.14% by unit) would result in a deficit of approximately £-28.57M, therefore the offer is in excess of what can be viably provided. The review has established that the current offer of is the maximum reasonable offer.

106. It is recommended that an early stage and post implementation review mechanism is secured through a S106 Agreement.

Accessible and Adaptable Dwellings

107. The London Plan (Policy 3.8) requires that 90% of new dwellings meet with Building Regulation requirement M4(2) (accessible and adaptable) and 10% are wheelchair user dwellings (M4(3)), that is, they are designed to be wheelchair accessible or easily adaptable. This would equate to at least 5 wheelchair units. These would be secured by an appropriately worded condition.

Transport Considerations

108. Policy 6.3 of the London Plan confirms that the impact of development proposals on transport capacity and the transport network are fully assessed. The proposal must comply with policies relating to better streets (Policy 6.7), cycling (Policy 6.9), walking (Policy 6.10), tackling congestion (Policy 6.11), road network capacity (policy 6.12) and parking (Policy 6.13).
109. It is important to note that the proposal includes the extension of Neville Road which would link from Albert Road to Denmark Road. This would be solely for use by pedestrians and cyclists with the exception of bollard controlled access to refuse and emergency/service vehicles.
110. The proposal includes a basement car park beneath the Western Block providing 18 car parking spaces of which 5 would be disabled spaces, the basement would be accessed via a car lift from Albert Road. Kerbside parking is indicated around the perimeter, 22 spaces (incl. 7 disabled) and two loading bays are shown, with six external bicycle stands also indicated along the extended length of Neville Road.

Parking

111. The lower residential parking standards of 0.75 spaces per 1-/2-bed flat and 1.2 spaces per 3-/4-bed property apply to this proposed development, resulting in a maximum parking allowance of the development to 182 spaces. With 18 off-street parking spaces proposed, maximum standards would again be complied with.
112. Policy DMP12 requires any on-street parking generated by the development to be safely accommodated on-street. A car-free agreement is therefore recommended through a Legal Agreement, to restrict the number of flats eligible for permits with the number of on-street parking spaces to be provided along the development frontage.
113. A condition is recommended to ensure that the Western Block would be entirely subject to a car free agreement, meaning that residents would not be eligible to apply for an on street parking permit.
114. The Eastern Block is intended for affordable housing though, due to the nature of the regeneration it is likely that decanted residents from other flats in the area (Crone Court, Craik Court and Zangwill House, which are to be redeveloped in future phases) would occupy the development. It is recommended that the proposed family units in this block be exempted from the 'car-free' agreement and as there are 22 such maisonette units proposed on the ground/first, third/fourth and sixth/seventh floors, applying an exemption to the car-free agreement to these flats would broadly equate to the number of kerbside spaces to be provided. It is also noted that this would match the number of parking permits (22) that are currently issued to residents of Winterleys, Neville House and 113-128 Carlton House). The remaining flats in the eastern building will then need to be designated as 'car-free', with future residents' rights to on-street parking permits withdrawn.
115. Adequate disabled parking is shown in the basement car park of the western block to meet standards for that block, whilst disabled residents of the eastern block would be exempt from the car-free agreement anyway. Any on-street disabled parking spaces are taken as indicative and shall only be marked out as such upon the request of any future occupier of the flats. In the meantime, they will be marked as standard permit holder bays at the outset through the S278 works.
116. Eight electric vehicle charging points (4 active and 4 passive) need to be provided in the basement car park and a condition is recommended to this end. Electric vehicle charging points will also be expected to be provided for some of the on-street parking bays through the S278 Agreement.

Cycle Parking

117. In line with the London Plan 341 long-stay bike spaces and six short-stay spaces are required. Sufficient parking in secure stores and on-street is indicated at ground floor and basement level to meet standards, including space for larger cargo bikes. Further parking beyond minimum standards is proposed on the upper floors of the eastern block, with suitable lift access.

Servicing

118. Suitably sized bin stores for the two blocks are shown close to each residential entrance cores to allow easy access for collection from Albert Road, Denmark Road and Neville Road, with loading bays or kerb build outs generally located close to the stores to ensure bin wheeling routes are not blocked by parked cars.

Public Realm/ Extension of Neville Road

119. Brent's Transport Team were satisfied with the amendments to the existing highway layout along Denmark Road and Albert Road (parking bays, kerb build-outs, tree planting, footway widening and resurfacing etc.) and these will need to be delivered through a joint S38/S278 Agreement under the Highways Act 1980.

120. The proposals involve the extension of Neville Road through the site to link Albert Road and Denmark Road to provide a shared surface, with 2.5m wide footways with a raised 60mm upstand along either side. The "carriageway" of the street will be set out in contrasting coloured block paving, separated by strips of granite setts across the street at intervals to take away the impression of being a conventional "street". Tree planting, seating, bins, bicycle stands, stepping stones and hopscotch markings will be incorporated along either side of the carriageway, leaving a central route for vehicular traffic.

121. Vehicular access will be restricted to service vehicles and emergency vehicles only. Appropriate signage and traffic orders will be required to enforce this, with access to be physically controlled through the use of removable bollards. With only very limited vehicular traffic using the route that would not have to reverse or turn at any point, the provision of limited fixed play equipment along the street is considered to be acceptable.

122. There is no objection to the car lift which would provide access to the basement car park under the western building.

Trip Generation/Transport Impact

123. Additional vehicular movements are predicted at 2 arrivals/10 departures in the am peak hour (8-9am) and 8 arrivals/4 departures in the pm peak hour (5-6pm) if there is no restraint on parking. The development is likely to have a negligible impact on vehicular traffic flows in the local area.

124. Additional public transport trips is estimated at 9 arrivals/46 departures in the am peak (8-9am) and 35 arrivals/18 departures in the pm peak (5-6pm). It is acknowledged that these figures may be slightly under-represented as they do not account for extra public transport trips arising from suppressed parking numbers. However, the presence of 120 buses per hour and 24 rail/Underground services per hour passing close to the site means the impact of this development on any particular public transport service is considered to be negligible (less than one extra passenger per service).

125. Increases in walking and cycling journeys are not expected to be significant (6-7 walking trips and 5 cycling trips in each peak hour). It is acknowledged that walking trips to local bus stops and stations is not included in total figure.

126. A PERS, CLoS and Healthy Street Audits have been submitted. The changes to the Neville Road extension and exclusion of vehicular traffic (except service and emergency vehicles). Has had a very positive impact on pedestrian and cyclist movement through the development. A Healthy Streets score of 94% has been achieved for the new street (the highest of any link in the area) as a result of the revisions to the proposed Neville Road.

127. The submitted Residential Travel Plan has been reviewed, however a further amended version of the Travel Plan is recommended to be secured as a S106 obligation. This is because the submitted version does not provide a firm commitment to providing free Car Club membership to residents for at least two years and to give clearer details on how the Travel Plan will be monitored, including an assurance that

monitoring surveys will be compatible with either the TRICS or i-TRACE survey methodology.

128. The submission of a Construction Management and Logistics Plan would be secured by condition. This must consider the relationship of this site with other construction sites in the area with a view to co-ordinating activity.

Sustainability

Carbon Reduction / Energy

129. Chapter five of the London Plan sets out a comprehensive range of policies underpinning London's response to climate change and mitigation, supported by policies within the Core Strategy (CP19) and the DMP (Chapters 6 & 7). Being a major development, should be achieving carbon emissions reduction targets leading to zero carbon, with any shortfall to be off-set through a financial contribution to the Council's Carbon Offsetting Fund.

130. The submitted *Energy Statement* in following the energy hierarchy ("Be Lean", "Be Clean", "Be Green"), outlines the approach to carbon emission savings and renewable energy.

131. In terms of "Being Lean", the approach is to minimise energy consumption through sustainable design and construction measures including exceeding current Building Regulations (2013) requirements for the levels of insulation and air tightness, the installation of high performance glazing and energy efficient lighting. With regard to "Be Clean", the development will include a communal heat network. The communal heat network will involve a centralised energy centre able to accept and transfer heat from the South Kilburn Heat Network, together with boilers, gas fired, to provide heat until such time that the DHN is made live and connected. The energy centre will be located in the basement of the west building. In relation to "Be Green", the proposal includes approximately 284m² of PV panels with a rated output of 46kWp to reduce regulated CO₂ emissions by a further 4%.

132. The Energy Report has been reviewed by the Council's Energy & Sustainability Officer and advised that the measures outlined should be secured by condition and through the S106 Agreement.

133. This would include a post construction report confirming that fabric energy efficiency achieves at least a 10% reduction against Part L (be lean) show that the development would achieve a minimum of 35% improvement over Part L to be confirmed prior to material start and an as-built report prior to first occupation. In addition an overheating analysis would be conditioned to include an updated overheating study confirming that all areas can meet the overheating criteria without active cooling. A prior to occupation condition requiring details of water facilities and confirmation that these meet the target consumption of 105litres/person/day and will be maintained for the lifetime of the development is recommended.

Air Quality

134. With the site located in a designated Air Quality Management Area, London Plan Policy 7.14 and CP19 of the Core Strategy requires the submission of an Air Quality Assessment. The submitted Assessment has confirmed that subject to appropriately worded conditions, there would be a neutral impact on air quality in terms of buildings and transport emissions. Conditions are recommended in relation to the mechanical plant, air quality mitigation measures and CHP.

Flood Risk/Drainage/Water Consumption

Flood Risk

135. London Plan policies 5.12 and 5.13 require the consideration of the effects of development on flood risk and sustainable drainage respectively while Policies DMP9A and 9B confirms the Council's approach. The submitted *Flood Risk Assessment* confirms that the site falls within the Flood Zone 1, with the risk of fluvial and surface water flooding considered to be low (less than 0.1%).

Drainage/SuDS

136. Adopted policies confirm that all new development should be achieving greenfield run-off rates and the SuDS Strategy confirms that the surface water drainage system is designed for a 1 in 100-year storm event plus a 40% allowance for climate change.
137. A range of sustainable drainage measures have been incorporated into the scheme, green roofs are proposed and the main form of attenuation would be below ground cellular storage attenuation tanks. A condition is proposed to secure the details of the Drainage/SuDS Strategy.

Wind and Microclimate

138. London Plan policies 7.6Bd and 7.7Da confirm that buildings should not cause unacceptable harm to the amenity of surrounding land and buildings in relation to wind turbulence and microclimate.
139. A Wind and Microclimate assessment was submitted and illustrated that all pedestrian areas are likely to continue to be acceptable for the proposed activities. This report was based upon the originally submitted scheme, which has since been reduced in height. As such it is considered likely that the revised scheme would not result in adverse impact to the wind and microclimate conditions. However a condition is recommended requiring an addendum to confirm this.

Ecology and Biodiversity

140. Policy 7.19 of the London Plan ("Biodiversity and access to nature") requires development proposals to make a positive contribution, where possible, to the protection, enhancement, creation and management of biodiversity. Core Policy 18 of the Core Strategy ("Protection and Enhancement of Open Space, Sports and Biodiversity") confirms the Borough's commitment to promote and enhance biodiversity. The site does not fall within any statutory or non-statutory wildlife sites.
141. An Ecological Assessment was undertaken and concluded that the existing ecological value is low, the existing trees have the greatest ecological value and may result in a reduction in bird nesting, therefore bird boxes should be incorporated and that new planting should include plant species for foraging to support wildlife. The Ecological Report states that a preliminary roost assessment for bats was undertaken and no evidence of bats were found.
- 142.** It was noted that the submitted Ecological Assessment referred to trees being retained and that a 4:1 tree replacement strategy would be achieved. However, these are in error and no trees within the site would be retained and the tree replacement ratio falls slightly short of the 4:1 states (as detailed below). Notwithstanding these errors the assessment has taken into account the errors and with the mitigation measures outlined is considered acceptable subject to a condition.
143. The report made recommendations such as bird boxes, bat boxes and bug hotels and recommended that trees should be replaced at a 4:1 ratio. Trees are discussed in more detail in the next section. A total 12 trees would be removed and 47 new trees planted as proposed. A 4:1 ratio would equate to 48 trees, the proposal falls marginally short of the 4:1 ratio but overall it is accepted that there is a net gain. Specific details of these mitigation measures and enhancement would be secured by condition.
144. Notwithstanding this, it is advised that further survey work (emergence surveys) will need to be undertaken prior to the demolition of the buildings. It is also recommended that vegetation clearance is undertaken outside of the bird nesting season (or under the supervision of an ecologist if not possible). The above will be secured by conditions.

Trees and Landscaping

145. The ecological value of the site is low, as noted above the existing trees have the greatest ecological value. A tree impact assessment has been submitted, the trees on site would be removed and a replacement tree strategy is proposed. There are a total of 18 trees on the site and immediately adjacent to the site. A total of 12 trees would be removed on site and these include 3 category U trees, 10 Category C trees and 5 Category B trees. A total of 6 trees adjacent to the site would be retained and an Arboricultural Method Statement has been submitted. This has been reviewed by the Council's Tree Officer and demonstrates that the trees would be adequately protected.
146. A total of 47 trees would be planted on Neville Road, in the Western and Eastern courtyards as well as on Albert and Denmark Road. The selected species vary in size as detailed in the submitted planting

schedule. This has been reviewed by the Council's Tree Officer who is satisfied that with the selection. The proposed tree planting is considered to mitigate against the loss of existing trees and would benefits to biodiversity whilst enhancing visual amenity.

147. These details would be conditioned to ensure that trees within proximity of the site are protected throughout construction and that the proposed trees are planted in line with the approved plans.

Contamination

148. Policy 5.21 of the London Plan ("Contaminated Land") encourages the recycling of brownfield sites, inclusive of those affected by contamination, through remediation. A Ground Investigation report has been submitted and reviewed by Brent's Environmental Health Team who were satisfied with the initial findings subject to a condition relating to further investigation and remediation

Noise and Disruption

149. A Noise Assessment has been submitted and reviewed by Brent's Environmental Health Team who were satisfied with the findings and noise mitigation, subject to conditions to ensure that any noise emitted by plant used during and post construction fall within acceptable limits

The construction noise and dust could be harmful to nearby residents given the residential character of the site and surroundings. As such a condition requiring a Construction Environmental Management Plan is recommended.

Site Waste Management

150. Policy 5.16 of the London Plan has stated goals of working towards managing the equivalent of 100% of London's waste within London by 2026, creating benefits from waste processing and zero biodegradable or recyclable waste to landfill by 2026. This will be achieved in part through exceeding recycling and reuse levels in construction, excavation and demolition ("CE&D") waste of 95% by 2020. In order to achieve the above, London Plan policy 5.18 confirms that through the Local Plan, developers should be required to produce site waste management plans to arrange for the efficient handling of CE&D.

151. The *Sustainability Statement* discusses the need to develop a construction environmental plan ("CEMP"), which would be regularly reviewed throughout construction. A CEMP was secured by condition with the extant scheme and it is again proposed to re-impose a similar condition.

Fire Safety

152. Although fire safety is covered under building regulations, the Council recommends that the maximum standards for fire safety are achieved within the development.
153. Given the site location, fire appliances would be able to stand on the side roads (Albert Road, Denmark Road and Neville Road) which would provide access to a large number of the units. Where units are beyond 45m hose distance, appropriate mitigation within the building/courtyards could be adopted.

Conclusions

154. Having regard to all of the above, it is considered that on balance planning permission should be granted for the following reasons:

The proposed development would contribute to increasing London's supply of housing, having regard to Policies 3.3, 3.4 & 3.14 of The London Plan, Core Policies 1, 2, 6, 18 & 21 of the Core Strategy, DMP Policies 1 & 15 of the Development Management Policies, and with guidance contained within the National Planning Policy Framework.

The proposed development, due to its design, size, scale and siting, responds positively to the character and appearance of the street scene or the surrounding area having regard to Policies 3.5, 7.1, 7.4 & 7.6 of the London Plan Policy, Core Policies 5, 6 & 17, DMP Policies 1 & 19 of the

Development Management Policies, and with guidance contained within the National Planning Policy Framework.

The proposed development is considered to have an acceptable impact on the existing amenities of the occupiers of nearby properties in terms of loss of light, outlook, privacy, overlooking, and overshadowing. In this respect complies with Policy 7.6 of the London Plan, Core Policy 17, DMP Policy 1 of the Development Management Policies, and with guidance contained within the National Planning Policy Framework.

The proposed development, by virtue of its internal and external design, is considered to provide a high quality level of accommodation for future occupiers, having regard to Policies 3.5, 3.6, 3.7, 3.8, 7.1, 7.2, 7.5, 7.6, 7.14 & 7.15 of the London Plan, Core Policy 6 of the Core Strategy, DMP 1, 18 & 19 of the Development Management Policies, and with guidance contained within the National Planning Policy Framework.

Having regard to conditions attached to this permission, the proposal makes appropriate provision for servicing, access, parking, including cycle parking and visibility splays, and in this respect complies with Policies 6.3, 6.9, 6.12 & 6.13 of the London Plan, DMP Policies 11 & 12 of the Development Management Policies, and with guidance contained within the National Planning Policy Framework.

The proposed development, by virtue of measures proposed and conditions imposed, will contribute to the mitigation of and adaptation to climate change, having regard to Policies 5.1, 5.2, 5.3, 5.7, 5.8, 5.9, 5.10, 5.12, 5.13 & 5.15 of the London Plan, Core Policies 20, 32 and 36, DMP Policies 8, 9a & 9b of the Development Management Policies, and with guidance contained within the National Planning Policy Framework.

S106 DETAILS

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

- Payment of Council's legal and other professional costs in the preparation and management of the Agreement
- Notice of Commencement of works
- Notify the Council on sale of proportions of private sale units
- The securing of the affordable units
- Early and late stage viability review
- Public realm and highways works through the submission of a Public Realm Delivery Programme and entering into s38/278 Agreements
- Training and employment
- Submission of Framework Travel Plan, Health Centre Travel Plan and Residential Travel Plan
- Carbon offsetting
- Contribution (figure to be confirmed at a later stage) towards a local carbon off-setting scheme to achieve a zero carbon development
- Restriction of access to parking permits for residents to 22 units in Blocks F & G

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

CIL DETAILS

This application is liable to pay **£3,192,098.75** * under the Community Infrastructure Levy (CIL).

We calculated this figure from the following information:

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

Total amount of floorspace on completion (G): 14917.6 sq. m.

Use	Floorspace on	Eligible* retained	Net area chargeable	Rate R: Brent	Rate R: Mayoral	Brent sub-total	Mayoral sub-total
Page 120							

	completion (Gr)	floorspace (Kr)	at rate R (A)	multiplier used	multiplier used		
(Brent) Dwelling houses	14917.6	6057	8860.6	£200.00	£0.00	£2,642,357.50	£0.00
(Mayoral) Dwelling houses	14917.6	6057	8860.6	£0.00	£60.00	£0.00	£549,741.25

BCIS figure for year in which the charging schedule took effect (Ic)	224	323
BCIS figure for year in which the planning permission was granted (Ip)	334	
TOTAL CHARGEABLE AMOUNT	£2,642,357.50	£549,741.25

*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.



Application No: 18/4920

To: Kelway
Lichfields
Regents Wharf
14 All Saints Street
Islington
LONDON
N1 9RL

I refer to your application dated **21/12/2018** proposing the following:

Demolition of all existing buildings and erection of a part six, nine, ten and twelve storey building arranged around a courtyard (Western Building) providing 135 residential units including a concierge and residential communal room at ground floor and a part four, five, eight, nine and ten storey L shaped building (Eastern Building) providing 84 residential units. Construction of a basement under the Western Building with a car lift and access from Albert Road. The provision of a pedestrian and cycle shared surface along Neville Road, with associated cycle provision, bin stores, landscaping and ancillary works (Revised Description).

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

at **1-8 INC Neville House & Neville House Garages, Neville Road, 1-64 INC Winterleys and Seahorse Day Nursery, Albert Road, 113-128 Carlton House and Carlton House Hall, Canterbury Terrace London, NW6**

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: 10/02/2020

Signature:

Gerry Ansell
Head of Planning and Development Services

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.

SUMMARY OF REASONS FOR APPROVAL

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

National Planning Policy Framework (2019)
London Plan (2016)
Core Strategy (2010)
Brent Development Management Policies (2016)
SPD 1 -Brent Design Guide (2018)

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

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

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

Letter dated 18th December 2019 from Lichfields Ref: 16203/01/BK/NW/17049049v1

Revised Planning Statement prepared by Lichfields dated 19th December 2019

Revised Affordable Housing Statement prepared by Lichfields dated December 2019

Daylight, Sunlight and Overshadowing Assessment prepared by Lichfields dated December 2019 Ref: 16203/02/BK/TRL (Three parts; Part 1 pages 1-91, Part 2 pages 91- 115, Part 3 pages 116-166)

Design & Access Statement prepared by Pollard Edward Thomas dated December 2019 (Two Parts, Part 1 pages 1 -45, Part 2 pages 46-92).

Statement of Community Involvement prepared by Pollard Edward Thomas dated December 2019

Drawing no. 01 – Outline Elevation Keyplan

Drawing no. 05 – Outline Elevations 6 & 7

Drawing no. 02 – Outline Elevation 1

Drawing no. 04 – Outline Elevations 4 & 5

Drawing no. 06 – Outline Elevations 8 & 9

Drawing no. 07 – Outline Elevations 10 & 11

Drawing no. 08 – Outline Elevations 12 & 13

Drawing no. 09 – Outline Elevation 14

Drawing no. 10– Outline Elevation 15

Drawing no. 11– Outline Elevation 16

Drawing no. 11– Outline Elevation 16 (DUPLICATE)

Drawing no. 12– Outline Elevations 17 & 18
Drawing no. 13– Outline Elevations 19 & 20
Drawing no. 03– Outline Elevations 2 & 3
Drawing no. 14– Outline Elevations 21, 22 & 23
Drawing no. 15– Outline Elevations 24, 25, 26 & 27
Drawing no. 16– Outline Elevation 28 Sheet 1 of 2
Drawing no. 17– Outline Elevation 28 Sheet 2 of 2
Flood Risk and Drainage Strategy Report Version 3 December 2019 (Pages 1-59)
Transport Statement Version 2 Part 1 of 3 (Pages 1-34)
Transport Statement Version 2 Part 2 of 3 (Pages 35-57)
Transport Statement Version 2 Part 2 of 3 (Pages 58-107)
Travel Plan Version 2 December 2019
Pedestrian Environment Review System (PERS) Audit Revision 2 prepared by Robert West
Ref: 2944/002/001
Cycle Level of Service (CLoS) Assessment Revision 1 prepared by Robert West Ref:
2944/002/002
Healthy Streets Assessment Revision 1 prepared by Robert West Ref: 2944/002/003
D6880.001 REV P3 – ILLUSTRATIVE MASTERPLAN
D6880.101 REV P3 – HARDWORKS PLAN –SHEET 01
D6880.102 REV P3 - HARDWORKS PLAN –SHEET 02
D6880.200a REV P3 –PLANTING SCHEDULE
D6880.200b REV P3 –PLANTING SPECIFICATION NOTES
D6880.201 REV P3 – PLANTING PLAN- SHEET 01
D6880.202 REV P3 – PLANTING PLAN- SHEET 02
D6880.301 REV P3 - Landscape Sections - Sheet 01
D6880.302 REV P3 - Landscape Sections (Sheet 2)
D6880.400 REV P3 - Tree Pit Details (Sheet 1)
D6880.401 REV P3 - Tree Pit Details (Sheet 2)
D6880.402 REV P3 - Play Equipment Details
D6880.403 REV P3 – FURNITURE DETAILS
D6880.404 REV P3 – PAVING DETAILS
Energy Assessment Rev P03 prepared by Environmental Services Design Limited
AIR QUALITY ASSESSMENT VERSION 2 PREPARED BY MARTIN GOODALL ACOUSTICS
& AIR QUALITY
NOISE ASSESSMENT FOR PLANNING PURPOSES REV A AEC REPORT: P3626/R1A/PJK
PREPARED BY Acoustic & Engineering Consultants Limited
INCOMING UTILITY REPORT AND UTILITY CONSTRAINTS DRAWING REV P03

PREPARED BY ENVIRONMENTAL SERVICES DESIGN LIMITED.

RESIDENTIAL VENTILATION AND EXTRACTION SYSTEMS STRATEGY REV P04
PREPARED BY ENVIRONMENTAL SERVICES DESIGN LIMITED.

FINAL VIABILITY REPORT NWCC SITE REF: NWCC/RAO PREPARED BY DELOITTE.

DESK STUDY AND GROUND INVESTIGATION ISSUE NUMBER P1 REPORT REF
R-08195-001-C.

CFD Analysis of Wind Microclimate Pedestrian Comfort and Distress Issue 00 dated 20
December 2018

NWC-PTE-00-XX-DR-A-10000 REV A – Site Location Plan

NWC-PTE-00-XX-DR-A-10100 REV C – PROPOSED SITE GROUND FLOOR PLAN

NWC-PTE-00-XX-DR-A-10700 REV A - EXISTING SITE PLAN

NWC-PTE-00-XX-DR-A-10800 REV A – SITE DEMOLITION PLAN

NWC-PTE-00-XX-DR-A-10900 REV C – PROPOSED PARKING LAYOUT

NWC-PTE-00-ZZ-DR-A-10201 REV B – SECTIONS SHEET 1

NWC-PTE-00-ZZ-DR-A-10202 REV A – SECTION SHEET 2

NWC-PTE-00-ZZ-DR-A-10301 REVISION B – PROPOSED ELEVATIONS 1-3 DENMARK RD,
PARK FACING, BLOCK G EAST ELEVATION

NWC-PTE-00-ZZ-DR-A-10302 REVISION A - PROPOSED ELEVATIONS 4-6 ALBERT ROAD
NORTH, NEVILLE ROAD EAST & WEST

NWC-PTE-00-ZZ-DR-A-10303 REVISION B – PROPOSED ELEVATIONS 7 -10 EAST
BUILDING NORTH & EAST COURTYARD FACING, WEST BUILDING SOUTH EAST FACING

NWC-PTE-01-ZZ-DR-A-10304 REVISION A – ELEVATIONS CALLOUTS SHEET 1

NWC-PTE-01-ZZ-DR-A-10305 REVISION A - ELEVATIONS CALLOUTS SHEET 2

NWC-PTE-01-ZZ-DR-A-10306 REVISION A - ELEVATIONS CALLOUTS SHEET 3

NWC-PTE-1X-00-DR-A-10100 REV G – WEST BUILDING- GROUND FLOOR PLAN

NWC-PTE-1X-01-DR-A-10101 REV F – WEST BUILDING – FIRST FLOOR PLAN

NWC-PTE-1X-02-DR-A-10102 REV F - WEST BUILDING –SECOND FLOOR PLAN

NWC-PTE-1X-03-DR-A-10103 REV F – WEST BUILDING – THIRD FLOOR PLAN

NWC-PTE-1X-04-DR-A-10104 REV E - WEST BUILDING – FOURTH FLOOR PLAN

NWC-PTE-1X-05-DR-A-10105 REV F – WEST BUILDING – FIFTH FLOOR PLAN

NWC-PTE-1X-06-DR-A-10106 REV E – WEST BUILDING –SIXTH FLOOR PLAN

NWC-PTE-1X-07-DR-A-10107 REV F – WEST BUILDING SEVENTH FLOOR PLAN

NWC-PTE-1X-08-DR-A-10108 REV E –WEST BUILDING – EIGHTH FLOOR PLAN

NWC-PTE-1X-09-DR-A-10109 REV D – WEST BUILDING – NINTH FLOOR PLAN

NWC-PTE-1X-10-DR-A-10110 REV D - WEST BUILDING – TENTH FLOOR PLAN

NWC-PTE-1X-11-DR-A-10111 REV C- WEST BUILDING – ELEVENTH FLOOR PLAN

NWC-PTE-1X-12-DR-A-10112 REV C - WEST BUILDING –ROOF PLAN

NWC-PTE-1X-99-DR-A-10199 REV G - WEST BUILDING –BASEMENT PLAN
NWC-PTE-1X-XX-DR-A-10100 REV A - PRIVATE TYPOLOGIES - STUDIOS, 1B AND 2B
NWC-PTE-1X-XX-DR-A-10101 REV A - PRIVATE TYPOLOGIES - 3B
NWC-PTE-2X-00-DR-A-10100 REV D – EAST BUILDING – GROUND FLOOR PLAN
NWC-PTE-2X-01-DR-A-10101 REV F - EAST BUILDING - FIRST FLOOR PLAN
NWC-PTE-2X-02-DR-A-10102 REV F - EAST BUILDING - SECOND FLOOR PLAN
NWC-PTE-2X-03-DR-A-10103 REV F - EAST BUILDING - THIRD FLOOR PLAN
NWC-PTE-2X-04-DR-A-10104 REV E - EAST BUILDING - FOURTH FLOOR PLAN
NWC-PTE-2X-05-DR-A-10105 REV E - EAST BUILDING - FIFTH FLOOR PLAN
NWC-PTE-2X-06-DR-A-10106 REV E - EAST BUILDING - SIXTH FLOOR PLAN
NWC-PTE-2X-07-DR-A-10107 REV E - EAST BUILDING - SEVENTH FLOOR PLAN
NWC-PTE-2X-08-DR-A-10108 REV D- EAST BUILDING - EIGHTH FLOOR PLAN
NWC-PTE-2X-09-DR-A-10109 REV D - EAST BUILDING - NINTH FLOOR
NWC-PTE-2X-10-DR-A-10110 REV B - EAST BUILDING - ROOF PLAN
NWC-PTE-2X-XX-DR-A-10100 REV A - AFFORDABLE TYPOLOGIES - 1B AND 2B
NWC-PTE-2X-XX-DR-A-10101 REV A - AFFORDABLE TYPOLOGIES - 3B AND 4B
LANDSCAPE MANAGEMENT PLAN VERSION V4.0 DOCUMENT REF: 6880.001 PREPARED
BY THE ENVIRONMENT PARTNERSHIP

Arboricultural Impact Assessment dated 9th January 2019

NWC-PTE-00-XX-DR-A-10701 - Existing Buildings for CIL calculations

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

- 3 The development shall provide the 112 social rented units (Class C3), as shown on the consented plans, in the following mix:

52x 1-bed, 38x 2-bed, 20 x 3-bed and 2 x 4-bed.

Reason: To ensure an appropriate mix of units having regard to the identified affordable housing needs of the Borough

- 4 The development shall provide 107 private sale units (Class C3), as shown on the consented plans, in the following mix: 9 x studio, 36 x 1-bed, 44 x 2-bed, 18 x 3-bed.

Reason: To ensure an appropriate mix of units having regard to the identified housing needs of the Borough.

- 5 Not less than 10% of residential units shall be constructed to wheelchair accessible requirements (Building Regulations M4(3)) and the remainder shall meet easily accessible/adaptable standards (Building Regulations M4(2)).

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

- 6 The residential units hereby approved shall at no time be converted from C3 residential to a C4 small HMO, notwithstanding the provisions of Schedule 2 Part 3 Class L of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and

re-enacting that Order) without express planning permission having first been granted by the Local Planning Authority.

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

7 1. Site Characterisation

No development shall take place until an assessment of the nature and extent of contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

2. Submission of Remediation Scheme

No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

3. Implementation of Approved Remediation Scheme

The remediation scheme shall be implemented in accordance with the approved timetable of works. Within 2 months of the completion of measures identified in the approved remediation scheme, a validation report (that demonstrates the effectiveness of the remediation carried out) must be submitted to the Local Planning Authority.

4. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 7 days to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site.

An assessment must be undertaken in accordance with the requirements of Part 1 of this condition, and where remediation is necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority in accordance with the requirements of Part 2 of this condition. .

The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme a validation report must be submitted to and approved in writing by the Local Planning Authority in accordance with Part 3 of this condition.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off site receptors

8 During demolition and construction on site:

- The best practical means available in accordance with British Standard Code of Practice BS5228-1:2009 shall be employed at all times to minimise the emission of noise from the site;

- The operation of the site equipment generating noise and other nuisance causing activities, audible at the site boundaries or in nearby residential properties shall only be carried out between the hours of 08:00 – 18:00 Mondays-Fridays, 08:00 -13:00 Saturdays and at no time on Sundays or Bank Holidays unless otherwise agreed in writing by the Local Planning Authority;
- Vehicular access to adjoining and opposite premises shall not be impeded;
- All vehicles, plant and machinery associated with such works shall be stood and operated within the curtilage of the site only;
- A barrier shall be constructed around the site, to be erected prior to demolition;
- A suitable and sufficient means of suppressing dust must be provided and maintained.
- A wheel washing facility shall be installed and operated to ensure that dust/debris is not carried onto the road by vehicles exiting the site.

Reason: To ensure that and occupiers of neighbouring premises do not suffer a loss of amenity by reason of nuisance and pollution

- 9 No works at all including site clearance or demolition shall commence until a Construction Method Statement and Logistics Plan has been submitted to and approved in writing by the Local Planning Authority. This shall include details of a dust monitoring plan, to be implemented during construction and demolition works. All agreed actions shall be carried out in full and shall be accompanied by a site layout plan showing the following elements, shall include details of:

- (i) the construction vehicle access(es) and routing, which shall avoid those roads that have width restrictions;
- (ii) timing of deliveries (to avoid peak hours and to comply with local road restrictions) and the control of traffic entering the site such as use of a banksman;
- (iii) the parking of vehicles of site operatives and visitors;
- (iv) loading and unloading of plant and materials;
- (v) storage of plant and materials used in constructing the development;
- (vi) wheel washing facilities to be installed prior to commencement of any works; and
- (vii) a scheme of road-cleaning along construction routes

The development shall be carried out strictly in accordance with the agreed details.

Reason: To ensure impact of demolition and construction activities are controlled including the impact of traffic, noise and air pollution and in particular to ensure demolition and construction traffic does not cause congestion or contribute towards a lack of safety on the local highway network.

- 10 Prior to commencement of works, with the exception of site clearance and demolition, further details of all exterior materials including samples to be provided on site for inspection and/or manufacturer's literature for the relevant Phase shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include but not be limited to:

- (i) building envelope materials e.g. bricks and cladding;
- (ii) windows, doors and glazing systems including colour samples; and
- (iii) balconies and screens

The works shall be carried out in accordance with the approved details for the relevant Phase and shall be retained thereafter for the lifetime of the development.

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

- 11 No part of the development shall be occupied until details of the Landscaping including tree planting have been carried out in accordance with the approved plans/documents.

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

Reason: To ensure a satisfactory standard of appearance and setting for the development.

- 12 No part of the development shall be occupied until the details of Child Play Equipment have been carried out in accordance with the approved plans/documents.

Reason: To ensure that the development has appropriate amenity spaces for the future occupiers.

- 13 Prior to the occupation of any part of the development, further details of the external lighting shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include:

- (i) highway street lighting;
- (ii) other public realm lighting;
- (iii) communal amenity space including roof garden lighting; and
- (iv) car park lighting

These details shall be carried out in accordance with the approved plans and shall be retained for the lifetime of the Development.

Reason: These details are required to ensure that public and private spaces are adequately lit for pedestrian and highway safety and to prevent light pollution.

- 14 No works with the exception of demolition shall be commenced until a further drainage/SUDS strategy detailing any on and/or off site drainage works has been submitted to and approved by the local planning authority in consultation with the sewerage undertaker.

Such a strategy shall include:

- (i) adherence to the principles of Sustainable Urban Drainage Systems and the drainage hierarchy set out in London Plan policy 5.13; and
- (ii) all on or off site drainage works

No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed details of the drainage strategy and shall be retained for the lifetime of the Development.

Reason: The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community and to ensure the development meets the requirements of London Plan Policy 5.13

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

Reason: To protect existing & future occupants.

- 16 Prior to occupation of any part of the development a report which demonstrates that air quality mitigation measures have been complied with shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include evidence that the mitigation measures set out in the approved Air Quality Assessment have been fully implemented and shall be retained for the lifetime of the Development.

Reason: To ensure the safe development and secure occupancy of the site for residential use within the Air Quality Management Area.

- 17 Notwithstanding the approved plans, revised plans and elevations of the proposed Denmark Road entrance gate location and boundary treatment should be submitted to and agreed in writing by the Local Planning Authority.

Reason: In the interest of highway safety and visual amenity.

- 18 Prior to first occupation of any part of the development, confirmation from the Building Control body to demonstrate that the relevant building has been designed so that mains water consumption does not exceed a target of 105 litres or less per person per day for the residential flats shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To promote water conservation and efficiency measures in all new developments in accordance with policy 5.15 of the London Plan, and DMP9b of the Development Management Policies

- 19 The Combined Heat and Power (CHP) unit installed shall meet or improve upon the emissions standards and technical details described in the approved Air Quality Assessment Prior to the commencement of the use of the CHP unit details of tests undertaken on the installed unit to demonstrate that the emissions standards have been met shall be submitted to and approved in writing by the Local Planning Authority. The CHP unit shall thereafter be maintained in such a way as to ensure that these standards continue to be met.

Reason: To protect local air quality.

- 20 None of the development, except for demolition and site clearance, hereby permitted shall be commenced until detailed design and method statements for all of the ground floor structures, foundations and basements and for any structures below ground level, including piling (temporary and permanent) have been submitted to and approved in writing by the local planning authority which:

(a) Reasonably accommodate the proposed location of the HS2 structures and tunnels anywhere within the limits of deviation.

(b) Reasonably accommodate ground movements arising from the construction thereof, and

(c) Reasonably mitigate the effects of noise and vibration arising from the operation of the HS2 railway within the tunnels.

(d) Reasonably mitigate the effects on HS2 infrastructure of ground movements arising from the

proposed development; and

(e) Reasonably mitigate the impacts of electromagnetic transmissions arising during operation of the HS2 railway.

2. The method statements to be submitted under condition 1 shall incorporate designs for the HS2 tunnels that allows for maximum SLS bearing stress of 75KPa at the tunnel crown level. The method statements shall include arrangements to secure that, during any period when concurrent construction is taking place of both the development hereby permitted and of the HS2 structures and tunnels in or adjacent to the site of that development, the construction of the HS2 structures and tunnels is not impeded. The development shall be carried out in all respects in accordance with the approved design and method statement, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs 1(a) to 1(e) of this condition shall be completed, in their entirety, before any part of the buildings hereby permitted are occupied.

Reason: To ensure the proposed development does not impede the delivery of High Speed Two, an infrastructure project of national importance and in accordance with paragraph 4.1.9 of the HS2 Information for Developers guidance June 2016.

- 21 No works below ground level comprised within the development hereby permitted shall be carried out at any time when a tunnel boring machine used for the purposes of boring tunnels for the HS2 Ltd railway is within 100 metres of the land on which the development hereby permitted is situated unless otherwise agreed in writing by the local planning authority in conjunction with HS2 Ltd.

Reason: To ensure the proposed development does not impede the delivery of High Speed Two, a project of national importance and in accordance with the HS2 Information for Developers guidance June 2016.

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

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure.

- 23 Prior to a Material Start of the Development being made, the developer shall join, and for the period of construction, adhere to the requirements of the Considerate Constructors Scheme for the relevant part of the Development.

Reason: To ensure that throughout the construction process, appropriate regard is given to protecting neighbour amenity and the natural environment

- 24 Within six months of commencement of work on site, detailed drawings showing the photovoltaic panel arrays on the roofs of the proposed buildings shall be submitted to and

approved in writing by the Local Planning Authority.

The photovoltaic panel arrays shall be installed in accordance with the approved drawings and made operational prior to occupation of the development hereby approved.

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

- 25 Prior to commencement of above ground works (excluding site clearance or demolition works), details of the design, number and siting of ecological enhancements including but not limited to bat and bird boxes designed into and around the new development shall be submitted to the Local Planning Authority for approval in writing.

The bat boxes shall be submitted under the supervision of a suitably qualified ecologist and confirmation of installation prior to first occupation of any part of the development and accompanying photographic evidence shall be submitted to the Local Planning Authority.

Reason: To enhance the ecological value of the site.

- 26 Prior to the commencement of works (inclusive of site clearance and demolition), emergence surveys shall be undertaken and reported on in accordance with the Bat Conservation Trust's "Bat Surveys for Professional Ecologists: Good Practice Guidelines 3rd edition"

Reason: The buildings and tree identified for removal have the potential to support roosting bats and to ensure that the Council fulfils its duties under the Conservation of Habitats and Species Regulations.

- 27 The tree protection measures as set out within the approved Arboricultural Impact Assessment shall be adhered to through all stages of construction, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect existing trees during the course of construction works in order to ensure that the character and amenity of the area are not impaired.

- 28 The approved cycle storage facilities and bin storage facilities shall be installed and made available for use prior to first occupation of the development hereby approved and thereafter retained and maintained for the life of the development and not used other than for purposes ancillary to the occupation of the development hereby approved.

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

- 29 Notwithstanding the approved plans, prior to occupation of any part of the development the following details shall be submitted to and agreed in writing by the Local Planning Authority

- (i) a plan indicating balcony/amenity spaces requiring privacy screening
- (ii) details of proposed privacy screens, including dimensions and materials

The works shall be carried out in accordance with the approved details for the relevant Phase and shall be retained thereafter for the lifetime of the development.

Reason: To protect the amenity of future occupants.

- 30 Prior to the commencement of above ground superstructure works for each Phase, but excluding demolition, details for the provision of a communal television system/satellite dishes shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be undertaken in accordance with the approved detail.

Reason: In order to mitigate the possibility of numerous satellite dishes being installed on the development hereby approved in the interests of the visual appearance of the development, in particular, and the locality in general.

- 31 Prior to the occupation of the development, the applicant shall submit a report which provides evidence that the mitigation measures described in the approved Noise Impact Assessment (AEC Noise assessment P3626/R1A/PJK) have been implemented. The report is subject to the approval of the Local Planning Authority.

Reason: In the interest of residential amenity.

- 32 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.

- 33 Prior to the commencement of the use the applicant shall provide details of all domestic boilers installed demonstrating that the rated emissions of Oxides of Nitrogen (NOx) do not exceed 30 mg/kWh, in writing for the approval of the Local Planning Authority.

Reason: To protect local air quality.

- 34 No properties shall be occupied until confirmation has been provided that either:- 1.All wastewater network upgrades required to accommodate the additional flows from the development have been completed; or- 2. A housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

Reason - Network reinforcement works are likely to be required to accommodate the proposed development.

- 35 No properties shall be occupied until confirmation has been provided that either:- all surface water network upgrades required to accommodate the additional flows from the development have been completed; or - a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance

with the agreed housing and infrastructure phasing plan.

Reason - Network reinforcement works are likely to be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid flooding and/or potential pollution incidents.

- 36 No properties shall be occupied until confirmation has been provided that either:- all water network upgrades required to accommodate the additional flows to serve the development have been completed; or - a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

Reason - The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development.

- 37 Prior to commencement of works above ground level, a revised Overheating Risk Assessment and Mitigation Strategy with detailed drawings to scale and materials for all external mitigation (where required) 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.

- 38 Prior to commencement of works , a revised Wind and Microclimate Assessment with detailed drawings to scale and materials for all external mitigation (where required) 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.

- 39 Vehicular access to Neville Road shall be restricted to Service/Refuse and Emergency Service vehicles only and shall be controlled via Bollard Entry in accordance with the approved plans/documents unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of proper planning to ensure an assessment of the impact would be considered and in line with the Healthy Streets Principles.

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 Given the age of the buildings to be demolished it is possible that asbestos may be present. The applicant is reminded of hazards caused by asbestos materials especially during demolition and removal works and attention is drawn to your duties under the Control of Asbestos Regulations and must ensure that a qualified asbestos contractor is employed to remove all asbestos and asbestos-containing materials and arrange for the appropriate disposal of such materials.
- 3 The applicant is advised 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.

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

Any person wishing to inspect the above papers should contact Sarah Dilley, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 2500

This page is intentionally left blank

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

18 February, 2020
06
19/3056

SITE INFORMATION

RECEIVED	27 August, 2019
WARD	Brondesbury Park
PLANNING AREA	
LOCATION	13 The Avenue, London, NW6 7NR
PROPOSAL	Demolition of existing dwellinghouse and erection of a part-3 and part-4 storey development comprising 9 residential units with roof terraces, enlargement of vehicular access on Brondesbury Park and creation of vehicular access on The Avenue, provision of car and cycle parking, refuse storage, landscaping and subdivision of garden space.
PLAN NO'S	See condition 2
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_146744</p> <p><u>When viewing this as a Hard Copy</u> _</p> <p>Please use the following steps</p> <ol style="list-style-type: none"> 1. Please go to pa.brent.gov.uk 2. Select Planning and conduct a search tying "19/3056" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab

RECOMMENDATIONS

Resolve to **grant** planning permission subject to conditions.

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

Conditions


1. Time Limit
2. Approved Plan
3. Samples of materials
4. Implementation of bin and cycle storage
5. Revocation of C3 to C4 permitted development rights
6. Landscaping scheme
7. Adherence to tree report
8. Tree supervision schedule
9. Construction management statement
10. Sustainable urban drainage systems
11. Grampian condition to ensure highway/footpath works
12. Removal of permitted development rights for the houses

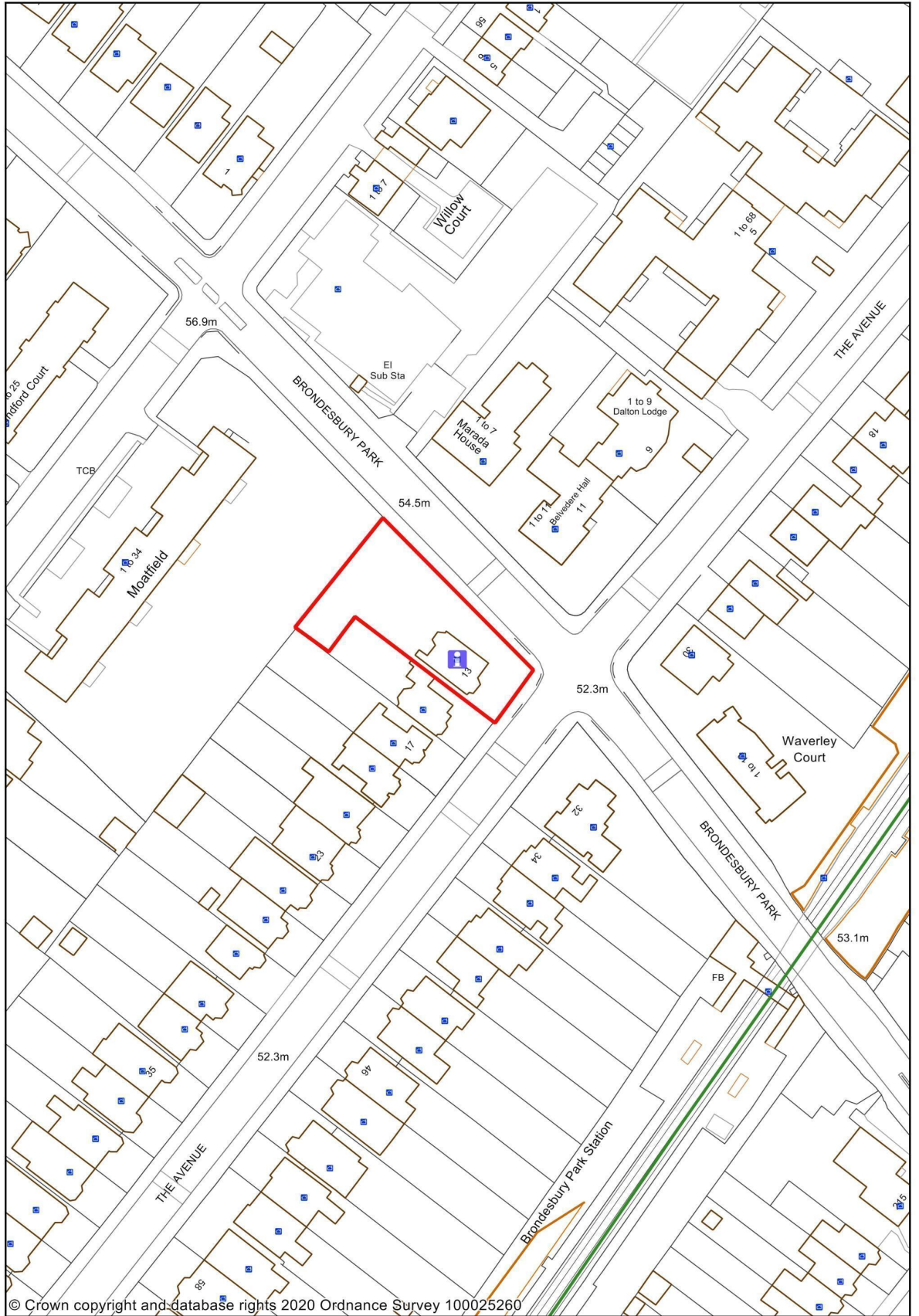
Informatives

1. CIL Liable
2. Party Wall
3. Building Near Boundary
4. London Living Wage
5. Fire Safety
6. Thames Water Notification
7. Thames Water: Water Pressure
8. Tree inspection
9. Highways works

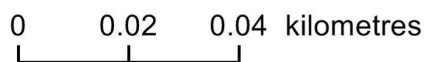
That the Head of Planning is delegated authority to make changes to the wording of the committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied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

	<p>Planning Committee Map</p> <p>Site address: 13 The Avenue, London, NW6 7NR</p> <p>© Crown copyright and database rights 2011 Ordnance Survey 100025260</p>
---	--



1:1250



PROPOSAL IN DETAIL

Demolition of existing dwellinghouse and erection of a part-3 and part-4 storey development comprising 9 residential units (3 x 4 bed dwellinghouses, 6 x 2 bed self-contained flats) with roof terraces, enlargement of vehicular access on Brondesbury Park and creation of vehicular access on The Avenue, provision of car and cycle parking, refuse storage, landscaping and subdivision of garden space.

EXISTING

The subject site is located on a corner plot at the junction of Brondesbury Road and the Avenue. It is currently occupied by a single detached dwelling and occupies an L shaped plot with the land wrapping around the rear of number 15 the Avenue. Land rises to front to the rear of the site. The surrounding area is predominantly residential, comprising largedetached and semi detached dwellings on the Avenue and flatted blocks fronting Brondesbury Road. The site is not located within a conservation area and is not a listed building.

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. **Representations received:** 55 objections and a petition have been received. Officers have assessed the comments and the planning merits of the proposal and consider that the proposal is acceptable.
2. **Provision of new homes:** Great weight is given to the delivery of 9 new units, of which three would be family sized, which would make a contribution towards borough housing targets and would help to meet the specific needs of the borough
3. **Design, layout and height:** The proposal makes effective use of the existing site. It utilises good architecture with detailing and materials in order to maximise the site's potential whilst regulating its height to respect surrounding development in the areas context.
4. **Quality of the resulting residential accommodation:** The residential accommodation proposed is of a good quality. The residential units would have good outlook and light. The amount of external private/communal space is acceptable and has been maximised through the use of different means
5. **Neighbouring amenity:** The development would have an acceptable impact on neighbouring properties and whilst would not fully comply with the guidance in SPD 1, when all neighbouring properties are considered, the resulting impact would be acceptable in this instance.
6. **Highways and transportation:** The development provides adequate on site car parking. The scheme is also to provide suitable provision for cycle parking and will encourage sustainable travel.
7. **Trees, landscaping and public realm:** One Category B tree is indicated to be affected by the proposal. . Appropriate mitigation measures to protect this tree during construction have been identified. A scheme of landscaping has been submitted and full and final details will be requested by condition.

RELEVANT SITE HISTORY

00/1504 – Erection of 1 no 5 bedroom dwellinghouse with integral garage at rear of nos. 13 and 15 The Avenue, NW6 – Granted

09/0990 – Certificate of Lawfulness for a proposed single storey rear extensions, 1 rear dormer window, 1 side dormer with rooflights either sides facing Brondesbury Park and 2 front rooflights to dwellinghouse –

CONSULTATIONS

168 neighbouring properties were notified. 55 objections were received following two rounds of consultation, as well as a petition. The reasons for the objections are summarised below -

Objection	Response
Development by virtue of scale, height and massing is out of keeping with the character of the area	See character and appearance section
Existing house has value as a part of the historic and cultural goods of a borough and should be preserved	The existing property is not protected and as such there is no in principle objection to the re-development
Additional units will impact considerably on an area which is already congested	See transport section
There should be a priority for planting of trees and shrubs in the borough	A landscaping scheme is requested by condition
The development will cause light, outlook privacy and noise issues for the neighbours	See neighbouring amenity section of report
A number of trees have been cut in the land with no indication of replacement	The trees are not protected and as the site is not located in a conservation area, the permission of the LPA is not required for the removal of trees
Large part of back garden, developed for car parking purposes which will damage green breathing space, wildlife and health of people in area	Whilst the footprint of the building is far larger than that which is replaced the proposal retains suitable landscaping to the frontage as well as suitably size rear gardens
No pre-application consultation	Although advisable, there is no requirement for developers to carry out pre-application consultation with residents
No post submission consultation in terms of site notice	The area of consultation exceeds the requirements of the DMPO and the Councils adopted SCI
Full height windows will be a major distraction to traffic at this busy junction	Full height windows are not considered to result in traffic safety concerns and no concerns have been raised by transport officers with regards to this
Area is turning into a permanent building site with massive builds being very disruptive and noisy	Construction noise is dealt with under separate legislation
Development appears incongruous in such a small plot without providing an acceptable standard of landscaping	See character and appearance section of main report
Placing a tall building opposite a new school with overlooking balconies and roof gardens will be a invitation for trouble	The development exceeds required separation distances in relation to the school
The location of the development is in an AQMA meaning that in this area, air quality objectives are not being met	Environmental health officers have been consulted on and consider to be acceptable in an air quality capacity
No affordable units and would provide additional expensive homes in an area where there are a large proportion of new units unsold	The application is not a major development (10+) units and therefore there is no requirement for affordable housing
New occupiers would experience low standards of privacy and lots of noise and pollution	See quality of accommodation section of report

Revised drawings were submitted during the course of the application and these were re-consulted on. Of the 55 objections received, 9 objections were received following re-consultation and these

largely raised the same objections as the initial scheme.

POLICY CONSIDERATIONS

The following planning policy documents and guidance are considered to be of relevance to the determination of the current application with some of the key policies referenced below relevant document, although the whole document is considered:

National Planning Policy Framework (2019) (as amended)

The London Plan consolidated with alterations since 2011 (March 2016)

- 3.1 Life Chances for All
- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 3.8 Housing Choice
- 3.9 Mixed and Balanced Communities
- 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
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.6 Architecture
- 7.14 Improving Air
- 7.15 Reducing and Managing Noise
- 7.21 Trees and Woodlands

Draft London Plan

- GG1 Building Strong and inclusive communities
- GG2 Making the best use of land
- GG3 Creating a healthy city
- GG4 Delivering New Homes Londoners need
- GG5 Growing a Good Economy
- GG6 Increasing Efficiency and Resilience

D1 London's Form and Characteristics
D2 Delivering Good Design
D3 Inclusive Design
D4 Housing Quality and Standards
D5 Accessible Housing
D6 Optimising Housing Density
D11 Fire Safety
D13 Noise
G1 Green Infrastructure
G7 Trees and Woodlands
H1 Increasing Housing Supply
H12 Housing size mix
S11 Improving Air Quality
S15 Water Infrastructure
S17 Reducing Waste and Supporting the Circular Economy
S112 Flood Risk Management
S113 Sustainable Drainage
T4 Assessing and Mitigating Transport Impacts
T5 Cycling
T6 Car Parking
T7 Deliveries, servicing and construction

Brent Core Strategy (2010)

CP1: Spatial Development Strategy
CP2: Population and Housing Growth
CP5: Placemaking
CP6: Design & Density in Place Shaping
CP17: Protecting and enhancing the suburban character of Brent
CP21: A Balanced Housing Stock

Brent Development Management Policies (2016)

DMP 1: Development Management General Policy
DMP 9A: Managing Flood Risk
DMP 9B: On Site Water Management and Surface Water Attenuation
DMP 12: Parking
DMP 13: Movement of Goods and Materials

DMP 15: Affordable Housing

DMP 18: Dwelling Size and Residential Outbuildings

DMP 19: Residential Amenity Space

Brent Draft Local Plan

BD1: Leading the Way in Good Urban Design

BH1: Increasing Housing Supply in Brent

BH6: Housing Size Mix

BG12: Trees and Woodlands

BSUI2: Air Quality

BSUI4: On Site Water Management and Surface Water Attenuation

BT1: Sustainable Travel Choice

BT2: Parking and Car Free Development

Supplementary Planning Documents/Guidance (SPD/SPG)

Brent SPD1: Design Guide for New Development (2018)

Mayor's Housing SPG

Mayor's Sustainable Design and Construction SPG

National Planning Policy Guidance

National Design Guide

Brent Waste Planning Guide

DETAILED CONSIDERATIONS

1. Principle

1.1 . Brents Core Strategy CP 1 seeks to concentrate housing growth in five growth areas, however it does not preclude the development of new housing outside of these designated growth areas where appropriate. The subject site currently occupies a single residential dwelling and is located in a predominantly residential area. The development would result in the creation of 9 residential units. The units would also help to meet borough housing targets which currently stand at 1525 per year with the draft London Plan proposing a significant increase in this number to 2325 homes per year

1.2 DMP 17 seeks to ensure that development does not result in the net loss of family housing, for which there is an acute need in the borough. Whilst the existing family home would be demolished, the development would provide three good quality family sized dwellings which would help to meet the needs of local residents.

1.3 The principle of redeveloping the site for residential purposes is therefore acceptable, subject to detailed criteria considered below.

2. Character and appearance

2.1 The subject site currently comprises a detached, two storey dwelling with accommodation in the roofspace. The site is located at a corner junction with both the Avenue and Brondesbury Park. This part of

the Avenue generally consists of two storey, detached, hipped roof dwellings with bay features and brick and/or rendered elevations, which gives this part of the street a generally consistent character. The adjacent side of the Avenue, to the east of Brondesbury Park, is more varied and consists of a number of new flatted blocks. Brondesbury Park runs parallel to the Avenue and is also more varied in character, with adjacent buildings being flatted blocks varying from three to five storeys. The development would be read in both the context of the two storey dwellings on the Avenue and the larger flatted blocks on Brondesbury Park, and therefore the scheme would need to be sympathetic to both these street scenes.

2.2 The proposed development ranges from two to four storeys in height. The scale of the development would be at its lowest fronting the Avenue, with a two storey dwelling located closest to the boundary with number 15, which would then increase to three storeys at the corner with Brondesbury Park. The three storey part of the proposal which would front the Avenue would not be greater in height than the nearest neighbouring property, being 15 the Avenue, and therefore the scale of the building would be appropriate to its context. The maximum height of the development would be located at the rear of the site fronting Brondesbury Park, where larger scale developments are more common. The varying scale of the development would ensure its sits comfortably within the context of both street scenes in this regard.

2.3 During the course of the application, concern was raised with regards to the proximity of the development to the public footpath on Brondesbury Park. It was noted that the adjacent properties on Brondesbury Park achieve a generous set back from the footpath, which contributes towards maintaining a sense of openness. In order to ensure the development has an acceptable impact on the character and appearance of the locality, an increased set back from the footpath with a minimum of 3.5m and maximum of 4.2m was proposed. Whilst it is acknowledged that this would not be as generous as the adjacent properties which achieve no less than a 6m set back, it is considered that the proposed development would still retain the sense of openness that characterises this part of Brondesbury Park. Sufficient soft landscaping to the frontage would also contribute towards achieving this. In terms of the relationship with the Avenue, the building would follow the established front building line and as such would retain a generous frontage which are features of this street.

2.4 The proposed development would be distinctly contemporary in its appearance and therefore would not reflect the character of the buildings on the Avenue. However, the nearest buildings on Brondesbury Park are also not traditional in appearance, with adjacent Marada House being a white rendered, flat roof art decor style building. Contemporary residential developments also exist to the adjacent side of the Avenue beyond Brondesbury Park. The proposed development would incorporate both flat roofs and mansards roofs, to distinguish between the houses and the apartments. Again the roof form of the development would contrast with that of neighbouring buildings, nevertheless, the chosen brick and zinc materials would help to integrate the development within the street scene and would not make it an overly bold design. The fenestration would also be more contemporary in appearance with large vertical openings proposed to both principle elevations. Whilst the development would be a contrast, it would nevertheless have a satisfactory appearance on the locality. In addition, being a corner plot, the site is appropriate to be considered for a different form of development as reflected in the allowances of Policy CP 17.

2.5 Whilst the proposed development would result in a notable change to the street scene, it is considered that the development is satisfactory in terms of its overall design and would be both sympathetic to the character and appearance of the Avenue and Brondesbury Park.

3. Quality of accommodation

Internal

3.1 The development would result in the creation of 9 residential dwellings. DMP 18 requires that all new dwellings meet Technical Space Standards. All of the units would meet or exceed the internal space requirements. A comparison table is given below

Unit	Type	Minimum internal floor space	Proposed internal floor space
House 1	4b7p (3 storeys)	121sq.m	132sq.m
House 2	4b5p (3 storeys)	99sq.m	104sq.m
House 3	4b7p (3 storeys)	121sq.m	132sq.m
Flat A1	2b4p (1 storey)	70sq.m	70sq.m
Flat A2	2b3p (1 storey)	61sq.m	70sq.m

Flat B2	2b4p (1 storey)	70sq.m	86sq.m
Flat B1	2b4p (1 storey)	70sq.m	86sq.m
Flat A3	2b3p (1 storey)	61sq.m	70sqm
Flat B3	2b3p (1 storey)	61sqm	99sqm

3.2 It should be noted that the above standards are not exactly the same as those provided by the applicant, as a number of rooms indicated to be doubles fall short of the requirements to be considered as such and therefore the assumed occupancy levels are reduced. Nevertheless, the above calculations show that all apart from one of the units would significantly exceed internal space requirements for units of this size and in this regard the units would be to a very high standard.

3.3 However, internal space is not the only determining factor in assessing the quality of accommodation. In this case, all habitable rooms would be served by unobstructed, clear glazed openings, which would allow for good levels of light, outlook and ventilation. All units would also be dual aspect.

3.3 In order to demonstrate the quality of internal accommodation, the applicant has submitted a daylight/sunlight assessment. The report concludes that all habitable room windows would meet or surpass BRE Average Daylight Factors. The report also includes illustrations showing the areas of habitable rooms that receive no direct sky light. Only very small areas are shown as receiving no direct light and such breaches are considered to have a negligible impact on the usability or enjoyment of these rooms.

3.4 The quality of internal accommodation is therefore considered to be of a very high standard.

External

3.5 The proposed development provides a number of gardens spaces, roof terraces and balconies in order to ensure adequate external amenity space. DMP 19 states that family size units (3+) should have access to 50sq.m of external amenity space and 1 or 2 bedroom units should have access to 20sqm of external amenity space. Furthermore, the Mayors Housing SPD requires that a minimum of 5sq.m of private outdoor space should be provided for 1-2 person dwellings and an extra 1sqm should be provided for each additional occupant. A comparison table is given below, demonstrating how the proposed development performs against relevant policies and guidance.

Unit	Type	Standard required by DMP 19	Mayor Housing SPD minimum standard	Proposed amenity space
House 1	4b7p (3 storeys)	50sq.m	10sq.m	60sq.m
House 2	4b5p (3 storeys)	50sq.m	8sq.m	65sq.m
House 3	4b7p (3 storeys)	50sq.m	10sq.m	76sq.m
Flat A1	2b4p (1 storey)	20sq.m	7sq.m	111sq.m
Flat A2	2b3p (1 storey)	20sq.m	6sq.m	5sq.m
Flat B2	2b4p (1 storey)	20sq.m	7sq.m	21sq.m
Flat B1	2b4p (1 storey)	20sq.m	7sq.m	21sq.m
Flat A3	2b3p (1 storey)	20sq.m	6sq.m	64sq.m
Flat B3	2b3p (1 storey)	20sq.m	6sq.m	81sq.m

3.6 In this case, all but one of the units would exceed the requirements under DMP 18. The unit that would fall below, would also not meet the minimum standards as specified in the Mayors SPD providing 5sqm with the minimum requirement being 6sq.m. However, when considering the quality of the internal space of this unit, that would be in excess of the minimum standards by 9sq.m, this shortfall can be accepted and it is not considered that future residents would suffer from an unacceptable standard of environment as a result of this.

3.7 Flat A1 would be served by a garden which is indicated to have an area of 111sq.m. However, the garden area would front the Avenue and whilst the boundary treatment would ensure privacy, its positioning means that not all the area should be considered useable amenity space as some of it would be required anyway to provide a suitable setting for the building. In any case, this unit would be required to have 20sq.m of amenity space and it is considered of that space indicated, the unit would have access to at least 20sq.m of good quality, private and useable amenity space.

3.8 The quality of the units externally would also be to a very high standard. The overall living conditions of the proposed properties would therefore be good.

4. Impact on neighbouring properties

4.1 A large proportion of the objections received raise concerns with the impact of the development on neighboring properties in terms of loss of light, overlooking or being overbearing as well as concerns in relation to noise and disturbance. DMP 1 states that subject to other considerations development will be acceptable subject to it providing '*high levels of internal and external amenity*'.

2.2 SPD 1 also provides detailed guidance on how developments should be designed in order to ensure it results in no adverse impacts to neighbouring residential properties.

15 the Avenue

4.3 The subject site adjoins no 15 the Avenue which is a two storey residential dwelling, the plot itself also wraps around the rear garden of this property. The constraints of the site and the scale of the development means that a large number of habitable room windows would be facing towards the rear garden of this property. SPD 1 states that in order to avoid overlooking of neighbouring properties a separation distance of 9m should be retained between habitable room windows and the boundary. The development achieves the required separation distance and as such the development would not result in unduly harmful overlooking of the neighbouring property.

4.4 In order to demonstrate that the proposal would not result in any harmful loss of light, a number of tests have been applied to the neighbouring windows, as outlined in the submitted daylight/sunlight report. The Vertical Sky Component (VSC) states that diffuse daylight may be adversely affected if after a development the VSC is less than 27% or less than 08 its former value. None of the windows would fail when these tests are applied.

4.5 To supplement this, a daylight distribution test has been carried out on. This test dictates that daylight may be adversely affected if after the development, the area of the working plane in a room which can receive direct sunlight is reduced to less than 0.8 times its former value. Again there would be no breaches of this standard. The development would therefore have a satisfactory impact on the occupants of this neighbouring property in this regard.

4.6 SPD 1 also states that in order to ensure development does not have an adverse overbearing impact, where it adjoins private amenity space, it should be set below a line of 45 degrees from the garden edge. The development would be fully compliant with this principle when considered in relation to no. 15 the Avenue.

4.7 In order to demonstrate that the development would not have any negative overshadowing impacts on the rear garden area, the applicant has submitted a daylight/sunlight report. This confirms that the sunlight availability after the development will be no less than 0.99 times the former value. This result is better than the BRE minimum requirement which permits sunlight to be reduced by up to 0.8 times.

4.8 The development would therefore have an acceptable impact on the occupants of no. 13 the Avenue. Whilst objections have been received from other properties, raising concerns with other properties on the Avenue, as the development has been designed to be fully compliant with the guidance in relation to the property immediately adjacent, it would not have a detrimental impact on the occupants of properties beyond no. 15, given the increased separation and as such it is not considered necessary to assess the impact of the development on these.

Moatfield House, Christchurch Avenue

4.9 Moatfield House is a substantial flatted block with a width of approximately 77m, the plot itself has a width of 87m. The rear elevation of the development is located some 33m from the boundary with the subject site. The development would be located directly along the boundary with this property and would extend approximately 12.3m at four storeys. Given its height and proximity to the boundary the development would breach the 45 degree rule. However, in this case, given the size of the communal area and the distance from the rear elevation, the breach can be accepted in this instance. The submitted daylight/sunlight report assesses the impact of the development on the communal space and determines that sunlight

availability after the development will be no less than 0.99 times the former value., which is better than the BRE minimum requirement which permits sunlight to be reduced by up to 0.8 times its former value. The development would therefore not have such a harmful impact on the communal area in terms of overshadowing to render the space an unattractive and unappealing area and residents would therefore continue to enjoy good standards of external amenity.

4.10 SPD 1 outlines that new development should not prejudice the potential re-development of neighbouring sites. Given the size of the communal garden serving Moatfield House, it is considered that the site does have potential to accommodate additional housing and therefore the development proposed would need to take account of this. However, whilst the 45 degree breach is noted in relation to the communal space, and therefore the development might to some extent reduce the developable area of the neighbouring site, this would have always been the case given the fact that the site borders neighbouring residential gardens. It is also noted that there are no overlooking windows to this neighbouring site. Therefore should the site come forward in the future, a suitable scheme could be accommodated. The proposed development would not prejudice the future development of this neighbouring site.

4.11 Again all windows assessed demonstrate compliance with the Vertical Sky Component and the Daylight Distribution tests and therefore the development would have a detrimental impact on the levels of daylight/sunlight received by the occupants of this neighbouring residential block.

32 the Avenue

4.11 Given that the front building would be constructed on the same front building line as the existing property, existing separation distances would be respected and the development would therefore not have a detrimental impact on the privacy of the occupants of this adjacent residential property. Again the submitted daylight/sunlight report demonstrates that the proposed development would not have any noticeable impact on the levels of daylight/sunlight currently enjoyed by the occupants of this property.

Belvedere Hall (11 the Avenue) and Marada House

4.13 Both these properties are flatted blocks which are located on the adjacent side of Brondesbury Park and measure up to 5 storeys in height. SPD 1 states that there should be 18m between directly facing habitable room windows, except where the existing character of the area varies from this. There would be distance of more than 18 m between the front facades of buildings and therefore there are no material concerns with regard to overlooking.

4.14 In terms of daylight/sunlight all windows assessed at 11 the Avenue would pass relevant tests. The daylight/sunlight report does indicate that there would be some marginal losses to the windows to Marada House, however all the windows affected are indicated to be secondary windows to rooms served by multiple openings. When considering the results, the daylight losses to these rooms are limited and would unlikely affect the future enjoyment of these rooms and residents would be unlikely to notice any reduced levels of daylight reaching the rooms where losses have been identified.

4.15 The overshadowing test has also been carried out to the frontage of 11 the Avenue, which also appears to be used as amenity space, and determines that there would be no harmful overshadowing.

Noise

4.16 A number of objections have been raised by local residents regarding noise generated from the development. It is acknowledged that the use of the site would be intensified as a result of the development and there would be increased occupancy. Nevertheless, the surroundings uses are residential and any noise generated would be associated with residential dwellings. As above a number of surrounding buildings are higher density, and the noise generated is unlikely to be any greater than these. Whilst the single garden space would be subdivided to create 3 garden spaces, these would all be associated with single family dwellings. Furthermore, and as above, a good amount of space would be provided between the development and neighbouring properties and therefore given this and the continued residential use of the site, the development would not have a detrimental impact on the occupants of neighbouring properties in terms of noise disturbance.

5 Trees and landscape

5.1 There is a mature council owned tree on Brondesbury Park adjacent the subject site which is

considered to have significant amenity value, this a category B tree, identified in the submitted arboricultural report as a T1 Horse Chestnut. Whilst the development has been set back from the footpath, the development still has the potential to impact upon this tree. Nevertheless a comprehensive report has been submitted outlining a number of technical solutions to building in close proximity to the tree both above and below ground and the Tree Officer confirms that such solutions can be utilised in this particular situation. In this event, two conditions will be attached in order to protect the tree from the proposed development, including that the contents of the tree report are adhered to. A detailed site supervision schedule will also be conditioned that covers key operations within the RPA of T1 specifically where this involves the excavation and installation of piles.

5.2 In order to respect the suburban nature of the surrounding area, soft landscaping is proposed to the frontage. A large proportion of the site would also accommodate soft landscaping in terms of the provision of private gardens. At roof level a number of green walls are proposed. The application therefore demonstrates that a suitable amount of soft landscaping could be accommodated on site and the development will not be dominated by hard surfacing. A detailed landscaping scheme will be requested by condition to demonstrate that soft landscaping is maximised on site where possible.

6. Transport

6.1 As public transport access is classed as moderate, the higher residential car parking allowances set out in Table 6 at Appendix 1 of the adopted DMP 2016 apply. The existing house would therefore be allowed up to two off street parking spaces and the existing provision of 2+ spaces exceeds this allowance. The proposed nine dwellings would be allowed up to 12 car parking spaces in total. The proposed provision of nine spaces within the site would therefore accord with maximum standards.

6.2 Policy DMP 12 also requires that any overspill parking from the site could be accommodated on street. In this case, the parking provision meets the 75% of the maximum standard, so it is likely to be sufficient to satisfy likely demand, with car ownership averaging one car/household in this area. Overspill parking is therefore considered unlikely to occur on a regular basis, but if it does, the adjoining streets have spare capacity to absorb further demand.

6.3 The proposed disabled space at the front of the site will ensure standards for disabled parking are met. Electric vehicle charging points are also shown for four spaces (two active & two passive) to meet London Plan requirements for electric vehicles.

6.4 The existing site access arrangements are retained, but with the rear access to Brondesbury Park widened to accommodate two-way flow so that vehicles are not forced to wait in or reverse out into Brondesbury Park. This will result in the removal of an on-street permit holders/pay and display bay, which is considered acceptable in this generally lightly parked area. The developer will need to cover the cost of this work.

6.5 The access to the rear passes through a 2.5m (min.) high arch beneath the building, which provides sufficient headroom for cars, whilst the layout of the car park provides suitable turning space. A roller shutter door is also proposed at the archway entrance and this is to be set 4.8m from the highway boundary to give enough space for a car to wait clear of Brondesbury Park whilst it is opened and closed.

6.6 London Plan standards require at least 18 secure bicycle parking spaces. These are shown on the site layout, with the houses and ground floor flat having their own private storage areas for two bicycles each and the upper floor flats sharing the use of the remaining 10 spaces, split into separate stores for the two blocks.

6.7 Refuse storage for the flats and houses is proposed in five locations along the two highway boundaries of the site. These would allow a refuse vehicle to pull in just north of the bus stop on Brondesbury Park or on The Avenue and be within the maximum 20m refuse carrying distance for each bin store.

6.8 Similarly, other online delivery vehicles would be able to make use of nearby on-street parking bays when delivering to the site, particularly the bays along Brondesbury Park to the north of the site when delivering to the flats.

6.9 Pedestrian access would be direct from the two adjoining highways, which is fine and allows good access for emergency services.

7 Flood Risk

7.1. The subject site is located in an area susceptible to surface water flooding. An Flood Risk assessment and sustainable urban drainage report has been submitted by the application to demonstrate how the development would not give rise to increase surface water flooding. The submitted Flood Report which recommends that surface water is attenuated using an attenuation tank beneath the proposed car park, or via 'blue roofs' prior to discharge at Greenfield rates into the Thames Water sewers. The applicant has confirmed that the development would be able to accommodate these measures, and this has been agreed by the Drainage Engineer. The detailed design of these elements is therefore to be subject to a pre-commencement condition, which are to be agreed in consultation with Thames Water.

8. Conclusion

8.1 The principle of the proposed development is acceptable. Furthermore, the development would provide 9 good quality units that would contribute towards borough housing targets and would ensure a good standard of accommodation for future residents. The development would have an acceptable impact on the occupants of neighbouring residential properties and would have an acceptable impact on the character and appearance of the locality. It would also be acceptable in a transport capacity. The application therefore complies with the development plan and the benefits of the scheme would clearly outweigh any harm.

CIL DETAILS

This application is liable to pay **£340,263.33** * 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): 278 sq. m.

Total amount of floorspace on completion (G): 1222.5 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
(Brent) Dwelling houses	1222.5		944.5	£200.00	£0.00	£281,663.39	£0.00
(Mayoral) Dwelling houses	1222.5		944.5	£0.00	£60.00	£0.00	£58,599.94

BCIS figure for year in which the charging schedule took effect (Ic)	224	323
BCIS figure for year in which the planning permission was granted (Ip)	334	
TOTAL CHARGEABLE AMOUNT	£281,663.39	£58,599.94

*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.



Application No: 19/3056

To: Miss Walker
Avison Young
65 Gresham Street
London
EC2V 7NQ

I refer to your application dated **27/08/2019** proposing the following:

Demolition of existing dwellinghouse and erection of a part-3 and part-4 storey development comprising 9 residential units with roof terraces, enlargement of vehicular access on Brondesbury Park and creation of vehicular access on The Avenue, provision of car and cycle parking, refuse storage, landscaping and subdivision of garden space.

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

at **13 The Avenue, London, NW6 7NR**

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: 10/02/2020

Signature:

Gerry Ansell
Head of Planning and Development Services

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 (2019)
London Plan (2016)
Core Strategy (2010)
Brent Development Management Policies (2016)
SPD 1 -Brent Design Guide (2018)

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

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

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

7263/LP Rev H
7263/BP Rev H
7263/-01 Rev H
7263/-02 Rev H
7263/-03 Rev H
7263/-04 Rev H
7263/-05 Rev H
7263/-06 Rev H
7263/-07 Rev H
7263/-08 Rev H
7263/-09 Rev H
7263/-10 Rev H
7263/-11 Rev H
7263/-12 Rev H
7263/-13 Rev H
7263/-14 Rev H
7263/-15 Rev H
7263/-16 Rev H
7263/-17 Rev H
7263/-18 Rev H

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

- 3 Details of materials for all external work, including samples, shall be submitted to and approved in writing by the Local Planning Authority before any above ground work is commenced. The work shall be carried out in accordance with the approved details.

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

- 4 The approved cycle storage facilities and bin storage facilities shall be installed and made available for use prior to first occupation of the development hereby approved and thereafter retained and maintained for the life of the development and not used other than for purposes ancillary to the occupation of the development hereby approved.

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

safety.

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

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

- 6 All measures outlined in the Arboricultural Planning Statement prepared by AD Tree Consulting dated 11 August 2019 shall be implemented and adhered to in full.

Reason: In the interests of tree preservation and the visual amenity of the area.

- 7 Prior to the occupation of the development hereby approved, the rear access to Brondesbury Park shall be widened in accordance with the submitted details and the on-street permit holders' pay and display bay, shall be removed, with the works required to facilitate this to be entirely funded by the applicant.

Reasons: In the interests of highway safety. To ensure safe access and egress from the site.

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

Reason: To prevent an over development of the site and undue loss of amenity to adjoining occupiers.

- 9 All areas shown on the plan and such other areas as may be shown on the approved plan shall be suitably landscaped with trees/shrubs/grass in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority prior to commencement of any demolition/construction work on the site. Such landscaping work shall be completed:-

(a) prior to occupation of the building(s).

(b) during the first available planting season following completion of the development hereby approved.

(c) within 18 months of commencement of the development hereby approved.

Such scheme shall also indicate:-

(i) Walls and fences

Proposed walls and fencing, indicating materials and heights.

(ii) Screen planting on boundary

Screen planting along the [] boundary.

(iii) Physical separation

Adequate physical separation, such as protective walls and fencing, between landscaped and paved areas.

(iv) Mounds existing contours and any alteration of the ground levels, such as earth mounding.

(v) Screening of: [£]

Provisions for the satisfactory screening of the [£].

(vi) Signboards and seating

Other appropriate matters within the context of a landscaping scheme, such as details of signboards, seating, foot ways and other paved pedestrian and vehicle parking areas.

(vii) Maintenance details

Details of the proposed arrangements for maintenance of the landscaping.

(viii) Other details to include:- [£]

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

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

- 10 Further to the demolition of the existing building but prior to the commencement of development, a detailed site supervision schedule that covers key operations within the root protection area of the tree indicated as T1 in the submitted Arboricultural Planning Statement dated 11 August 2019 (specifically where this involves excavation and installation of piles) shall be submitted to and approved in writing by the local planning authority. The approved schedule shall then be adhered to in full.

Reason: In the interest of tree preservation and visual amenity of the area.

11

Reason: Prior to the commencement of the development a Construction Method Statement shall be submitted to and agreed by the Local Planning Authority outlining measures that will be taken to control dust, noise and other environmental impacts of the development. The approved statement shall be implemented throughout the duration of construction.

The applicant must employ measures to mitigate the impacts of dust and fine particles generated by the operation. This must include:

- (a) damping down materials during demolition and construction, particularly in dry weather conditions,
- (b) minimising the drop height of materials by using chutes to discharge material and damping down the skips/ spoil tips as material is discharged,
- (c) sheeting of lorry loads during haulage and employing particulate traps on HGVs wherever possible,
- (d) ensuring that any crushing and screening machinery is located well within the site boundary to minimise the impact of dust generation,
- (e) utilising screening on site to prevent wind entrainment of dust generated and minimise dust nuisance to residents in the area,
- (f) installing and operating a wheel washing facility to ensure dust/debris are not carried onto the road by vehicles exiting the site.
- (g) the use of demolition equipment that minimises the creation of dust.

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

- 12 Prior to the commencement of the development details of sustainable urban drainage systems shall be submitted to and approved in writing by the Local Planning Authority, in consultation with Thames Water. The submitted details shall include information about the design storm period and intensity and the method employed to delay and control the surface water discharged from the site. Furthermore, no properties shall be occupied until confirmation has

been provided that either:- all surface water will drain via SUDS or where surface water is to be discharged to the public network any upgrades required to accommodate the additional flows from the development have been completed; or - a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan

Reason: To ensure that the development does not give rise to an increase in surface water flooding

INFORMATIVES

- 1 Delete this and enter unique informative here
- 2 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at www.brent.gov.uk/CIL.
- 3 The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk
- 4 The applicant must ensure, 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.
- 5 Brent Council supports the payment of the London Living Wage to all employees within the Borough. The developer, constructor and end occupiers of the building are strongly encouraged to pay the London Living Wage to all employees associated with the construction and end use of development.
- 6 The Council recommends that the maximum standards for fire safety are achieved within the development.
- 7 Thames Water advise the applicant that if they are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at thameswater.co.uk/buildingwater.
- 8 Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
- 9 The applicant is advised that the local authority carry out unannounced site visit to ensure that tree protection measures are in place and that non adherence to approved documents will lead to enforcement action.
- 10 The applicant is advised to contact the Head of Highways and Transportation to arrange for a crossover to Brondesbury Park to be widened and the adjacent parking bays to be amended at the developer's expense.

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

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

18 February, 2020
07
18/3591

SITE INFORMATION

RECEIVED	17 September, 2018
WARD	Mapesbury
PLANNING AREA	
LOCATION	5A-G Inc, Exeter Road, London, NW2 4SJ
PROPOSAL	Demolition of existing rear extension and construction of a single storey ground floor rear extension and excavation to create a basement level to facilitate the conversion of the 3 existing ground floor self-contained flats into 3 x self-contained duplex flats at ground and lower ground floor level; new front boundary wall and new entrance gates; lowering of the ground level to side and rear; rear terraces with metal railings; new side entrance door; new windows to side elevation; new lightwell to front garden; felling of rear garden trees (ash tree T1 and a small group of sycamores G2) and replacement tree planting, subdivision of the rear garden, cycle/waste storage and associated landscaping.
PLAN NO'S	see Condition 2
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_141829</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 "18/3591" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab

RECOMMENDATIONS

- A. Resolve to Grant planning permission subject to the following conditions.
- B. That the Head of Planning is delegated authority to issue the planning permission and impose conditions to secure the following matters:
1. Time Limited Permission
 2. Approved Plans/Documents
 3. Details of materials
 4. Details of Landscaping
 5. Details of Cycle Parking
 6. Details of Refuse Stores
 7. Construction Management Plan
 8. Restriction of Change of Use from C3 to C4
 9. SuDS Details
 10. Considerate Constructors Scheme
 11. Tree Protection
- C. 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 not 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: 5A-G Inc, Exeter Road, London, NW2 4SJ

© Crown copyright and database rights 2011 Ordnance Survey 100025260



This map is indicative only.

Ordnance Survey, (c) Crown Copyright 2018. All rights reserved. Licence number 100022432

PROPOSAL IN DETAIL

The application now seeks permission to demolish an existing rear extension and construct a new single storey ground floor rear extension, and create a basement level to enable the conversion of three existing units into one ground floor studio unit, and two maisonettes to occupy ground and basement levels: a 1b2p unit and a 2b4p unit.

In terms of proposed Flat 2, the replacement extension will have an overall depth along the common boundary with No.7 Exeter Road of 2.17m, 3.65m wide, 3m in height to eaves level, and 3.9m in height 9m in height to the top of a mono-pitched roof with a single rooflight. The extension proposed for Flat 3 will be 3m in depth near to the boundary with No.3A Exeter Road, 4.75m wide, 3m in height to eaves level and 4.2m in height to the top of a mono-pitched roof. Fenestration for each extension will be comprise of timber-glazed sliding doors opening up onto a set of stairs for each flat leading into the rear garden.

The basement excavation would include a sunken patio/terrace areas for both maisonette units, 2.47m deep and extending 3m beyond the rear extension and giving access via stairs up to garden level, with associated railings and planting. The rear garden would be subdivided to provide separate gardens for both the maisonettes.

Excavation would occur at the side of the building to allow a new side entrance door and new side windows. The forecourt, which is currently entirely hardsurfaced and in a poor condition, would be landscaped with planting, a new tiled entrance path and a new frontage wall with piers. In addition the application includes reinstatement of original detailing to the front of the building at ground, first and roof levels.

EXISTING

The property comprises of a three-storey semi-detached building dwellinghouse which has been converted to seven self-contained flats. The property is within the Mapesbury Conservation Area, a suburban Victorian/Edwardian residential estate characterised by large detached and semi-detached red brick buildings. It is not statutorily or locally listed.

At ground floor level, the property is currently divided into three studio flats, all of which fall below the required minimum internal space standard for studios (37sqm).

AMENDMENTS SINCE SUBMISSION

The following amendments have been made:

- The front bay window has been redesigned to match neighbours and better reflect the established character of the conservation area.
- Decorative bargeboards and spindle post have been added at eaves level to match neighbours.
- The ground floor glazing now matches neighbours with timber box sash windows and top-lights.
- The front boundary wall has been made simpler and less bulky by removing railings and reducing the number of brick piers from four to two.
- Proposed timber fencing to rear garden boundaries has been replaced with hedges to give a softer appearance.
- The basement has been reduced from 109sqm to 80.35sqm.
- Excavation is now limited to the rear of the property.
- The front light well and associated grille have been removed completely creating a larger usable front garden area and softer appearance
- The accommodation now comprises:
 - 1 bed 1 person flat with bath (41.5sqm).
 - 1 bed flat 2 person flat (63.54sqm).
 - 2 bed flat (87.16sqm).
- The concern with the second basement bedroom has been addressed by moving that room up to ground floor level.
- The rear ground floor balconies projecting over the lightwells/sunken terraces have been removed (except for narrow sections to allow access from the ground floor living rooms into the garden, but which do not over-sail the basement windows below).
- There is now level access from the street to the repositioned front door to Flat 3.

- The side light well has been moved further to the rear and reduced in both width and length. The window opening into the light well now enjoys improved light directly from the south-east.
- The living room to Flat 3 is now at lower ground floor level with direct garden access and ample windows.
- The ground floor flank windows are fully off-set from adjacent windows in the neighbouring property.
- All new flats have entrance level WC's.
- There is cycle storage in each flat in addition to external spaces.
- The light well stairs to the side passage have been narrowed allowing a wider planting strip along the flank boundary and trellis.

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:

- Principle:** Although the Mapesbury Conservation Area Design Guide notes that basements are not a feature of the Conservation Area and are difficult to integrate, much will depend on the details of the scheme and its impact on character and appearance. The principle is considered acceptable, subject to design quality and compliance with guidance.
- Heritage:** The development site, whilst not occupied by a listed building, sits within the Mapesbury Conservation Area, a designated heritage asset. As such, special attention must be paid to the desirability of preserving or enhancing the character or appearance of that area, as required by s72 of the Listed Buildings and Conservation Areas Act 1990, with section 16 of the NPPF, and with the development plan. Subject to conditions, it is considered that the proposed works of hard and soft landscaping, and in particular, the reinstatement of original detailing to the front garden and main facade, would result in a significant enhancement to the character and appearance of the Conservation Area.
- Highways Matters:** The site is within an area of good public transport accessibility and no additional car parking is required. Cycle parking is required and this will be addressed by a condition to require submission and approval of satisfactory details.
- Other Matters:** The site does not fall within an area of flood risk and the proposal incorporates sustainable drainage measures. Issues of structural stability and related matters are addressed by other legislation and not considered in the assessment of the planning application. A suite of informatives is proposed in accordance with normal Council procedure to draw the applicant's attention to the other relevant regulatory regimes.

RELEVANT SITE HISTORY

In May 2011, planning permission (ref: 11/0708) was **Refused** for the increase in height of the existing in-filling the central valley and erection of a rear dormer window and two rear roof lights to facilitate the creation of additional self-contained flat.

CONSULTATIONS

Statutory and Non-Statutory Consultees

Heritage Officer

It has been advised that there are no objections.

Tree Officer

It has been advised that the proposed removal of the Ash and three Sycamore trees is supported, however concerns are raised over the subdivision of the garden. Should the scheme be approved in its current form, a condition is recommended requiring adherence to the tree report by ACS Consulting.

Transportation

It has been advised that there are concerns over access to one of the proposed cycle stores because residents would have to go up and down two flights of steps. It is recommended that this store is relocated to the front of the residence.

Public Consultation

Letters were sent to the occupiers of 63 neighbouring and nearby properties, and the Mapesbury Residents Association, in addition to statutory site and press publicity from 19 September 2018. Objections were received from 12 properties, raising some or all of the points as set out below. An additional round of consultation was undertaken from 9 July 2019 on the receipt of amended plans and letters were received from 11 properties. Whilst some of these acknowledged the restoration of original features to the front elevation, they continued to raise the points originally made below.

<u>Comment</u>	<u>Response</u>
Design	
Basements and lightwells not characteristic of Mapesbury and out of keeping	Whilst they may not be a traditional feature of the CA, the CA Design Guide confirms that they can be acceptable. Please see the Detailed Considerations below.
Basement is not subordinate in scale to existing building footprint	The basement complies with adopted guidance. Please see the Detailed Considerations below.
Subdivision of garden and loss of trees/planting harms character and appearance and contrary to development plan policy	These elements are considered to be acceptable. Please see the Detailed Considerations below.
Communal garden should be retained	There is no requirement for a communal garden to be retained.
Detailed landscape proposals required for front and rear gardens	Landscaping details are conditioned.
Any permission should be conditioned to control future boundary structures	Conditions are unnecessary because Flats do not have permitted development rights, therefore permission would be required.
Less than 50% landscaping to front garden	Half of the front garden is soft landscaped.
Metal railings not characteristic of CA	The railings have been removed from the front wall
Alterations to front wall not in keeping, lack of information on materials	Front wall details are considered acceptable.
No section drawings through basement	Sections have been provided
Amenity	
Severe disruption, noise, disturbance, damage during construction	Some disruption is inevitable during construction, however this is temporary. A Construction Management Plan is conditioned.
Subdivision of rear garden result in more noise	Subdivision will not result in additional noise.

for neighbours	
Construction Management Plan inadequate, for example, lacks Considerate Contractors Scheme	A detailed CMP is being conditioned.
Loss of outlook for neighbours by removal of trees	The loss of the trees is considered acceptable in this instance
Mapesbury doesn't need an increase in population density	Brent must accommodate an increase in population. The application is to increase the size of three existing substandard units.
Rooflights will create noise disturbance and light pollution to upper flats – they should be obscured glazed and non-opening	There are no concerns with the proposed rooflights.
It is proposed that the basement will be divided into three properties, which will suffer from poor aspect and light	The basement is divided between two flats and a daylight/sunlight assessment concludes that sufficient light will be received
Unclear whether gas meters will remain at the front	The meters are being moved to the side
Lightwell visually intrusive	The front lightwell has been removed because the basement has been reduced in size. The rear lightwell is within the dimensions normally considered acceptable.
Highways Matters	
Insufficient bin storage space	The provision of 2 x 1,100l Eurobins would meet the minimum requirements, in addition to 6 x 23l food waste bins
Additional pressure on parking, if approved should be car free development	The scheme is not proposing any parking
Width of road not conducive to large basement project	A Construction Management Plan is conditioned
Other Matters Raised	
Pressure on services	There are currently three substandard flats within the ground floor. The proposed development will improve the quality of accommodation.
Rainwater harvesting tanks reduce green area	Tanks are below ground, with soft landscaping above.
Inadequate consultation on application	Two rounds of public consultation were undertaken. The first being on receipt of the application; the second on the first set of amendments, which changed the proposal significantly from the initial proposal.
No pre-application community engagement by	Applicants are encouraged to speak with

applicant	neighbours prior to the submission of a planning application but this is not a requirement.
Concern at potential structural damage to property and adjacent properties and that this risk not been properly assessed.	The structural integrity of a development is a matter for the Building Regs. The applicant will need to serve notice on adjacent occupiers under the Party Wall Act. This is a civil matter.
3 Exeter Road had subsidence and underpinning in recent years	The applicant will need to serve notice on adjacent occupiers under the Party Wall Act. This is a civil matter.
Insufficient technical assessments	Sufficient information has been provided for a planning assessment to be made.
Risk of flooding to surrounding properties	The site is in Flood zone 1 meaning that it is at low risk of flooding

POLICY CONSIDERATIONS

London Plan

- 3.3 Increasing housing supply
- 3.5 Quality and design of housing developments
- 3.8 Housing choice housing choice
- 7.4 Local character
- 7.6 Architecture
- 7.8 Heritage assets
- 6.9 Cycling

Core Strategy

- CP21 A balanced housing stock
- CP17 Protecting and enhancing suburban character

Development Management Policies

- DMP1 General development management policy
- DMP7 Brent's heritage assets
- DMP9A Managing flood risk
- DMP9B On site water management and surface water attenuation
- DMP18 Dwelling size
- DMP19 Residential amenity space

Other Relevant Policy Guidance

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Technical housing standards - nationally described space standards (2015)
- National Design Guide (2019)
- draft London Plan (December 2019)
- LB Brent Residential Extensions & Alterations (SPD2)
- LB Brent Basement SPD (Jun 2017)
- LB Brent Mapesbury Conservation Area Design Guide 2018
- Community Infrastructure Levy Regulations 2010
- London Cycling Design Standards

DETAILED CONSIDERATIONS

Principle

1. With three existing, substandard flats occupying the ground floor, the proposed improvements to the accommodation are welcomed and considered acceptable. The overall acceptability of the scheme however, rests upon its acceptability in terms of heritage impact and neighbour amenity, as well as any other relevant material considerations.

Design and Heritage impact

2. Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (“Listed Buildings Act”) confirm that special attention shall be paid to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses (s.66) and preserving or enhancing the character or appearance of that area (s.72).
3. Case law (“Barnwell Manor”) has confirmed that where an authority finds that a development proposal would harm the setting of a listed building or the character and appearance of a conservation area, it must give that harm “*considerable importance and weight*”. Further case law has reconfirmed the Barnwell decision and the considerations to be undertaken by a planning authorities.
4. Section 16 of the NPPF (“Conserving and enhancing the historic environment”) (paras. 184 to 202) advises Local Planning Authorities to recognise heritage assets as an “irreplaceable resource” and to “conserve them in a manner appropriate to their significance” (para.184). In determining applications, LPA’s are advised at para.192 take into account of:
 - a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - c) the desirability of new development making a positive contribution to local character and distinctiveness
5. The impact of a proposed development should be assessed against the significance of the designated heritage asset, and that “*great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be)*” (NPPF para.193). *This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance*. Consent should be refused where there is substantial harm or total loss of significance, unless there are substantial public benefits that outweigh that harm or loss (NPPF, para.195). Where there is less than substantial harm, the harm is to be weighed against the public benefits of the proposal (NPPF, para.196) and with regard to non-designated heritage assets, a balanced judgement is required, having regard to the scale of any harm or loss and the significance of the heritage asset (NPPF, para.197). It is also advised at para.201 that not all elements of a Conservation Area will necessarily contribute to significance.
6. Policy 7.8 of the London Plan (“Heritage Assets and Archaeology”) and draft Policy HC1 (“Heritage, conservation and growth”) advises what boroughs should do at a strategic level to identify, preserve, and enhance London’s heritage assets. The supporting text to Policy CP17 (“Protecting and Enhancing the Suburban Character of Brent”) of the Core Strategy confirms that the Borough’s historical assets need to be protected and conserved. Policies DMP1 (“Development Management General Policy”) and DMP7 (“Brent’s Heritage Assets”) confirms the statutory duty of the Council and provides some guidance on how to present and assess applications affecting heritage assets.
7. There are no listed buildings within the vicinity of the site, therefore an assessment will only be made in terms of its impact on the Mapesbury Conservation Area.

Front garden, front facade

8. The Mapesbury Conservation Area Design Guide states that original front gardens are a distinctive feature of the Conservation Area with soft landscaping features enhancing properties and the area. The Guide advocates front boundary enhancements, with care to be taken to retain the original front path to the door with the remainder being landscaped. It encourages retention and where lost, reinstatement of characteristic entrance paths. Where front boundaries have been lost the Council will support traditional

front boundary walls, railings, gates and piers being replaced or reinstated, with the individual requirements varying with different parts of the area. Reinstatement of hedges, including privet and box is encouraged.

9. All these aims for reinstatement of forecourt and boundary features and soft landscaping are achieved by the present proposal, including extensive planting including frontage hedge, reinstatement of dwarf stock brick frontage wall with piers with original style copings. A pedestrian entrance path would be reinstated in traditional encaustic tiling. The front lightwell would be obscured by planting and frontage features to an extent that it would not be noticeable.
10. The applicant also proposes works to the whole front facade of the building, extending above the ground floor to which the application principally relates. These include:
 - decorative bargeboard and spindle post reinstated to second storey gable
 - parapet detailing reinstated to top of front ground floor bay
 - stucco cornice reinstated
 - pilaster detailing to bay windows reinstated
 - new timber box sash windows with toplights, reinstated
11. These reinstate original detailing to match adjacent properties and comprise a very significant enhancement of the appearance and character of the building. In addition, the existing prominent and unsightly gas meters in the front garden would be replaced and located on the side elevation in a more discreet position, behind a side gate.
12. The combined alterations to the front garden and front facade of the property are considered to amount to a significant enhancement in the character and appearance of the property and thereby a significant enhancement to the character of the Conservation Area. The proposals will be secured by appropriately worded conditions.

Basement

13. The Council's adopted Basement SPD confirms that basements should not: be wider than the original house; extend more than 3m from the rear of the property; or be more than 1-storey. In addition, if rooflights are to be installed, they should be flush and close to the building, lightwells should not be excessive, front lightwells should be no more than 800mm (or half the length of the front garden whichever is less) and should have a horizontal metal grill or flush glazing. The Mapesbury CA Design Guide, while advising that basements are not original features and could harm the special character, reiterates the above guidance where basements are considered acceptable within the Conservation Area.
14. Basement lightwells to the rear should be limited to 3m from the wall of the house into the back garden, with the visual impact of associated railings, barriers, terraces etc kept to a minimum, and special attention given to landscaping to integrate them into the garden. Lightwells 3m deep would serve the rear maisonettes to provide sunken terrace/patio areas with stair access from these up in to their rear garden areas. A 2m wooden screen between the lightwells is proposed to provide privacy.
15. The basement as proposed, is considered to satisfy the criteria within the Mapesbury CA Design Guide and the Basement SPD and does not lead to any harm to the special character of the conservation area.

Rear Garden

16. With the Design Guide stating that gardens are as important as houses to the character of the Conservation Area, concern has been expressed that the proposed subdivision of the gardens by new box type hedges (initially supported by low tension wire and post fence) would harm the openness and character of the garden to the detriment of the Conservation Area. While this concern is noted, it is considered that no material harm would result due to the mature tree and shrub screening along the garden boundaries. As the new hedging matures it will blend with the green character of the existing garden. It is acknowledged that the Council's Principal Tree Officer has objected to the proposed subdivision, but as with his view on the tree loss (below) any visual impact would not be visible from the wider Conservation Area. Moreover, the Council's Principal Heritage Officer has not raised a concern regarding this aspect of the proposal. A condition is proposed to ensure that planning permission would be required for any future proposed works to subdivide the garden further.
17. The Arboricultural Report explains that two trees sited on the boundary and very close to the building

would need to be removed to accommodate the basement and extension and these are identified as a Common Ash and a group of self-seeded Sycamores. The Report notes that the canopy of the Ash in particular 'extends over the rear projection of the house' and 'is positioned awkwardly in relation to the rear of the residential houses and it would not be unreasonable to remove these trees', which are 'thought to be associated with building damage'. While loss of these trees is unfortunate, they form part of the extensive boundary vegetation and they are not visible from the street, therefore their loss would not adversely affect the character and appearance of the wider Conservation Area. A condition is proposed to secure appropriate replacement tree planting, which is an approach accepted within the Design Guide. Tree removal should only take place outside of bird nesting season (unless under the supervision of an appropriately qualified ecologist) and tree protection of retained trees (within the site and immediately adjacent) should be provided in accordance with the recommendations in the submitted Arboricultural Report.

Standard of accommodation

Internal space

18. All three units would exceed the requirements of the London Plan and National Technical Housing Standards and therefore provide for a more acceptable level of accommodation.

Amenity Space

19. With regard to amenity space provision, DMP19 confirms that developments are required to have external amenity space of a sufficient size and type to satisfy needs, and this is normally expected to be 20sqm per flat and 50sqm for family housing (including ground floor flats). The front garden will be for the sole use by Flat 1 and provides approximately 18.5sqm of space. Flat 2 will have approximately 80sqm of amenity space (inclusive of 9sqm of space within the sunken terrace), and Flat 3 will have a total of approximately 172sqm of amenity space (inclusive of approximately 10sqm in the form of a sunken terrace). The remaining upper floor flats will not have access to any amenity space.
20. It is recognised that the amenity space for Flat 1 cannot be considered "private" by virtue of its location, however, this does represent a significant improvement to the existing situation. With regard to the upper floor flats, it is not always possible to provide amenity space for converted dwellings and the application, which does not include those units, does not change this situation, neither is it necessary for this application to address any deficiencies for units not included in the application. Notwithstanding, DMP19 does allow for some flexibility in that the policy states that the quantum is "*normally expected*", thus implying the stated quantum is not an absolute.

Daylight/Sunlight

21. A Daylight and Sunlight Report has been submitted in support of the application and this confirms that the rooms at basement and ground floor levels will achieve daylight and sunlight levels which meet with the recommendations of the Bre Guide.

Impact on Neighbour Amenity

22. The proposed rear extension would be in common alignment with an existing extension at No.7 Exeter Road, thereby not leading to any additional impact in terms of loss of light, outlook, and overshadowing. In relation to No.3A Exeter Road, the development is sited approximately 1.7m from the common boundary with a further 1.2m to the flank wall of that adjoining property. The proposed extension will project approximately 0.9m beyond the rear of that adjoining development and given the level of distancing, will not unduly impact on the existing amenities of those adjoining occupiers in terms of loss of light, outlook and overshadowing.
23. With regard to noise and disturbance during construction, it is inevitable that there will be some throughout the construction process, however these impacts are temporary but in order to minimise any impact, a detailed Construction Management Plan is proposed, to be secured by an appropriately worded condition.

Highways Matters

Car parking

24. The site is in an area with a good PTAL level (4), therefore the lower maximum car parking allowances apply, with 1 or 2 bedroom units having a maximum parking allowance of 0.75 spaces and 3 bedroom units having a maximum parking allowance of 1.2. The proposed maximum parking allowance will increase from 5.25 to 5.7. The increase is not significant and therefore acceptable within an area of good PTAL, however, the scheme continues to propose no off-street parking.

Cycle parking

25. Four cycle parking spaces are required to serve the new units. The application includes extra provision to serve the other four flats in the building which are not part of this application, and this is welcomed. The proposed layout shows a single structure adjacent to the front boundary and the footpath leading to the front entrance. At approximately 1.1m in height, the cycle store would be taller than the low front boundary wall, however, with the proposed front boundary vegetation, the store should not be highly visible. Further details of the cycle store can be secured by condition. Landscaping details are being secured by condition.

Sustainable Design and Construction

Flooding

26. The site is in Flood Zone 1, the zone designating the lowest level of flood risk. The West London Strategic Flood Risk Assessment also indicates no flood risk at this site or its vicinity.

27. Sustainable drainage

28. The proposal includes provision of two rainwater harvesting tanks beneath the soft landscaping in the rear garden (a proposed landscaping condition will ensure proper reinstatement of landscaping following installation). The tanks are a means of attenuating storm water run-off by retention and release of water, and it is stated that they will also provide a source of non-potable water for domestic use. As such this is a sustainable urban drainage measure which would improve surface water run-off conditions.

Other Matters

29. The concerns of neighbours set out above concerning structural stability, drainage, fire risk and related matters are understood. However, these are matters covered by other legislation, including building regulations, as specifically advised within the Council's Basement SPD at section 2.8, and are not matters to be considered as part of the assessment of the proposal which has been made on its planning merits. These other legislative requirements are brought to the attention of the applicant via an extensive list of informatives.
30. Concern at disruption during construction is noted and a condition is proposed to require approval, prior to commencement of works, of a Construction Management Plan (CMP) to control matters such as hours of work and deliveries, noise and dust suppression. A draft CMP was submitted with the application, but a more detailed document will be required by condition to provide further detail particularly regarding community liaison over the construction period.

Equalities

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



Application No: 18/3591

To: Mr Doyle
Doyle Town Planning & Urban Design
86 to 90 Paul Street
London
EC2A 4NE

I refer to your application dated **17/09/2018** proposing the following:

Demolition of existing rear extension and construction of a single storey ground floor rear extension and excavation to create a basement level to facilitate the conversion of the 3 existing ground floor self-contained flats into 3 x self-contained duplex flats at ground and lower ground floor level; new front boundary wall and new entrance gates; lowering of the ground level to side and rear; rear terraces with metal railings; new side entrance door; new windows to side elevation; new lightwell to front garden; felling of rear garden trees (ash tree T1 and a small group of sycamores G2) and replacement tree planting, subdivision of the rear garden, cycle/waste storage and associated landscaping.

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

at **5A-G Inc, Exeter Road, London, NW2 4SJ**

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: 10/02/2020

Signature:

Gerry Ansell
Head of Planning and Development Services

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 It is considered that that the proposed development, due to its design, will not harm the significance of the Mapesbury Conservation Area. It is considered that the overall character and appearance of the application site is enhanced because of the improvements identified above. Having regard to the statutory requirement to give special attention to the desirability of preserving or enhancing the character or appearance of a conservation area (s.72), the proposal has been assessed against the identified heritage asset as set out above. It is considered that the development proposal will not lead to any harm to the designated heritage asset having regard to Policy 7.8 of the London Plan, Core Policy 17, Policies DMP1 and DMP7 of the Development Management Policies, and with section 16 of the NPPF.

- 2 It is also the case that three existing studio units which are significantly smaller than current standards require, would be replaced by three good quality dwellings compliant with current space requirements.

- 3 The proposed single storey rear extensions, due to their design, size and siting does not unduly impact on the existing amenities of the occupiers of nearby properties in terms of loss of light, outlook, privacy, overlooking, and overshadowing. In this respect complies with Policy 7.6 of the London Plan, Core Policy 17, DMP Policy 1 of the Development Management Policies, and with guidance contained within the National Planning Policy Framework.

- 1 To assist applicants the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website and offers a pre planning application advice service. The scheme complies with guidance and permission is therefore granted [no pre application discussions were entered into].

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

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

- 2 The development hereby permitted shall be carried out in accordance with the following approved drawings and documents

3005(PLA)101	Existing Ground Floor Plan
3005(PLA)102	Existing First Floor Plan
3005(PLA)103	Existing Second Floor Plan and Roof Plan
3005(PLA)200	Existing Front Elevation
3005(PLA)201	Existing Side Elevation
3005(PLA)202	Existing Rear Elevation
3005(PLA)203	3 Exeter Rd Existing Flank Elevation
3005(PLA)300	Existing Section AA
3005(PLA)301	Existing Section BB
3005(PLA)002/P	Existing Site Plan/ Proposed Site Plan
3005(PLA)110/P	Proposed Basement Plan
3005(PLA)111/P	Proposed Ground Floor Plan
3005(PLA)111-2/P	Proposed Ground Floor Plan - Front Garden Detail
3005(PLA)112	First Floor Plan (no changes proposed).
3005(PLA)113	Second Floor Plan Roof Plan
3005(PLA)210-2/P	Proposed Front (Street) Elevation.
3005(PLA)210-2/P	Proposed Front Elevation
3005(PLA)211-1/P	Proposed Side Elevation
3005(PLA)212/P	Proposed Rear Elevation and Section
3005(PLA)310-1/P	Proposed Section AA

3005(PLA)310-2/P Proposed Section AA- Detail
3005(PLA)310-3/P Proposed Section – Front Garden
3005(PLA)311/P Proposed Section BB

Sustainability Statement: Environment Economics 13/07/2018
Arboricultural report: ACS(TREES) Consulting. Ref: ha/aiams1/18/5exeterrd
Surface Water Drainage Strategy: Ref: 88189-ASStudioLtd-Exeter Road
Schedule of Proposed Sustainability Measures

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

- 3 Details of materials for all external work, including samples where required, shall be submitted to and approved in writing by the Local Planning Authority prior to works relating to above basement level commencing, to include building front elevation, front wall and gates, pedestrian entrance path, rear basement railings and rear extension.

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

Reason: To ensure a satisfactory development which preserves and enhances the character and appearance of the Conservation area.

- 4 Details of all soft landscaping shall be submitted to and approved in writing by the local planning authority prior first occupation of the development hereby approved. Details to be submitted shall include details or proposed arrangements for the maintenance of the landscaping. All approved planting shall occur during the first available planting season following completion of the development hereby approved. Any trees and shrubs planted in accordance with the landscaping scheme which, within 5 years of planting are removed, dying, seriously damaged or become diseased shall be replaced in similar positions by trees and shrubs of similar species and size to those originally planted unless otherwise agreed in writing with the Local Planning Authority.

Details of soft landscaping shall include trees to replace those shown to be lost on the approved drawings, and reinstatement of landscaping following installation of the rainwater harvesting tanks.

Reason: To ensure a satisfactory standard of appearance and setting for the development, to ensure that the proposed development enhances the character and appearance of the Conservation Area, to ensure a sustainable development, and to provide tree planting pursuant to s197 of the Town and Country Planning Act 1990 (as amended).

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

Reason: To ensure that an adequate standard of accommodation is maintained in all of the residential units and in view of the restricted space in the front garden to accommodate additional bin or cycle storage, and to preserve the character and appearance of the Conservation Area.

- 6 The development hereby approved shall only be undertaken in accordance with the tree protection measures detailed within the Arboricultural Report (ref: ha/aiams1/18/5exeterrd) submitted by ACS (Trees) Consulting dated 6th September 2018.

Reason: To ensure that the retained trees on the site or in adjacent sites are not adversely affected by any aspect of the development.

- 7 Prior to any works to implement hard and soft landscaping at the front of the property, and notwithstanding the drawings hereby approved, the design of the cycle stores shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be implemented other than in accordance with the approved drawings and the cycle parking shall be retained for that purpose.

Reason: To ensure adequate provision of suitable cycle parking facilities in the interests of promoting sustainable travel and to secure an acceptable appearance and design having regard to the location of the site within a Conservation Area.

- 8 Prior to any works to implement hard and soft landscaping at the front of the property, the design of the refuse stores shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be implemented other than in accordance with the approved details and the refuse stores shall be retained for that purpose only.

Reason: To ensure adequate provision of refuse storage facilities and to secure an acceptable appearance and design having regard to the location of the site within a Conservation Area.

- 9 Prior to the commencement of any works and notwithstanding the submitted Construction Management Plan, a revised Construction Management Plan shall be submitted to the Local Planning Authority for approval in writing. The revised Construction Management Plan shall include but not be limited to the following:

- a. a photographic condition survey of the roads, footways and verges leading to the site;
- b. wheel cleaning methodology and facilities (inclusive of how waste water will be collected /managed on site);
- c. the estimated number and type of vehicles per day/week;
- d. details of any vehicle holding area;
- e. details of any vehicle call up procedure;
- f. coordination with other development projects in the vicinity;
- g. Hours of deliveries / collections,
- h. A Construction Management Plan written in accordance with the 'London Best Practice Guidance: The control of dust and emission from construction and demolition'.

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

Reason: To minimise the impact of construction works upon highway safety, congestion and parking availability, to ensure the implementation of the development does not lead to damage to the existing highway, and to minimise disruption to neighbouring properties and the environment. These details are required pre-commencement because the impacts of construction commence when the development commences and as such, the need to mitigate those impacts accordingly arises at this time.

- 10 Prior to installation of the proposed surface water attenuation measures, details shall be submitted to and approved in writing by the local planning authority of the proposed system, including management and maintenance proposals. The development shall be implemented in accordance with the approved details and shall be retained and managed as such for the lifetime of the development.

Reason: To secure measures are implemented to the benefit of sustainable urban drainage and surface water flood prevention.

INFORMATIVES

- 1 The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk

- 2 The applicant must ensure, before work commences, that the treatment/finishing of flank walls can be implemented as this may involve the use of adjoining land and should also ensure that all development, including foundations and roof/guttering treatment is carried out entirely within the application property.
- 3 The applicant is reminded that nesting birds are protected under the Wildlife & Countryside Act, 1981 (as amended). All buildings and areas of trees, hedges, scrub or similar vegetation where birds may nest which are to be removed as part of the development approved, should only be cleared outside of the bird-nesting season (March - August inclusive) or if clearance during the bird-nesting season cannot reasonably be avoided, a suitably qualified ecologist must check the buildings and vegetation to be removed immediately prior to clearance and advise whether nesting birds are present.
- 4 The applicant is advised to notify the Council's Highways and Infrastructure Service of the intention to commence works prior to commencement and include photographs showing the condition of highway along the site boundaries. The Highways and Infrastructure Service will require that any damage to the adopted highway associated with the works is made good at the expense of the developer.

Any person wishing to inspect the above papers should contact Sean Newton, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5166

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

18 February, 2020
08
19/3409

SITE INFORMATION

RECEIVED	23 September, 2019
WARD	Harlesden
PLANNING AREA	Harlesden Neighbourhood Forum
LOCATION	1-12E INC and 14A-18B INC The Elms, Nicoll Road, London, NW10 9AA
PROPOSAL	Creation of 3 self-contained units involving the construction of a 4th floor level with terraces and balustrades above the residential block of flats known as Nos. 1-18B The Elms, Nicoll Road.
PLAN NO'S	See Approved Plans condition
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_147130</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 "19/3409" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab

RECOMMENDATIONS

Resolve to **grant** planning permission subject to conditions.

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

Conditions

1. 3 Years to commence development
2. Development to be built in accordance with approved plans
3. Submit details of materials
4. Restriction on housing to be within C3 use (no C4 use)
5. Details of water consumption
6. Details of External lighting
7. Details of Satellite/Communication equipment
8. Details of sound insulation
9. Considerate Constructor scheme membership
10. Permit free restriction for car parking
11. Non-road mobile machinery to be limited in terms of power output
12. Submission of construction management plan
13. Details of cycle storage
14. Plant noise
15. Construction noise and dust
16. Obscure Glazing


Informatives

CIL liable approval
Building near boundary
London living Wage
Fire safety
Thames Water – minimum water pressure
Contact Highways
Contact Thames Water (use of mains water for non-domestic purposes)
Party Wall
Out of hours working

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

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

SITE MAP

	<p>Planning Committee Map</p> <p>Site address: 1-12E INC and 14A-18B INC The Elms, Nicoll Road, London, NW10 9AA</p> <p>© Crown copyright and database rights 2011 Ordnance Survey 100025260</p>
---	---



This map is indicative only.

PROPOSAL IN DETAIL

The proposal is for the creation of recessed fourth storey providing 3 studio flats on top of the existing 3 storey building. The third storey of this development has recently been added under planning ref: 17/4382 creating 9 additional flats.

The proposals would be accessed utilising existing ground floor entrance and stairwells of the existing building.

Each flat would have access to a balcony area. Flats 2 and 3 would be accessed by an open air corridor to the rear. This amendment was encouraged to improve the relationship with neighbouring premises.

EXISTING

The site is situated on a large corner site which fronts Acton Lane to the south and Nicoll Road to the east. The area is predominantly residential in character of 2/3 storey in height. A large Grade II listed church is sited to the east on the opposite side of Nicoll Road and Willesden County Court to the South East.

The site is currently occupied by 1930s, 3 storey block of flats. With amenity and parking areas to the rear of the site.

The site has a Public Transport Accessibility Level of 5 (PTAL 5).

The site is within Air Quality Management Area.

SUMMARY OF KEY ISSUES

The key planning issues for Members to consider are set out below. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Members will need to balance all of the planning issues and the objectives of relevant planning policies when making a decision on the application:

- **Representations received** – 17 comments were received objecting to the scheme and a petition objection from 25 of the addresses within of the block of flats The Elms. The principle objection relates the construction nuisance arising from the previous development creating an entire additional floor to the building, there is a concern this level of nuisance will be repeated by the addition of the 3 flats.
- **Design/Heritage impacts** – The overall design approach is considered appropriate to the locality and not harmful to the adjacent heritage assets of Our Lady of Willesden Roman Catholic Church (Grade II listed building) and the Harlesden Conservation Area.
- **Quality of accommodation** – The proposed accommodation would be of good quality size and layout, consistent with London Plan and Brent Local Plan standards, with good access to light, outlook and amenity space overall. Levels of external amenity space meet Mayoral standards but fall below Brent standards as set out within Policy DMP19. However, given the proximity to town centre and efficient layout of internal space, a good standard of accommodation is considered to be provided.
- **Neighbour amenity** – Minor encroachment occurs upon the 45 degree principle at 2m height on boundary of the amenity land to the west, This is an area of land which legally been separated and fenced off so as no longer forms part of the adjacent dwellings at 20 Acton Lane) on balance the overall living conditions of these properties would not be significantly harmed and the impacts are

considered acceptable.

- **Highways** – No significant harm is considered to the highway network. The proposal is to be subject to a parking permit restriction secured by condition.

RELEVANT SITE HISTORY

The following is a summary of relevant planning history:

18/1428 - Variation of condition 2 (development built in accordance with approved plans: layout to flat 24A to include a study and changes to the external to include 3 smoke actuated units and 1 access hatch onto the roof) and removal of conditions 3 and 4 of Full Planning Permission reference 17/4832 dated 1 February, 2018, for Construction of an additional floor to existing block of flats to provide 9 additional self-contained flats (6 x 1 bed and 3 x 2 bed) with associated car and cycle parking spaces, bin stores, landscaping and associated works. **Granted**

17/4382 - Construction of an additional floor to existing block of flats to provide 9 additional self-contained flats (6 x 1 bed and 3 x 2 bed) with associated car and cycle parking spaces, bin stores, landscaping and associated works. **Granted**

16/3428 - Construction of an additional floor to existing block of flats to provide 8 additional self-contained flats (5 x 1bed and 3 x 2bed) with associated car and cycle parking spaces, bin stores, landscaping and associated works. **Granted**

15/4371 - Erection of additional floor extension to create 9 self-contained flats. **Refused**

CONSULTATIONS

The following consultation was undertaken for a period exceeding the minimum statutory requirement of 21 days:

Neighbour notification letters were sent to 143 nearby addresses.

Site notice was placed adjacent the site in excess of 21 days before recommendation.

17 letters of objection have been received from individuals.

A petition was received from residents the Elms block of flats, 25 of the dwellings objected to the proposal.

Summary of comments

Comment	Officers Response
Increased demand of parking, congestion and pollution	See highways section.
Loss of daylight/sunlight	See neighbour amenity section.
Limited local infrastructure	No specific shortage of infrastructure identified by comment. Addition of 3 studio flats is not considered to cause excessive pressure on local infrastructure. Development will contribute to Community Infrastructure Levy which will assist in provision of local infrastructure. It is for

	relevant infrastructure providers such as health services to meet needs of the local community.
Previous permissions caused excessive disruption and nuisance to residents from poor building practices of the developer.	An element of disturbance must be expected with nearly all development projects. Excessive disturbance is controlled by Environmental Health Legislation. Due to the location of the proposal and a conditions is recommended to ensure the developer is a member of the considerate constructor scheme conditions.
Older building put under strain by new development	Appropriate Building Regulations would have to be complied during the course of any new development. This is the primary legislation for the structural assessment of a development.
Problems with utilities capacity	Is a matter for building regulations
No lift in building, poor accessibility	As the scheme is for only 3 studio flats, policies requiring 10% of homes suitable for those with disabilities are not fully engaged, the development will be required to comply with building regulations with regards to accessibility.
Excessive bulk and poor design	See character and appearance section.
Overlooking of neighbouring properties	See neighbour amenity section.
Problems with excess rubbish	Sufficient storage is proposed.
Building over capacity, health and safety risk	Development would need to accord with building regulations. Health and Safety Executive responsible for enforcing safe working practices.

Consultees:

Harlesden Neighbourhood Forum – no comment received

Highway Authority – no objection, subject to conditions

Conservation officer – no objection

Environmental Health – no objection, subject to conditions

POLICY CONSIDERATIONS

The following planning policy documents and guidance are considered to be of relevance to the determination of the current application with some of the key policies referenced below relevant document, although the whole document is considered:

National Planning Policy Framework

The London Plan consolidated with alterations since 2011 (March 2016)

2.18 Green infrastructure

- 3.1 Life Chances for All
- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 3.8 Housing Choice
- 3.9 Mixed and Balanced Communities
- 5.2 Minimising Climate Change
- 5.3 Sustainable Design and Construction
- 5.6 Decentralised Energy in Development Proposals
- 5.7 Renewable Energy
- 5.10 Urban Greening
- 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
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.5 Public Realm
- 7.6 Architecture
- 7.7 Location and Design of Tall and Large Buildings
- 7.8 Heritage Assets and Archaeology
- 7.14 Improving Air
- 7.15 Reducing and Managing Noise
- 7.19 Biodiversity and Access to Nature
- 7.21 Trees and Woodlands

Draft London Plan

- GG1 Building Strong and inclusive communities
- GG2 Making the best use of land
- GG3 Creating a healthy city
- GG4 Delivering New Homes Londoners need
- GG5 Growing a Good Economy
- GG6 Increasing Efficiency and Resilience

D1 London's Form and Characteristics
D2 Delivering Good Design
D3 Inclusive Design
D4 Housing Quality and Standards
D5 Accessible Housing
D6 Optimising Housing Density
D7 Public Realm
D10 Safety, Security and Resilience to Emergency
D11 Fire Safety
D13 Noise
G1 Green Infrastructure
G5 Urban Greening
G6 Biodiversity and Access to Nature
G7 Trees and Woodlands
H1 Increasing Housing Supply
H5 Delivering Affordable housing
H6 Threshold approach to applications
H7 Affordable housing tenure
H12 Housing size mix
S4 Play and Informal Recreation
HC1 Heritage and Culture
HC5 Supporting London's Culture and Creative Industries
SI1 Improving Air Quality
SI2 Minimising Green house Emissions
SI3 Energy infrastructure
SI4 Managing Heat Risk
SI5 Water Infrastructure
SI7 Reducing Waste and Supporting the Circular Economy
SI12 Flood Risk Management
SI13 Sustainable Drainage
T4 Assessing and Mitigating Transport Impacts
T5 Cycling
T6 Car Parking
T7 Deliveries, servicing and construction
DF1 Delivery of the Plan and Planning Obligations

Brent Core Strategy (2010)

CP1: Spatial Development Strategy

CP2: Population and Housing Growth

CP5: Placemaking

CP6: Design & Density in Place Shaping

CP17: Protecting and enhancing the suburban character of Brent

CP18: Protection and Enhancement of Open Space, Sports and Biodiversity

CP19: Brent Strategic Climate Change Mitigation and Adaptation Measures

CP21: A Balanced Housing Stock

CP23: Protection of existing and provision of new Community and Cultural facilities

Brent Development Management Policies (2016)

DMP 1: Development Management General Policy

DMP 7: Heritage Assets

DMP 9A: Managing Flood Risk

DMP 9B: On Site Water Management and Surface Water Attenuation

DMP 11: Forming an Access on to a Road

DMP 12: Parking

DMP 13: Movement of Goods and Materials

DMP 15: Affordable Housing

DMP 18: Dwelling Size and Residential Outbuildings

DMP 19: Residential Amenity Space

Brent Draft Local Plan

BD1: Leading the Way in Good Urban Design

BSI1: Social Infrastructure and Community Facilities

BE1: Economic Growth and Opportunities For All

BGI1: Green and Blue Infrastructure in Brent

BH1: Increasing Housing Supply in Brent

BHC1: Brent Heritage Assets

BH5: Affordable Housing

BH6: Housing Size Mix

BG12: Trees and Woodlands

BSUI2: Air Quality

BSUI4: On Site Water Management and Surface Water Attenuation

- BT1: Sustainable Travel Choice
- BT2: Parking and Car Free Development
- BT3: Freight and Servicing

Site Specific Allocations (2011)

West London Waste Plan (2015)

Harlesden Neighbourhood Plan

Supplementary Planning Documents/Guidance (SPD/SPG)

- Brent SPD1: Design Guide for New Development (2018)
- Brent s106 Planning Obligations SPD (2013)
- Mayor's Housing SPG
- Mayor's Sustainable Design and Construction SPG
- National Planning Policy Guidance
- National Design Guide
- Harlesden Conservation Area Appraisal
- Brent Waste Planning Guide

DETAILED CONSIDERATIONS

Principle

1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that 'If regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the development plan unless material considerations indicate otherwise'.
2. Core Strategy Policy CP17 states that the distinctive suburban character of Brent will be protected from inappropriate development. Local Plan Policy DMP1 states that development will be acceptable provided it is of a location, use, concentration, siting, layout, scale, type, density, materials, detailing and design and complements the local area. This is supported by the design guidelines set out in SPD1 & SPD2.
3. Core Strategy Policy CP2 supports the provision of additional residential units within residential areas in the borough.
4. DMP1 states "*subject to other policies within the development plan, development will be acceptable provided it is:*

of a location, use, concentration, siting, layout, scale, type, density, materials, detailing and design that provides high levels of internal and external amenity and complements the locality; ...

g. not unacceptably increasing exposure to flood risk, noise, dust, contamination, smells, waste, light, other forms of pollution and general disturbance or detrimentally impacting on air or water quality."

Character and Appearance

5. London Plan policy 7.1 ("Lifetime Neighbourhoods") advises that the design of new buildings and the

spaces created by them should “*help to reinforce or enhance the character, permeability, and accessibility of the neighbourhood*” while policies 7.4, 7.5 and 7.6 confirm the requirement for achieving the highest architectural quality, taking into consideration the local context and its contribution to that context. Design should respond to contributing towards “a positive relationship between urban structure and natural landscape features...” Additional design guidance can be found in DMP1 (“Development Management General Policy”) and within the Councils SPD1 (“Design Guide for New Development”).

6. Core Strategy Policy CP17 states that the distinctive suburban character of Brent will be protected from inappropriate development. Local Plan Policy DMP1 states that development will be acceptable provided it is of a location, use, concentration, siting, layout, scale, type, density, materials, detailing and design and complements the local area.
7. Overall the proposals are considered to represent sympathetic and modest architecture which would integrate the existing building well. The well recessed from help reduce any perceived additional mass or height to an acceptable scale consistent with the objectives of the development plan and design guidance. External materials including hand rail will be required to submitted by condition for approval.

Heritage

Heritage Considerations

8. Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (“Listed Buildings Act”) confirm that special attention shall be paid to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses (s.66) and preserving or enhancing the character or appearance of that area (s.72). As confirmed by the Court of Appeal (Civil Division), the decision in *Barnwell Manor Wind Energy Ltd v East Northamptonshire District Council* [2014] EWCA Civ 137 confirmed that where an authority finds that a development proposal would harm the setting of a listed building or the character and appearance of a conservation area, it must give that harm “*considerable importance and weight*”. Further case law has reconfirmed the Barnwell decision and the considerations to be undertaken by a planning authority: *The Forge Field Society & Ors. R v Sevenoaks District Council* [2014] EWHC 1895 (Admin), *Pugh v Secretary of State for Communities and Local Government* [2015] EWHC 3 (Admin).
9. Section 16 of the NPPF (“Conserving and enhancing the historic environment”) (paras.184 to 202) advises Local Planning Authorities to recognise heritage assets as an “irreplaceable resource” and to “conserve them in a manner appropriate to their significance” (para.184).
10. When considering the impact of a proposed development on the significance of a designated heritage asset, it is advised at para.193 that “*great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance*”. Consent should be refused where there is substantial harm or total loss of significance, unless there are substantial public benefits that outweigh that harm or loss (NPPF, para.195). Where there is less than substantial harm, the harm is to be weighed against the public benefits of the proposal (NPPF, para.196) and with regard to non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset (NPPF, para.197).
11. It is also important for Members to note that with regard to the legislation, the term “setting” only refers to listed buildings, which is defined in the NPPF as:
12. *The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.*

The Local Plan

13. Policy 7.8 of the London Plan (“Heritage Assets and Archaeology”) advises what boroughs should do at a strategic level to identify, preserve, and enhance London’s heritage assets. The supporting text to Policy CP17 (“Protecting and Enhancing the Suburban Character of Brent”) of the Core Strategy confirms that the Borough’s historical assets need to be protected and conserved. Policies DMP1 (“Development Management General Policy”) and DMP7 (“Brent’s Heritage Assets”) confirms the statutory duty of the

Council and provides some guidance on how to present and assess applications affecting heritage assets.

14. To the east of the Site lies Our Lady of Willesden Roman Catholic Church, a grade II listed building and Harlesden Conservation Area.
15. What must be determined is whether the proposed development will harm the significance of the aforementioned designated and non-designated heritage assets, having regard to the statutory requirement to give special attention to the desirability of preserving a listed building or its setting (s.66) and preserving or enhancing the character or appearance of a conservation area (s.72).

Assessment Against Significance of Heritage Assets

Our Lady of Willesden Roman Catholic Church (grade II listed)

16. The development is well recessed from the roofline, only notionally perceptible at pedestrian level, the proposals are not considered to harm the setting or compete for prominence with the Church which is significantly separated from the site with Nicoll Road an intervening feature. In its Historic England Listing it is described as:
 17. *1930. Roman Catholic Church by Wilfred C Mangan of Preston. Severe and dignified large brick church. Modern Romanesque with apsidal chancel and small campanile. Long narrow windows. Interior: sand faced cement with deep concrete ribs to nave roof and apse giving a wide span.*
- 18.
19. It is considered that the identified heritage asset will not be harmed from the proposed development and that its significance, character and setting will continue to be preserved.

Harlesden Conservation Area

20. Although the site is outside the conservation area it lies adjacent the Harlesden Conservation Area which is characterised by dense Victorian development. The character appraisal suggests:
 21. *"There is no visual connection to the wider London context from the Conservation area. Building heights and local topography mean that there are no significant views to either man made or natural landmarks."*
22. The modest addition to the existing roof scape is well recessed and would not harmfully impact upon the character or setting of the Harlesden Conservation Area.
23. On balance, the proposals overall are considered to preserve the setting and character of the adjacent heritage assets.

Affordable Housing/Unit Mix/Family sized dwellings

24. As a minor scheme under 10 units, affordable housing and requirements for family sized units do not apply.

Density

25. CS Policy CP6 supports high densities in areas of good public transport accessibility, subject to the quality of the design, location of the site and the need to provide family housing. Given the site is predominantly within residential uses and very good PTAL rating the amount of housing is considered proportionate to the wider context of the site.

Quality of Residential Accommodation

26. Local Plan Policy DMP1 and DMP18 state that it is important that development provide high levels of internal amenity and create a high quality environment, and should be consistent with London Plan Policy 3.5, Table 3.3 'Minimum Space Standards for New Dwellings'.
27. The size of the units and amenity areas are set out in the tables below:

Flat number	Gross Internal Area (sq.m)	External Amenity (sq.m)
1	39	7

2	38	5
3	37	5

28. All of the residential units would meet the minimum floorspace standards as required by DMP policy DMP18 and London Plan policy 3.5 with efficient layout and generally good aspect, outlook and light.
29. DMP policy DMP19 provides guidance for outdoor residential amenity space of 20sqm per flat and 50sqm per family unit the expected amount. Of a unit mix of proposed the development would generate a requirement of 60 sq.m.
30. Each residential unit has access to private amenity space ranging from 5 sq.m to 7 sq.m, which is London Plan compliant but falls short of Brent requirements of DMP19.
31. Consideration has been given to site constraints and the size of the proposed flats (all one-person units), the benefit of providing additional homes is considered to outweigh the impacts on the quality of accommodation associated with the shortfall in external amenity space.
32. The proposed levels of external amenity space fall below those specified within policy DMP 19, however, on balance the proposal is considered to deliver high quality of accommodation with adequate living conditions for future residents. Overall the flats would have good access to outlook, light and general living conditions would be acceptable.

Neighbouring Amenity

33. Local Plan Policy DMP1 seeks to ensure new development, amongst other things, provides high levels of internal and external amenity and does not unacceptably increase exposure to noise, light and general disturbance. This is supported by SPD1.

Privacy

34. The design guide for new developments SPD1 outlines the minimum distance between habitable facing windows is 18m and distance from windows to private amenity space should be 9m.
35. The proposed rear open air corridor to the rear of flat 2 and 3 would be in excess of 9m to the neighbouring boundary and therefore not create any unduly harmful overlooking scenarios not already expected in the existing inner suburban context.
36. In Flat 1 a secondary side facing window is proposed facing east towards 20 Acton Lane and overlooking the amenity land sited between 20 Acton Lane and the site. This window can be conditioned to be obscure glazed to safeguard the amenity of this land and any future development potential of this land.
37. On balance the development would retain adequate privacy for future occupiers and neighbouring uses.

Daylight/Sunlight

38. The applicant has submitted a daylight sunlight analysis based the Building Research Establishment (BRE) guidance *Site layout planning for daylight and sunlight: a guide to good practice*, which advises on planning developments for good access to daylight and sunlight, and is widely used by local authorities during planning permission to help determine the impacts of new developments.
39. The design guide for new developments SPD1 outlines the 30 and 45 degree principles on pg.27. Where there are failures of these principles the impact on outlook and the sense of enclosure to neighbouring properties and garden space can increase. When considered with a daylight/sunlight study it can be established if any significant harm would arise to residential amenity.
40. The London Plan SPG – Housing gives guidance stating at paragraphs 1.3.45 and 1.3.46:

1.3.45 An appropriate degree of flexibility needs to be applied when using BRE guidelines to assess the daylight and sunlight impacts of new development on surrounding properties, as well as within new developments themselves. Guidelines should be applied sensitively to higher density development,

especially in opportunity areas, town centres, large sites and accessible locations, where BRE advice suggests considering the use of alternative targets. This should take into account local circumstances; the need to optimise housing capacity; and scope for the character and form of an area to change over time.

1.3.46 The degree of harm on adjacent properties and the daylight targets within a proposed scheme should be assessed drawing on broadly comparable residential typologies within the area and of a similar nature across London. Decision makers should recognise that fully optimising housing potential on large sites may necessitate standards which depart from those presently experienced, but which still achieve satisfactory levels of residential amenity and avoid unacceptable harm.

41. A detailed assessment has been submitted for daylight, sunlight and overshadowing which demonstrates future residents and users of the amenity space areas would have reasonably good access to light, with no significant failures of BRE guidance on the daylight/sunlight impact.

Outlook

42. The siting and layout of the proposals is such that outlook is not considered to be significantly harmed to neighbouring or future occupiers. The additional building is well recessed from the building edge and modest in scale and does not appear to be overbearing.

Noise

43. Local Plan Policy DMP1 states that new development will be acceptable providing it does not unacceptably increase exposure to noise and general disturbances.

44. Conditions have been proposed to ensure the adequate sound insulation is put in between existing and proposed dwellings.

45. Whilst some disturbance is inevitable during the construction process anywhere in a built up location, appropriate conditions have been proposed to mitigate potential impacts during the construction phase of the development.

Lighting

46. There could be issues with additional lighting impacting on residential uses at lower levels. To ensure there are not any excessive impacts, details of any external lighting are recommended to be agreed through condition.

Highways

47. Policy 6.3 of the London Plan confirms that the impact of development proposals on transport capacity and the transport network should be fully assessed. The proposal should comply with policies relating to better streets (Policy 6.7), cycling (Policy 6.9), walking (Policy 6.10), tackling congestion (Policy 6.11), road network capacity (Policy 6.12) and parking (Policy 6.13). Policies DMP11 and 12 provide the criteria upon which developments will be assessed with regard to layout and access / servicing / parking standards.

48. The NPPF para.109 states, "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

49. The site is located within PTAL 5 where generally car free development can be considered acceptable consistent with policy DMP12.

50. Policy DMP12 requires that where additional on-street parking might be generated, this needs to be safely accommodated. The location of the site within a CPZ means that overspill parking is very unlikely,

51. As the site has very good access to public transport services, the lower residential car parking allowances set out in Table 6 at Appendix 1 of the adopted DMP 2016 apply.

52. The sizes of the original 24 existing flats are not known, but they average about 60m² each and generally have four external windows. On this basis, they are assumed to each contain no more than two bedrooms, whilst the additional nine flats recently constructed at 3rd floor level are also all 1-1/2-bed units.

This gives a total existing car parking allowance of 24.75 parking spaces. The nine parking spaces at the rear of the site, including one disabled space, is therefore within the maximum allowance.

53. This proposal for three further 1-bed flats at 4th floor level would increase the car parking allowance by 2.25 spaces to 27 spaces. With no further off-street parking proposed for these flats, maximum standards would continue to be complied with.
54. Policy DMP12 also requires that any additional on-street parking that is generated can be safely accommodated though. The recent application for nine new flats at 3rd floor level addressed any concerns on this matter through a 'car-free' agreement to withdraw the right of future residents to on-street parking permits. To ensure a consistent approach that mitigates potential parking impact, the same condition should be applied to these three further flats.
55. The London Plan requires the provision of a secure bicycle parking space for each 1-bed flat and two spaces for each 2-bed flat. A total of 17 bicycle stands (34 spaces) were previously approved to the rear of the building, but an alternative layout showing 19 stands (38 spaces) has now been submitted. Given this conflicting information, further details of covered bicycle parking for a minimum of 39 bicycles are therefore sought as a condition of any approval.
56. As with the earlier proposals, bin storage for eight Eurobins is proposed to the front of the site, providing adequate storage capacity for the existing and proposed flats and allowing continued easy access for collection from Nicoll Road.
57. Pedestrian access to the new flats will be shared with access for the existing flats from the Nicoll Road frontage, which is fine.
58. Subject to conditions: (i) designating the three proposed new flats as 'car-free' to remove the right of future occupants to on-street parking permits; and (ii) requiring the submission and approval of further details of the proposed covered bicycle storage, there would be no objections on transportation grounds to this proposal.
59. Overall the development would be safe with suitable access and the impacts on the highway would be limited.

Wheelchair accessibility

60. London Plan Policy 3.8 requires 90% of new housing to meet Building Regulation requirement M4 (2) "accessible and adaptable dwellings". It also requires 10% of new housing to meet the Building Regulation requirement M4(3) "wheelchair user dwellings"
61. As minor scale development it is not possible to require any additional units be wheel chair accessible, any accessibility will have to comply with current building control legislation

Air quality

62. Demolition and construction has the potential to contribute to background air pollution levels and cause nuisance to neighbours, as do fossil fuel boilers.
63. Prior to the commencement of the development a Construction Management Plan shall be submitted to and agreed by the Local Planning Authority outlining measures that would be taken to control dust, noise and other environmental impacts of the development.
64. Brent is currently part of the 'London low emission construction partnership'. Therefore the use of Non Road Mobile Machinery of net power between 37kW and 560kW is required to meet at least Stage IIIA of the EU Directive 97/68/EC and its amendments. This would apply to both variable and constant speed engines for both NOx and PM. This can be secured by condition.

Land Contamination

65. Land contamination is not likely to be an issue and the ground is not to be disturbed by the development.

Trees / Landscaping

66. There is limited scope for additional planting on site.

Flood Risk

67. London Plan policies 5.12 and 5.13 require the consideration of the effects of development on flood risk and sustainable drainage respectively. Policy DMP9A ('Managing Flood Risk') confirms that new development must avoid and reduce the risk of flooding, and not increase the risks elsewhere and that planning permission would only be granted for proposals which have addressed all sources of flood risk and would not be subject to, or result in unacceptable levels of flood risk on site or increase the level of flood risk to third parties. DMP9B ('On Site Water Management and Surface Water Attenuation') requires minor schemes to make provision of an appropriate SuDS scheme where feasible.

68. There are residential complaints of sewer getting blocked and over capacity, buildign regulations are the appropriate mechanism to ensure successful connection to the sewerage network.

Equality

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

Conclusion

70. On balance, the proposals are considered to accord with the development plan, the well recessed and modest addition to the existing roof would be marginally noticeable in longer held views of the site and is considered to of be sympathetic scale and character. No significant harm has been identified to neighbouring amenity and no harm is considered to arise to nearby heritage assets. Conditions have sought to mitigate inappropriate construction practices including a condition requiring membership of the considerate constructor scheme. The proposals would contribute to the housing needs of the borough and increase the mix of housing on offer.

CIL DETAILS

This application is liable to pay **£40,709.11** * 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): 0 sq. m.

Total amount of floorspace on completion (G): 113 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
(Brent) Dwelling houses	113	0	113	£200.00	£0.00	£33,698.21	£0.00
(Mayoral) Dwelling houses	113	0	113	£0.00	£60.00	£0.00	£7,010.90

BCIS figure for year in which the charging schedule took effect (Ic)	224	323
BCIS figure for year in which the planning permission was granted (Ip)	334	
TOTAL CHARGEABLE AMOUNT	£33,698.21	£7,010.90

*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.



Application No: 19/3409

To: Vera Road Limited

1/7 Sta

I refer to your application dated **23/09/2019** proposing the following:

Creation of 3 self-contained units involving the construction of a 4th floor level with terraces and balustrades above the residential block of flats known as Nos. 1-18B The Elms, Nicoll Road.

and accompanied by plans or documents listed here:
See Approved Plans condition

at **1-12E INC and 14A-18B INC The Elms, Nicoll Road, London, NW10 9AA**

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

Date: 10/02/2020

Signature:

Gerry Ansell
Head of Planning and Development Services

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 On balance the development is considered to accord with the objectives of the development plan, taking into consideration all comments and material considerations.

- 1 Prior to the commencement of the development, the approved development shall be registered with the Considerate Constructors Scheme (CCS) and aim to achieve best practice standards on the direct and indirect impacts of the construction work of this development and thereafter construct the development in accordance with best practice principles of CCS.

Reason: In the interests of sustainable development and neighbouring amenity.

- 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 drawings and documents:

TE_PL_100 rev E
TE_PL_101 rev E

TE_PL_104 rev E
TE_PL_120 rev E
TE_PL_130 rev E
TE_PL_200 rev E
TE_PL_201 rev E
TE_PL_202 rev E
TE_PL_203 rev E
TE_PL_220 rev E
TE_PL_230 rev E
Daylight/Sulight Assessment

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

- 4 Prior to commencement of works above ground level, 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. 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.

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

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

- 6 Prior to first occupation of the Residential Development ('the Development') confirmation from the Building Control body to demonstrate that the relevant building has been designed so that mains water consumption does not exceed a target of 105 litres or less per person per day, using a fittings-based approach to determine the water consumption of the development shall be submitted to and approved in writing by the Local Planning Authority.

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

- 7 Within six months of commencement of the development, details of any external lighting shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of the lighting fixtures, luminance levels within and adjoining the site. The lighting shall not be installed other than in accordance with the approved details.

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

- 8 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 DMP1 and London Plan policies 5.3 and 7.14.

- 9 Prior to the commencement of the development a Construction Method Plan (CMP) shall be submitted to and agreed by the Local Planning Authority outlining measures that will be taken to control dust, noise and other environmental impacts of the development. The CMP shall include details of a dust monitoring plan, to be implemented during construction and demolition works. All agreed actions shall be carried out in full.

The statement shall also include:

- (i) The phases of the Proposed Development including the forecasted start and completion date(s)
- (ii) A commitment to apply to the Council for prior consent under the Control of Pollution Act 1974 and not to commence development until such consent has been obtained
- (iii) A scheme of how the contractors will liaise with local residents to ensure that residents are kept aware of site progress and how any complaints will be dealt with reviewed and recorded (including details of any Considerate Constructor or similar scheme)
- (iv) A scheme of how the contractors will minimise complaints from neighbours regarding issues such as noise and dust management, vibration, site traffic and deliveries to and from the site
- (v) Details of hours of construction including all associated vehicular movements
- (vi) Details of the construction compound

Reason: To ensure the protection of living conditions, highway safety and managing waste throughout development works due to the risk of harm arising from these works in respect of air quality and highway safety.

- 10 Details of the provision of secure cycle parking spaces shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby approved. Thereafter the development shall not be occupied until the cycle parking spaces have been laid out in accordance with the details as approved and these facilities shall be retained.

Reason: In the interest of promoting sustainable transport options and to ensure satisfactory facilities for cyclists and to ensure appropriate provision of bin storage in the interest of visual

and residential amenity.

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

Reason: To protect acceptable local noise levels and residential amenity.

- 12 During demolition and construction on site:

- The best practical means available in accordance with British Standard Code of Practice BS5228-1:2009 shall be employed at all times to minimise the emission of noise from the site;
- The operation of the site equipment generating noise and other nuisance causing activities, audible at the site boundaries or in nearby residential properties shall only be carried out between the hours of 08:00 – 18:00 Mondays-Fridays, 08:00 -13:00 Saturdays and at no time on Sundays or Bank Holidays unless otherwise agreed in writing by the Local Planning Authority;
- Vehicular access to adjoining and opposite premises shall not be impeded;
- All vehicles, plant and machinery associated with such works shall be stood and operated within the curtilage of the site only;
- A suitable and sufficient means of suppressing dust must be provided and maintained.
- A wheel washing facility shall be installed and operated to ensure that dust/debris is not carried onto the road by vehicles exiting the site.

Reason: To ensure that and occupiers of neighbouring premises do not suffer a loss of amenity by reason of nuisance and pollution

- 13 The windows in serving Flat1 facing north and east shall be permanently fitted with obscure glazing and fixed shut below a height of 1.7m.

Reason: To protect residential amenity

- 14 Prior to first occupation of the development hereby approved details of a communal television aerial and satellite dish system for each of the three buildings linking to all residential units within the development, shall be submitted to and approved in writing by the Local Planning Authority, and thereafter implemented in accordance with the approved details. 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.

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

Daytime noise Living rooms/bedrooms 35 dB LAeq (16 hr) (07:00-23:00)

Night time noise Bedrooms 30 dB LAeq (8hr) (23:00-07:00)

Prior to the commencement of works, details shall be submitted to and approved in writing demonstrating how these noise levels will be achieved and all approved noise mitigation measures shall be implemented in full prior to first occupation of the residential units hereby approved.

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

- 16 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 of each building, 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.

INFORMATIVES

- 1 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at www.brent.gov.uk/CIL.
- 2 The applicant must ensure, before work commences, that the treatment/finishing of flank walls can be implemented as this may involve the use of adjoining land and should also ensure that all development, including foundations and roof/guttering treatment is carried out entirely within the application property.
- 3 Brent Council supports the payment of the London Living Wage to all employees within the Borough. The developer, constructor and end occupiers of the building are strongly encouraged to pay the London Living Wage to all employees associated with the construction and end use of development.
- 4 The Council recommends that the maximum standards for fire safety are achieved within the development.
- 5 Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
- 6 The applicant should contact the Head of Highways & Infrastructure to secure a licence to oversail the footway of Carlton Vale with balconies under S177 of the Highways Act 1980.
- 7 Thames Water advise the applicant that if they are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at thameswater.co.uk/buildingwater.
- 8 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

- 9 For out of hours work Section 61 application, the Control of Pollution Act 1974 allows the council to set times during which works can be carried out and the methods of work to be used. Contractors may apply for prior approval for works undertaken outside of normal working hours. They should email the noise team at ens.noiseteam@brent.gov.uk to obtain a section 61 application form. Please note that the council has 28 days to process such applications.

Any person wishing to inspect the above papers should contact Patrick Doyle, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5169