



Planning Committee

Wednesday 19 June 2019 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,
W Mitchell Murray and Patterson

Councillors

Colwill and Kansagra

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

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The press and public are welcome to attend this meeting

Members' briefing will take place at 5.00pm in Boardroom 5

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 - 10 April 2019		1 - 6
APPLICATIONS FOR DECISION		
3. Wembley Youth Centre and Land next to Ex Dennis Jackson Centre, London Road, Wembley, HA9 (Ref 18/4273)	Wembley Central	11 - 54
4. 2A, Preston Way and 283, 285 & 287 Preston Road, Harrow, HA3 (Ref. 18/4902)	Barnhill	55 - 80
5. 110 Walm Lane, London, NW2 4RS (Ref. 18/4675)	Mapesbury	81 - 116
6. 110 Walm Lane, London, NW2 4RS Ref. 18/4701)	Mapesbury	117 - 160
7. Stonebridge Primary School Annexe, Twybridge Way, NW10 0ST (Ref. 18/4810)	Stonebridge	161 - 190
8. 3 Cygnus Business Park, Dalmeyer Road NW10 2XA (Ref. 19/0888)	Dudden Hill	191 - 200
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 16 July 2019



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

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LONDON BOROUGH OF BRENT

MINUTES OF THE PLANNING COMMITTEE Wednesday 10 April 2019 at 6.00 pm

PRESENT: Councillors Denselow (Chair), Johnson (Vice-Chair), Chappell, Colacicco, Hylton, Kabir, Maurice and Sangani

Apologies for absence were received from Councillor S Butt. Councillor Kabir substituted

1. **Declarations of interests**

18/4199 Alperton House, Bridgewater Road, HA0 1EH
Councillors Denselow, Hylton, Johnson, Maurice and Sangani declared that they received an e-mail from the applicant (Peabody Estates.)

18/4903 51-63 and Upper Floor Flats, High Road NW10 5TB
Councillors Chappell and Colacicco declared that they had been approached by the residents.

2. **Minutes of the previous meeting - 12 March 2019**

RESOLVED:-

that the minutes of the previous meeting held on 12 March 2019 be approved as an accurate record of the meeting.

3. **18/4199 Alperton House, Bridgewater Road, Wembley, HA0 1EH**

PROPOSAL: Demolition of the existing buildings and construction of 4 buildings ranging in height from 14 to 23 storeys, comprising 474 residential units at 1st to 23rd floors (140 x 1-bed, 263 x 2-bed and 71 x 3-bed), mixed commercial use at ground and part 1st floor including a new public house (Use Class A4) retail floorspace (Use Classes A1, A2, and/or A3), workspace (B1b/c), and an office (B1a), together with associated public realm improvements; soft/hard landscaping; creation of a canal side walkway, new access arrangements, car and cycle parking; servicing, refuse and recycling facilities

RECOMMENDATION: to GRANT planning permission subject to:

A. Referral to the Mayor of London (stage 2 referral)

B. The prior completion of a legal agreement to secure the planning obligations set out within the 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 the planning application 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 (Area Team Manager) introduced the application which proposed the demolition of all buildings on site and construction of a mixed use development included retail, public house and workspace uses and 474 residential units arranged within four buildings. In addition to the provision of improved residential amenity, the development would incorporate landscaped public realm adjoining the canal side and external seating for the public house. She continued that the principle of development with mixed uses was considered acceptable as it responded to the Site Allocation.

Members heard that the proposal would deliver 147 affordable housing units out of a total of 474 units, representing 35% affordable housing by habitable room (89 units at London Affordable Rent levels and 58 units for shared ownership). Officers considered this to be the maximum reasonable amount of affordable housing that can be provided, subject to any additional surplus being captured through early stage and late stage review mechanisms. Ms McDonagh added that the design, scale and appearance of the four buildings would contribute to the Alperton Growth Area.

Ms McDonagh referenced the supplementary report and informed the Committee that the matters raised in the additional objection received from One Tree Hill Residents' Group (part of Wembley and Alperton Ward Residents' Association, WCARA) had already been reported and discussed within the main committee report. In response to Members' request for further information on trees, biodiversity, landscaping and relationship with the canal, Ms McDonagh reported that existing biodiversity potential had been assessed in a Preliminary Ecological Appraisal, summarised in the main report (paragraph 72). She continued that the proposal would significantly increase the amount of soft landscaping across the site, and a detailed landscaping scheme including bird and bat boxes and wildlife sensitive lighting, would be required by condition. Overall officers considered that the ecological status of the site would be enhanced through the proposal. In addition, extensive new tree and shrub planting was proposed as part of the

landscaping scheme. Ms McDonagh also highlighted that the TfL ATTrBuTE system, referred to within the main committee report, is no longer used for travel plans, and that updated guidance is now used.

Mr Lars Wulf (objector) stated that the height of the application of 23 storeys was not consistent with the Alperton Master Plan which set a maximum height of 7 storeys. He therefore objected on grounds of excessive height and loss of light. Mr Wulf added that the proposal would give rise to increased traffic, congestion and excessive parking demand without adequate infrastructure, to the detriment of existing and future the residents as well as wildlife and green spaces close to the canal side area.

Mr Chirag Gir (Chair, Wembley and Alperton Ward Residents' Association, WCARA) raised the following concerns in objection to the proposal;

- a) Traffic congestion and pollution.
- b) Displacement parking as a result of the introduction of CPZ in the area.
- c) No specific mention of a s278 legal agreement.

Mr Fahmi Young and Mr George Hadad also spoke in objection. Mr Young, an owner of a Communications firm in the Abecorn Commercial Centre, stated that the proposed height of the buildings would prevent his satellite equipment from functioning as normal to the detriment of his business. Mr Hadad added that the proposed entrance via Manor Farm Road would lead to increased traffic, unauthorised parking in the area and construction noise.

Mr Jeffrey Ruffels (applicant) and Ms Eve Timberland (agent) addressed the Committee. Mr Ruffels stated that the proposal for mixed use development would deliver 474 homes with 147 affordable units and affordable work spaces. He highlighted the design aspects which would deliver as much lighting without impacting on local ecology and the provision of sustainable open spaces. He clarified that the main access would be via Bridgewater Road and that the traffic access via Manor Farm Road would be minimum as it was meant for the only 3 disabled parking spaces.

Members questioned the applicant on measures they would employ to address the parking situation including displacement parking, measures to address the concerns raised by Mr Young, the impact of the proposal on local public transport and infrastructure to support the proposal.

Ms Eve Timberland responded that under the Heads of Terms of the section 106 legal agreement, the applicant would make a significant contribution towards the introduction of CPZ. She added that a survey would be undertaken on the impact on the communication business and if proven by survey, a package of mitigation measures would be put in place. In relation to public transport impact, Ms Timberland clarified that the applicant had been engaging with TfL and the conclusion was that the impact would not be significant as to warrant mitigation measures. She referenced the community infrastructure levy (CIL) payment as set out within the report which was purposely to address potential infrastructure deficiency which may arise from the development.

Members then invited the Area Planning Manager to address the pertinent issues raised including traffic, overshadowing, loss of light and privacy, introduction of CPZ, ecological impact, affordable housing, potential anti-social behaviour in One Tree Hill Park.

Ms McDonagh stated that traffic generation and congestion would be low and the level of car parking would be consistent with TfL Healthy Street Policy. In addition to the cycle infrastructure secured for the area, there would be highways improvements to secure pedestrian comfort. She continued that subject to consultation, the introduction of CPZ would control potential parking overspill in the area. She went on to advise that concerns regarding the nearby zebra crossing on Ealing Road, forms part of the Council's wider project that was being led by the Transportation Unit, with the Highways Unit.

Ms McDonagh informed Members that the CCG has reviewed the demand for General Practitioner (GP) services within the Alperton Growth Area which includes a forecast of projecting population, and that a new medical centre has been secured within the Northfields site. She added that currently there were sufficient primary school places in the area and that any significant increase in demand would be addressed through the CIL payment secured for the scheme. In respect of secondary school provision, Ms McDonagh stated that Alperton Community School had been expanded to a 9 form entry school to ensure sufficient places to meet demand.

In addressing issues about overshadowing and loss of privacy, Ms McDonagh clarified that daylight and sunlight assessment for the application concluded that due to the separation distances and the windows being a dual aspect, the resulting impact would not be significant. She referenced the amenity provisions of the proposal at the podium between blocks C and D, roof top and spacious balcony. Members also heard that the 35% affordable housing secured represented the maximum possible for the viability of the scheme and that any additional surplus would be captured at early stage and late stage review mechanisms.

In respect of consultation, Ms McDonagh informed the Committee that 848 neighbours were consulted in addition to press and site notices and that only 10 objections were received. She added that Canals and Rivers Trust had no objections subject to the conditions they had requested as set out within the committee report. She continued that officers would continue to work with the Parks Department on appropriate measures for improving and addressing any potential anti-social behaviour in One Tree Hill Park. Members noted that the construction logistics plan, construction management plan and Environmental Health legislation would address potential noise in the construction stages of the development.

Members noted the officer's responses to the issues raised both at the meeting and within the report and decided as follows:

DECISION: Granted planning permission as recommended.

(Voting on the recommendation was as follows: For 6, Against 2).

4. 18/4903 51-63 INC and Upper Floor Flats at 51-63 INC, High Road, London, NW10 2SU

PROPOSAL: Demolition of existing pitched roofs, removal of existing chimneys, demolition of existing pitched gable end to outrigger and erection of replacement dutch gable; construction of a third floor level to provide 6 self-contained flats (6 x 1-bed) with private external terraces, installation of replacement windows to all flats facing High Road, installation of communal satellite dishes and terrestrial aerials to each property, reduction of side brick work panel to No. 63 High Road and removal of brick pilaster to side elevation of No. 63 High Road and associated secure cycle storage.

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

Ms Victoria McDonagh (Area Team Leader) introduced the report and answered members' questions. Members heard that the application was a re-submission of planning application 12/3233 which was allowed on appeal. The application was therefore a re-submission of the scheme identical to that previously allowed on appeal as the 3-year time limit had now lapsed and due to changes in policies. All of the units would experience good levels of privacy, due to the provision of obscure and fixed glazing to the side facing windows which would prevent overlooking between units. The external amenity provisions were also considered acceptable.

Mr Julian Scott-Reid (objector) addressed the Committee and raised the following issues; loss of privacy, loss of light and outlook and lack of affordable housing.

Mr Vas Manga (agent) addressed the Committee and answered members' questions. He added that due to set back and separation distances, the proposed development would not give rise to loss of privacy and outlook. Members heard that although there would be no affordable housing, the proposal would deliver CIL payments.

During Members' question time, Ms Paige Ireland (Planning Officer) responded that the separation distances for the application which had been approved on appeal to the Planning Inspectorate, was consistent with the High Road and would

not give rise to loss of privacy and outlook. She undertook to refer concerns about the parking situation in Ellis Close to Highways Unit.

In welcoming the recommendations of the report, Members added an informative that any damage to the pavement during construction should be restored.

DECISION: Granted planning permission as recommended with an additional informative that pavement damaged during construction be restored.
(Voting on the recommendation for approval was unanimous).

5. 18/3603 124 Purves Road, London, NW10 5TB

PROPOSAL: Proposed two-storey, two bedroom dwellinghouse with a lower ground floor at the rear of 124 Purves Road with associated amenity space, allocation of private amenity space for existing flats of 124 Purves Road with raised ground level and provision of refuse & recycling storage.

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

Ms Victoria McDonagh (Area Team Leader) introduced the report and answered members' questions. She referenced the supplementary report which responded to Members' query regarding basement SPD and added that the basement was considered acceptable for the reasons set out within the report.

DECISION: Granted planning permission as recommended.
(Voting on the recommendation for approval was unanimous).

6. Any Other Urgent Business

None.

The meeting closed at 7.50 pm

COUNCILLOR J. DENSELOW
Chair

APPLICATIONS FOR DECISION

Introduction

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

Material planning considerations

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

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

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

Provision of infrastructure

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

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

Further information

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

Public speaking

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

Recommendation

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

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COMMITTEE REPORT

Planning Committee on
Item No
Case Number

19 June, 2019
03
18/4273

SITE INFORMATION

RECEIVED	6 November, 2018
WARD	Wembley Central
PLANNING AREA	
LOCATION	Wembley Youth Centre and Land next to Ex Dennis Jackson Centre, London Road, Wembley, HA9
PROPOSAL	<p>Demolition of community centre and erection of three residential blocks ranging from three to seven storeys in height comprising a total of 170 residential units (67 x 1 bed, 82 x 2 Bed, 13 x 3 Bed and 8 houses) with community centre, new vehicular and pedestrian access, provision for car parking, cycle and refuse storage, amenity spaces and gardens and associated landscaping.</p> <p>The proposed development does not accord with the provisions of the development plan in force in the area as it seeks to develop land designated as open space within Brent's Core Strategy policy CP18.</p>
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_142578</p> <p><u>When viewing this as a Hard Copy</u> .</p> <p>Please use the following steps</p> <ol style="list-style-type: none"> 1. Please go to pa.brent.gov.uk 2. Select Planning and conduct a search tying "18/4273" (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:

- A. Referral to the Mayor of London (stage 2 referral)

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

Conditions

1. Time limit for commencement (3 years)
2. Approved Plans
3. Affordable Housing Provision
4. Temporary use defined as 24 months maximum per tenancy for Block C
5. Community Centre use (D1) to be secured
6. Community Centre hours of use defined
7. Parking, bicycle stores and bin stores to be provided pre-occupation
8. Water consumption to be limited in line with policy
9. Public parts of development to be secured for public access
10. C3 to C4 permitted development rights to be revoked
11. At least 10% wheelchair accessible units to be secured
12. Carbon offsetting contribution to be paid through agreement
13. Considerate Constructors Scheme to be joined
14. Overheating report measures to be secured
15. Air Quality report measures to be secured
16. Drainage/SUDS report measures to be secured
17. Ecology report measures to be secured
18. Nominations agreement to be submitted
19. Temporary accommodation management plan to be submitted
20. 6th floor terrace to be subdivided and details submitted
21. Permit free restriction applied to development
22. Footways/substation location to be amended on revised plans
23. Enter into S38/278 Highways agreement to complete highways works
24. Submit and monitor a travel plan
25. Parking management plan to be submitted
26. Construction logistics plan to be submitted
27. Delivery and servicing plan to be submitted
28. London Underground detailed drawings to be submitted

29. Future connection to district heating network to be provided
30. Noise and vibration report to be submitted
31. Construction Management Statement to be submitted
32. Contaminated land studies to be undertaken and remediation if necessary
33. Details of external lighting to be submitted if necessary
34. Surface water infrastructure to be upgraded OR occupation phasing plan to be agreed with Thames Water
35. Piling method statement to be submitted
36. Landscaping and playspace detailed plans to be submitted
37. Plant noise levels to be tested
38. External material samples to be submitted
39. Highway surface material details/samples to be submitted
40. Photovoltaic Array details to be submitted
41. Arboricultural method statement to be **xxx**
42. Training and employment obligations to be secured
43. Electric Vehicle Charging Points to be secured in line with GLA policy
44. Communal satellite to be provided to avoid multiple satellite dishes
45. Community Access Plan for the community centre to be submitted

Informatives

- CIL liability
 - Party wall information
 - Building near boundary information
 - Notify highways service of intent to commence works
 - Guidance notes from Thames Water
 - Guidance notes from Environment Agency
 - Guidance notes from London Underground
 - Guidance notes from Network Rail
 - London living wage note
 - Fire safety advisory note
 - Any other informative(s) considered necessary by the Head of Planning
1. That the Head of Planning is delegated authority to make changes to the wording of the committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the committee nor that such change(s) could reasonably have led to a different decision having been reached by the committee.
 2. That 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: Wembley Youth Centre and Land next to Ex Dennis Jackson Centre, London Road, Wembley, HA9

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This map is indicative only.

PROPOSAL IN DETAIL

The application will seek approval of a new Council led development which proposes the demolition of an existing community youth centre and replacement with three buildings containing a total of 170 residential units and a re-provided community centre.

The proposed development would be provided across three buildings that extend to heights of between three and seven storeys.

The following uses are proposed:

NAIL (New Accommodation for Independent Living) Residential Units (25 total)

- 17x studio flats
- 8 x 1 bedroom flats

Residential Units providing temporary accommodation (53 total)

- 32x 1 bedroom flats (which are adaptable to a 2 bedroom layout)
- 21x 2 bedroom flats (which are adaptable to a 3 bedroom layout)

General Purpose Residential Units for Affordable Rent (92 total)

- 10x 1 bedroom flats
- 61x 2 bedroom flats
- 13x 3 bedroom flats
- 8x 3 bedroom houses

Community Centre (293sqm indoor space + 168sqm outdoor space)

The site is to be accessed via two new cul-de-sacs of 5m-6m width plus footways from the end of London Road. 42 car parking spaces are proposed (including 20 disabled spaces). Bicycle stores are proposed within the private housing and temporary housing blocks.

Street tree planting, communal gardens for the three blocks as well as a publically accessible linear park and public play facilities are proposed within the new development as well.

EXISTING

The site forms a large tract of land, almost one hectare in size. The land is to the east of a suburban residential part of Wembley formed of terraced housing around London Road and Cecil Avenue. The land is immediately to the west and south of the Ark Elvin Academy playing fields. The site's present uses include the active Wembley Community Centre on its northern side and the vacant Dennis Jackson Centre on its southern side, together with an area of hardstanding with marked out parking bays.

The site is immediately to the north of the Wembley Brook watercourse, which separates the subject site from the railway to the south. The land surrounding the brook is designated as a wildlife corridor as well as a Site in Nature Conservation (SINC).

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:** A number of local representees (4 individual objections and one petition with 57 signatures) have objected to this application for a variety of reasons. Officers consider that the proposal is acceptable and that none of the grounds upon which

objectors resist the proposal give rise to a reasonable argument that the proposal should be resisted in planning terms. A local primary school which also adjoins the playing fields has voiced support for the development.

2. **Provision of new affordable homes:** Your officers give great weight to the viable delivery of a substantial number of affordable homes, in line with the adopted Development Plan. The scheme does not include private market housing.
3. **Provision of an improved, high quality community centre:** The development will replace the existing community centre with a high quality, open plan community facility with step free access, complete with a new public children's play space immediately outside. The new facility will be smaller than the existing facility in terms of footprint, but will be far more usable and formed of one large space rather than a number of fragmented spaces as is the case with the current centre.
4. **Design, layout and height:** The proposal replaces a land without clear function, mainly formed of a car park and tree cover, with a sensitively designed housing development. It utilises good architecture with quality detailing and materials in order to maximise the site's potential whilst regulating its height to respect surrounding development.
5. **Quality of the resulting residential accommodation:** The residential accommodation proposed is of sufficiently high quality. The mix of units is in accordance with the standards within the London Plan and reasonably well aligned with the Core Strategy target mix. The flats would have good outlook and light. The amount of external private/communal space is slightly below our standard, but not to a significant extent and significant new landscaped public realm is proposed, including a linear park, which improves this offer.
6. **Neighbouring amenity:** There would be minimal detrimental impacts to neighbouring residential properties, as measured in accordance with BRE guidance for light and only one minor breach of the Council's SPD1 guidelines for protecting light and outlook to neighbours. The overall impact of the development is considered acceptable, particularly in view of the wider regenerative benefits.
7. **Highways and transportation:** The scheme is to provide suitable provision of car and cycle parking and will encourage sustainable travel patterns and mitigate the potential for over-spill parking by being a 'permit-free' development, with the exception of blue badge parking spaces. Creation of new public highways as well as improvements to the existing London Road are being secured.
8. **Trees, landscaping and public realm:** 29 trees are to be lost on site, although 85 new trees are proposed to be planted alongside a comprehensive landscaping scheme. Brent's tree and landscaping officers have reviewed the plans and welcome the landscaping proposals and, subject to their implementation, would not object to the existing tree losses. It is noted that the tree losses are from within land formally protected as open space however it is not considered that the losses are significant in the context of the character of the wider open space designation and when it is weighed against scale and quality of the replacement scheme.
9. **Environmental impact, sustainability and energy:** The measures outlined by the applicant achieve the required improvement on carbon savings within London Plan policy. Conditions will require further consideration of carbon savings prior to implementation.

RELEVANT SITE HISTORY

There is no planning history for this site.

CONSULTATIONS

73 neighbouring properties along London Road and Cecil Avenue were notified of this proposal for a minimum of 21 days on the 21st of November 2018. Ark Elvin Academy, whose playing fields the site borders, were notified of the proposal on 20th of February 2019.

Site notices were erected outside the development on the 20th of December 2018 and a press notice was published on the 29th of November 2018.

The proposal was advertised as a departure from policy on the basis that part of the site to be developed is designated as open space. This element of the site was once part of the Copland School playing field but was surfaced in Tarmac and segregated from the playing fields more than 10 years ago and has not been used for open space purposes for some time.

Following consultation, 4 letters of objection and 1 objecting petition containing signatories from 57 separate properties along London Road, Cecil Avenue and Rosemead Avenue were received.

In addition, a letter of support for the development was received from Elsley Primary School, a school situated nearby on the other side of the playing fields to which the site adjoins. The proposal was supported by the school with reference to the strong need for additional housing.

The objection comments received are summarised and responded to as follows:

Point of objection	Officer Response
<p>London Road is already hemmed in by 3 developments at Ark Elvin Academy and along the high Road, negatively impacting the wellbeing of local residents.</p>	<p>The sites along the High Road are within the Wembley Growth Area. This is the largest Growth Area in the borough where a significant proportion of the new homes and employment opportunities that are required will be provided. The potential impacts of this level of growth have been carefully considered through the plan making process.</p> <p>Furthermore, each application is considered on its planning merits and the potential impact of development is considered through the application process.</p>
<p>There is existing congestion in the local area.</p> <p>The development will generate car and foot traffic that the road cannot handle. Parking issues will also be worsened.</p>	<p>The development will not generate a high number of vehicle-borne trips and as such will not significantly alter current congestion levels. Please see paragraphs 93-132 for a discussion of the trip rates of the development.</p> <p>An acceptable but low level of car parking will be provided on site and the development will be parking permit exempt, meaning residents (aside from blue badge holders) will not have the right to apply for parking permits. As such, the potential for overspill parking from the development would be mitigated.</p>
<p>The area has poor infrastructure to cope with new developments, such as schools and healthcare.</p>	<p>Significant new infrastructure is being delivered in Wembley.</p> <p>Ark Elvin Academy is a larger local school that has recently undergone a capacity increase. It is also noted that a new primary school at York House and a new health centre in the Wembley Park area have been consented and will contribute to local infrastructure capacity.</p>
<p>There is no investment in updating transport and road infrastructure alongside housing development.</p>	<p>The increase in vehicular trips as a result of new developments is closely scrutinised by Brent and TfL. The development will result in insignificant increases in vehicle borne and local public transport trips, within existing road and public transport capacity. Further discussion is in paragraphs 93-132.</p>
<p>The proposal goes against the Council's policy which protects designated open spaces.</p>	<p>Whilst part of the site is within the peripheral part of the designated protected open space on Ark Elvin Academy's playing fields, the part of the site within the designated area is comprised of a large hard-surfaced car</p>

	<p>park and some areas of heavy tree cover.</p> <p>Officers do not consider that the site has the character or usability of conventional open space despite its designation as such. Officers therefore consider that the space could appropriately be developed for residential uses without materially detracting from the value of the playing fields open space designation.</p>
The development will negatively impact water quality, local wildlife and environment.	Minimising the development's impact on local ecology has been thoroughly considered by the applicant's ecologist, with a number of mitigation and enhancement measures identified that are to be secured by condition. Further discussion is in paragraphs 154-158.
The development will remove greenery, local wildlife, fresh air and open light sources currently benefitting the local streets. Overshadowing will be incurred.	The application includes studies confirming a suitable impact on surrounding properties in terms of overshadowing and light losses. There will be a loss of trees, however significant replacement planting is proposed, including a linear park environment for the use of the public. The current site has very little recreational value being comprised of overshadowed pathways to the community centre and a car park and officers consider that the offer in terms of green infrastructure represents an improvement on the existing site environment.
The development will create an unwelcoming environment and will create congregating spaces for anti-social behaviour, creating security concerns.	The development is lined by active building fronts which will make the area feel inviting and ensure the new environment's safety is maximised through natural surveillance.
The development is not a private development and will not contribute to the affluence of the area.	The fostering of mixed communities is of benefit to community cohesion and diversity.
The number of flats will dramatically change and diminish the local landscape.	The site is very large (just under a hectare) and the development accords with suggested density ranges in the London Plan's density matrix. It is not considered that the number of flats in the site. Sufficient car/cycle parking spaces are to be provided which will minimise the use of existing resources/infrastructure and impact on the local surroundings.
The new flats will enable overlooking of nearby gardens.	The development has been tested for unacceptable overlooking relationships in accordance with Brent's SPD1 guidance. The development does not create any unacceptable breaches of privacy between proposed or existing residential

	premises.
Regeneration should take place where it is not overcrowded already.	The area immediately surrounding the site is relatively low density but is close to a town centre and is considered to be an ideal site for development. The suitability of the site for development has been acknowledged in Brent's recent preferred options policy document (2018) where the site is designated as a site specific allocation for residential development.
Residents will experience disruption during building works and there is no statement as to how this would be managed.	Some temporary disruption associated with construction is an inevitable aspect of any development. A construction management plan will be conditioned to any forthcoming consent.
There are bottlenecks and congestion at the London Road/High Road junction which would be worsened.	The development will result in insignificant increases in vehicle borne and local public transport trips, within existing road and public transport capacity. Highways officers have paid due regard to existing congestion/traffic flows in reaching these views. Further discussion is in paragraphs 93-132.
Local pavements are unsafe and unable to take the extra footfall.	The development will provide new cul-de-sacs with pavements and will fund some highways improvements along London Road, including traffic calming.
Security concerns due to influx of temporary residents.	The Council has a responsibility to house vulnerable residents in temporary accommodation. The development has been designed to maximise safety and community cohesion, inclusive of public playgrounds and green spaces.
A community/youth centre and large children's playground would be a better use of the land, given the family focus of the area and proximity of primary schools.	Both a high quality community centre and public children's playground form part of the proposal and are strongly welcomed by officers.
Permitting the development would act as a precedent for the allotment site to be acquired and developed.	All applications are assessed on their own merits. The redevelopment of this site would not create a precedent for the redevelopment of the allotments.
The development will cast shadows on the neighbouring allotments, detrimental to the growth of food.	The allotment sites are some distance from the development site and it is noted that a modest impact on the immediately neighbouring buildings has been identified in the applicant's daylight/sunlight report. These modest impacts would see further attenuation when the more distant allotment sites are considered.
The plans appear to show the pathway off of London Road being cut off meaning the access to the allotments would be reduced.	The plans indicate that both pedestrian pathways spurring off from the end of the existing London Road would remain accessible with the proposed development in situ.

External Consultation

Externally the following were consulted:

The Greater London Authority

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

- **Principle of development supported** – further information on how the community centre at least replicates the quality of the existing community centre provision is requested.
- **Residential provisions, which are 100% affordable, are supported** – further clarification on the precise nature of occupants' needs and the level of on-site service provision is needed in order to confirm the housing is consistent with the definition of affordable housing in the National Planning Policy Framework (NPPF)
- **Residential density supported** – subject to further clarification of qualitative urban design aspects
- **Children's play space supported** - given the near guidance compliant provision and proximity of public parks (e.g. King Edward VII park) On site play space for young children acceptable. Advised to consider off site contribution to update off-site play areas
- **Urban design and massing/appearance** – supported subject to confirmation that bedrooms cannot be used as through-routes/corridors within the adaptable temporary flats Recommended that ground floor units are duplex to overcome poor outlook and optimise quality of internal spaces. Tear drop site to be widened to allow for roof top garden. Lighting strategy to be conditioned to into lighting along route to the south of larger site.
- Further information relating to **energy and drainage** for full GLA consideration is requested

Some of the above comments have been addressed within the remarks section below whilst others will be addressed by the applicant ahead of a second referral of the application to the GLA.

Transport for London

Objections have been raised and to overcome these objections the following matters need to be resolved:

- TfL bus services in Wembley are in need of capacity increases, a financial contribution of £123,500 is therefore required towards the improvement of local bus capacity. This fee is commensurate with the level of impact the development would likely have on bus services. The applicants have agreed to this.
- Relevant contributions should be secured for issues identified in the applicant's PERS audit. This is agreed with Brent and is being secured in the form of wayfinding measures and traffic calming measures along London Road through a S106 obligation.
- Cycle parking should be increased to draft London Plan minimum standards as set out in policy T5 and the location of cycle parking should be reviewed. Brent have imposed a requirement for cycle parking to increase if the NAIL accommodation changes to general purpose accommodation in the future, so that appropriate cycle storage facilities can be provided. Brent consider that cycle parking meets adopted London Plan standards and would not require this aspect to be increase to draft standards. However any increase proposed by the applicant in meeting these would be welcomed.
- A Parking Design and Management Plan, Construction Logistics Plan and Travel Plan should all be secured by condition. Brent will impose conditions to secure all of these.
- Electric Vehicle Charging Points (EVCP) should be provided in line with draft London Plan standards. A condition will secure this.
- Future residents should be prevented from obtaining a car parking permit in the local CPZ. A S106 obligation will ensure this.
- A travel plan obligation should require accordance with TfL Travel Planning guidance. A S106 obligation will ensure this.

London Underground Limited - No objection subject to recommended condition and informatives

Network Rail – No objection subject to informatives.

The Environment Agency - No comments to make on this application

Canal and Rivers Trust – No comments to make on this application

Thames Water Utilities Ltd - No objections raised in relation to surface water drainage and foul water sewerage infrastructure. However, concerns regarding the need for upgrading of the local surface water

infrastructure. Recommended conditions and informatives.

Natural England – No objection to the proposal

Internal Consultation

Local Lead Flood Authority – The proposal falls within Flood Zone 1 which is considered to be low risk. The submitted details have been found to be satisfactory and no objections are raised.

Environmental Health – Comments as follows:

- Construction Management Plan needed.
- Assessment of internal noise levels needed, particularly due to railway proximity.
- Standard code of construction practices surrounding time limits on noisy works need to be observed.
- Details of any lighting should be submitted for review to ensure no nuisance to nearby residents.

Pre-application consultation undertaken by the applicant

The applicants held a public exhibition of the scheme in the nearby Ark Elvin Academy on Cecil Avenue on the 21st of November 2017. The applicant reports that the exhibition was well attended by local residents and that feedback forms were collected which led to the adaption of the scheme.

POLICY CONSIDERATIONS

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

National Planning Policy Framework 2018

The London Plan 2016

Key policies include:

- 3.3 - Increasing Housing Supply
- 3.4 - Optimising housing potential
- 3.5 - Quality and Design of Housing Developments
- 3.6 - Children and young person's play and informal recreation facilities
- 3.8 - Housing Choice
- 3.11 - Affordable Housing Targets
- 5.2 - Minimising Carbon Dioxide emissions
- 5.12 - Flood Risk Management
- 5.13 - Sustainable Drainage
- 5.15 - Water Use and Supplies
- 6.3 - Assessing effects of development on transport capacity
- 6.9 - Cycling
- 6.10 - Walking
- 7.2 - An inclusive environment
- 7.5 - Public realm
- 7.15 - Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes

Draft London Plan

Key policies include:

- GG2 - Making the best use of land
- H1 - Increasing Housing Supply
- H5 - Delivering affordable housing
- H6 - Threshold approach to applications
- H12 - Housing size mix
- H13 - Build to Rent
- SI.5 - Water Infrastructure
- SI.12 - Flood risk management
- SI.13 - Sustainable drainage

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
D13 - Noise
S4 - Play and Informal Recreation
T2 - Healthy Streets
T4 - Assessing and mitigating transport impacts
T6.1 - Residential Parking

Core Strategy (2010)

CP1: Spatial Development Strategy
CP2: Population and Housing Growth
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

Development Management Policies (2016)

DMP 1: Development Management General Policy
DMP 8: Open Space
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

Local Plan – Preferred Options (2018)

Site Specific Allocation: BSWSA16 - Former Wembley Youth Centre/Dennis Jackson Centre, London Road, HA9 7EU

Supplementary Planning Guidance (SPG)

SPD1: Design Guide for New Development (2018)

Mayor's Affordable Housing and Viability SPG
Mayor's Housing SPG
Mayor's Shaping Neighbourhoods: Play and Informal Recreation SPG

DETAILED CONSIDERATIONS

Principle of Development

Residential use

1. The principle of residential development in this location, immediately adjacent to neighbouring residential uses to the west, is considered to be appropriate. It will contribute towards Brent's housing targets as set out within Brent's Core Strategy and the London Plan, with all of the new units being affordable and providing a range of accommodation types to meet the needs of Brent's population.
2. This scheme represents an excellent opportunity to provide good quality affordable accommodation to some of Brent's most vulnerable households, in a location well served by public transport and local amenities.

Loss of designated open space

3. Part of the development site (which currently forms a car park and a cluster of trees) forms part of a designated open space on the edge of the wider Ark Elvin playing fields. Policy DMP8 and Core Strategy Policy CP18 seeks to protect open space from development that does not enhance the open space. Brent officers do give significant weight to this designation.
4. Your officers note that, whilst a part of the application site is designated as open space (as a part of the Ark Elvin Playing Fields) within the current policy maps, it has not been used for this purpose for some time. It was hardsurfaced around 10 years ago and was fenced off from the playing fields. Trees are present around the edge of the parking area, but otherwise the site does not have the character or usability of conventional open space or playing fields despite its designation with the policy map as such. Officers therefore consider that the space could appropriately be developed for residential uses without materially detracting from the value of the playing fields open space designation.
5. Furthermore, within Brent's emerging Local Plan (which is at the Preferred Issues and Options stage), the site has been identified for redevelopment under allocation reference BSWSA16 for a mixed use development with residential and community uses.

Replacement community centre

6. Policy CP23 in Brent's Core Strategy 2010 seeks to protect existing community facilities.
7. This proposal will include a replacement community centre, located within the temporary accommodation within the southernmost block. The community centre will be at ground floor level, with a large, open plan 293sqm indoor space and a 168sqm private outdoor space with seating alongside the boundary with the playing fields. The community space is a necessary provision given the existing community centre use on site will be lost.
8. The replacement community centre will be 59% of the size of the existing centre (495sqm) in terms of indoor space and 93% of the size of the existing centre when the private outdoor space is included. The existing facilities on site are old, and the complex and fragmented layout of the building offers limited uses to the local and wider community of Brent. Furthermore, the existing community centre does not offer step free access. Although a reduction in overall floor area, the proposed facilities provide greater flexibility of use and could be separated into smaller spaces, appropriate for differing uses, and also differing uses at the same time.

Residential Provisions

9. The new development will provide three specific categories of housing, for which there is a severe shortage. The scheme is 100% affordable. Each type of accommodation is discussed below:

New Accommodation for Independent Living (NAIL) - located in Block A

10. This will be 25 small self-contained flats (17 x studio flats and 8 x one bedroom flats) specifically designed for adults to enable them to live an independent life, with a degree of 24 hour support on hand. The council's NAIL programme provides an opportunity for independent Living for people who might otherwise be housed in unsuitable and costly care home accommodation. Independent living will help maintain residents health, wellbeing and independence in an affordable home of their own.

General Need Affordable Rent Units - located in Block B

11. The general needs accommodation provides much needed council owned, permanent affordable housing in the borough in an attractive residential setting. All homes have level access, and a number are specifically designed for wheelchair users.
12. The West London Alliance Strategic Housing Market Assessment (SHMA) produced in August 2018 concluded that there are 12,200 households currently in affordable housing need in Brent who are unable to afford their own housing. The London road scheme contributes to Brent's goal of Building a Better Brent.
13. The mix of units within the affordable rent include 10 x one-bedroom units, 61 x two- bedroom units and 21 x three-bedroom units.

Temporary Accommodation - located in Block C

14. The temporary accommodation provides much needed purpose built emergency accommodation for homeless families, for whom Brent has a statutory duty to house. Without this, such families would have to be found unsuitable bed and breakfast accommodation, sometimes outside the borough, resulting in Children having to change schools at a time of crisis.
15. The London road temporary accommodation will provide a stable and settled environment for households and individuals. Residents will stay until more suitable permanent accommodation in the borough can be found. Typically, a resident may stay for up to a year, but this will be determined by individual circumstances and availability of suitable accommodation. Currently there are 2,348 homeless households in temporary accommodation.
16. The table below illustrates the average waiting time for households in TA, who are in priority band C:

Size	Average Waiting Time - Band C
2 Bed	9 Years
3 Bed	16 Years
4 Bed	18 Years

17. The Scheme will enable substantial savings to be made on Brent's revenue budgets together with providing the most deprived families and individuals in the borough with suitable high quality accommodation.
18. The mix of units within the temporary accommodation includes 31 x one bedroom/ two bedroom adaptable units and 21 x two bedroom/ three bedroom adaptable units.
19. Policy CP21 of Brent's Core Strategy 2010 sets a borough wide target of 25% of new homes to be family sized (three bedrooms or more). Both the NAIL and temporary accommodation are for specific groups whose occupants' needs are understood by the Council. As such, there is a robust justification for the absence of 3-bedroom homes within these tenures as this mix is required to meet housing need. When excluding the bespoke tenures of NAIL accommodation and temporary accommodation, the general purpose housing (for Affordable Rent) is formed of 23% 3 bedroom units, which sits close to the policy target. The temporary accommodation is designed with flexible and adaptable flat layouts which allow the 1 bedroom flats to be made into 2 bedroom flats and the 2 bedroom flats to be made into 3 bedroom flats as needed. The flexible demand of temporary occupants is acknowledged and this approach to the design is welcomed.
20. The proposal is to provide 100% affordable housing, split across 3 affordable tenures, specific to the Council's needs. The affordable housing offer does not include intermediate housing, however officers do appreciate that the housing mix is Council led and responds to the specific needs of the Council's tenants. Whilst no intermediate affordable housing is provided, officers consider that the 100% provision of affordable housing more than meets the requirements of policy DMP15 and no scrutiny of scheme viability is justified in supporting the proposal.
21. The approach of splitting the three proposed tenures across different buildings is logical and such self-containment is understood to routinely be expected by providers as it makes for simpler management arrangements. Brent's SPD1 policy seeks to ensure that all residential entrances, regardless of the tenures they serve, appear equally prominent and of a similar design quality so as to avoid the creation of perceived 'poor doors'. All buildings are to be completed to a similar design quality and with connected simple brick facades. The proposals assure officers that all buildings would appear of similar quality and the development would be largely tenure blind.

Design and Appearance

Site Layout

22. The development is proposed to be based around two new culs-de-sac which would spur off of the existing cul-de-sac at the end of London Road. The Council would seek to adopt these new culs-de-sac once built. One cul-de-sac would form a continuation of London Road, serving the general purpose affordable rented accommodation (in Block B) and the temporary accommodation/community centre (Block C) and the other would spur off from the continued London Road to the north and would serve the

NAIL accommodation (Block A) and the general purpose affordable rented accommodation (in Block B).

23. The applicant would seek to provide off-street parking along the cul-de-sacs and also proposes to activate the highway frontages with individual front doors to ground floor units.

Scale and External Appearance

NAIL accommodation (Block A)

24. Block A (NAIL) is a rectilinear building which has been designed to emphasise its simple cube-like form. The building is formed of 4 storeys with a flat roof, located at the north of the site. The building will be externally clad in a pale yellowish brick and animated through clean vertically aligned stacks of windows which are framed in dark grey aluminium. To provide some additional contrast, the same dark grey aluminium is to be placed sparingly in thin vertical strips between some window stacks. Square sections of the façade, surrounding each window, will be recessed in from the main façade and across the top part of the uppermost square recess, a strip of brick headers is to be placed which will provide a good level of animation, which does not override the simple and clean appearance of the building. The residential entrance is to be emphasised through the use of a projecting canopy feature above the entrance.

Affordable rent (Block B)

25. The general purpose affordable rented accommodation (Block B) is located in a broadly circular block with a podium garden in the centre, located in the middle of the site. The block is half formed of a terrace of part 2 and part 3 storey town houses (the parts closest to the existing residential properties) and half formed of a part 6 and part 7 storey apartment block (the parts away from the existing residential context and close to the playing field edges). The variety of scale across the site allows for an appropriate transition in scale from traditional suburban housing on London Road, and is considered acceptable for the site context.
26. The town houses are to be three storeys in height with jagged roof planes which gives them a playful appearance. Each three storey massing is to be separated by two storey elements atop which roof terraces are provided. Each adjacent house is to be formed of a different facing brick colour, with pale red, yellow and white bricks being used on alternate houses. The houses will have wide active frontages at ground floor level and thin vertical window stacks on the upper floors within a recessed box, topped by a row of brick headers.
27. The apartment block element will be formed of a main massing of six storeys and a set in seventh storey at the top. A predominantly pale yellow brick will be used as the key façade material, and this will be offset through the dark grey aluminium used in Block A, across the window frames and vertical strips. The smaller seventh storey will be formed of a predominantly black/grey brick for contrast. The same framing technique through recessed boxes around windows, as well as some gaps between windows, as described for Block A is to be used on this block. Additional animation will be established through aluminium projecting balconies with patterned balustrades. A final feature is the use of a white coloured GRC band around the building at the fifth storey, which visually separates the top half of the building from the bottom half.

Temporary accommodation and community centre (Block C)

28. The temporary accommodation and community centre (Block C) is located to the south of the site in a part 6 and part 4 storey L-shaped building to the south of the site. It has a simple block like form, with a cubic emphasis, similar to Block A. The building is to be formed of a light coloured brick for the six storey element and a darker brick for the four storey element. The development will utilise similar architectural details to the other blocks, with floor to ceiling windows framed in dark aluminium, framing through square sections of recessed brick, a row of brick headers to the top of the building and strong active frontages at the ground floor.

Density

29. 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.

30. London Plan Policy 3.4 includes a methodology for calculating an appropriate density, relative to the character of the setting, proximity to town centres and local public transport accessibility. The site has a size of 0.947 hectares and the proposal is for 170 units with 2.78 habitable rooms per unit. In accordance with the Mayor's density matrix, the application proposes development density of 498 habitable rooms per hectare and 180 residential units per hectare. The setting of the site would most appropriately be described as 'urban' in accordance with the character setting descriptions set out in LP Policy 3.4, as a result of the local buildings being formed of terraced housing and due to the location being within close walking distance of a major Brent town centre. The density matrix indicates that optimum density for a proposal in an urban setting with a PTAL of 2-3, and which proposes an average of 2.78 habitable rooms per hectare, would be for between 70 and 170 units per hectare and 200 - 450 habitable rooms per hectare. This proposal is for 180 units per hectare and 498 habitable rooms per hectare and therefore only sits marginally above the suggested density range for this site.
31. Notwithstanding the above, in line with the policies of the emerging London Plan, consideration must also be given to the design and quality of accommodation to be provided, the siting and scale of the development, its relationship to site boundaries and adjoining properties, the level and quality of amenity space to support the development, and any highways matters. These are considered below.

Amenity

32. The impact on neighbours is a material consideration, and policy DMP1 seeks to ensure that this is acceptable. It will be necessary for the application to demonstrate that the development meets all 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.
33. The context of the site sees residential uses to the west, formed of terraced dwellings lining London Road and Cecil Avenue. The most sensitively positioned existing property is an unnumbered dwellinghouse named 'The Cottage', which sits at the end of London Road and is immediately bordered by the development site on both its eastern and northern edges.

Privacy

34. The amenity impact considerations within SPD1 require that all primary habitable room windows within the property are at least 9m from the boundary with another private property, 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.
35. The proposed development achieves this standard in all instances when this rule is tested against the neighbouring properties along London Road and Cecil Road, including 'The Cottage'. There are no windows within the flank wall of Block A that face onto 'The Cottage' site.

Outlook

36. In the interests of protecting existing properties from being unduly enclosed and losing exposure to daylight, all buildings proposed should sit underneath a 45 degree line drawn from a 2m height at the nearest edge of private rear garden amenity space. The proposed buildings should also sit underneath a 30 degree line drawn from a 2m height at the nearest rear habitable room windows within neighbouring properties. The proposed development achieves this standard in all but one instance. The four storey part of Block C sits 6.7m from the splayed boundary to the rear garden of 174 London Road and, in this small area of the rear garden, the proposed building will be large enough and close enough to result in a test of the 45 degree line being failed to a relatively minor extent. Officers acknowledge this shortfall of guidance as a negative but also note that this is the only instance where the amenity impact guidelines are breached. Officers would also note that the area where the breach would be experienced is a peripheral section of a large residential garden, and that the part of the garden close to the dwellinghouse would remain within guidance parameters when tested for impact.
37. On balance, given the significant benefits of the development in terms of housing delivery, in particular affordable housing, officers consider that the development should be supported despite a small breach of SPD1 guidance for amenity impact being present.

Daylight and Sunlight

38. The applicant has submitted a Daylight, Sunlight and Overshadowing Report. The analysis indicates that there will not be a significant impact on surrounding properties as a result of the development.

39. The closest sensitive properties to the proposal site were highlighted as being potentially affected by the development. These buildings are the closest dwellings to the site, those being 159 London Road and 174-176 London Road (evens only) and an unnumbered detached dwellinghouse named 'The Cottage', which sits immediately to the west of the site. The results of testing on each of these properties is reported below.

159 London Road

40. 4 windows on the south façade of this property were analysed for daylight and sunlight impacts.

41. The first test carried out assessed the Vertical Sky Component (VSC) from each affected window. The VSC analysis, in broad terms, compares how much of the sky is visible at present and how much of the sky would be visible with the new development being present. This is expressed in percentage terms. The tests are taken from the centre of windows tested. The BRE guidance considers windows whose VSC value remains above 27% to retain good levels of daylight.

42. The analysis shows that all windows tested passed the VSC test of 27% or were unaffected by the proposal. As such the proposal would not result in any undue impact in terms of loss of light or overshadowing.

43. These same windows were also assessed under the Probable Sunlight Hours (PSH) criteria. This test considers what sunlight is likely to reach windows across both a full year and during winter. All windows analysed experience good values and therefore meet the criteria with the proposed development in place, during both winter and annual scenarios (Annual: 25% and Winter: 5%).

44. The garden space of this property was tested for potential detrimental overshadowing effects. A minimum of 2 hours of sun on at least 50% of the garden during the spring equinox (21st March) has been confirmed through the applicant's modelling. The development therefore meets the relevant BRE overshadowing guidance.

174 & 176 London Road

45. 10 windows of this property were analysed for daylight and sunlight impacts, 8 being on the north-east elevation and 2 on the south-east elevation.

46. All windows analysed experience VSC values in excess of the threshold recommended by the BRE guide with the proposed development in place.

47. In terms of sunlight, these windows all met the relevant probable sunlight hours criteria for both annual and winter scenarios.

48. The garden space of these properties was tested for potential detrimental overshadowing effects. A minimum of 2 hours of sun on at least 50% of the gardens during the spring equinox (21st March) has been confirmed through the applicant's modelling. The development therefore meets the relevant BRE overshadowing guidance.

'The Cottage'

49. 5 windows on this property were analysed for daylight impacts on the south-east façade, 2 on the first floor and 3 on the ground floor. With the proposed development in situ, the upper floor windows all experience VSC values that meet BRE criteria, however the 3 ground floor windows experience VSC values below the recommended threshold. Nonetheless, the ratio of impact tests undertaken on these windows showed that the difference between the base case and the proposed scenario is minimal, with values in the range of a 30-39% reduction, which is only slightly more than the BRE acceptable reduction of 20%.

50. A second test of NSL (no sky line) was also undertaken which assessed the percentage of a room from

which the sky can be seen out of the window. The applicants undertook NSL testing based on an indicative floor plan of the property, with results confirming that all rooms meet BRE targets, achieving the same levels of daylight distribution with the proposed development in place.

51. These same windows were also tested in terms of sunlight impact. The appropriate probable sunlight hour targets are achieved in both the annual and winter scenarios.
52. The garden space of this property was tested for potential detrimental overshadowing effects. A minimum of 2 hours of sun on at least 50% of the garden during the spring equinox (21st March) has been confirmed through the applicant's modelling, with the proposed development in situ. The development therefore meets the relevant BRE overshadowing guidance.

Summary

53. The applicant's modelling indicates that the development will have an acceptable impact on all nearby residential properties with regard to daylight, sunlight and overshadowing, as measured through the established BRE criteria.
54. Officers welcome the very limited impact of the development in the context of the surroundings, especially given the significant benefits being delivered, and support the application on the grounds of daylight/sunlight/overshadowing impact.

Quality of Accommodation

Layout and Outlook

55. The proposed units are considered to be of a high quality and all meet the minimum space standards as set out in policy 3.5 of the London Plan. All of the ground floor units have suitable defensible spaces in front of their windows, established through planting as shown on the applicant's landscaping plan.

NAIL accommodation (Block A)

56. Within Block A, the NAIL accommodation is provided within a single core building. The building's main entrance is off of the newly created cul-de-sac on the east side of the building. Nearly half of the ground floor is to be allocated as ancillary rooms, including a lobby, office and communal club room and kitchen for the use of the residents and their carers. A bin store (fronting the street) is located adjacent to the entrance lobby and a bicycle store is located centrally in the building.
57. The remaining part of the ground floor provides four residential units. Above the ground floor, three floors of seven residential units each are provided. Smaller communal lounges are also located on the first and second floors on the south side of the building. All of the flats in this block are 1b1p flats / studios which reflects the nature of NAIL accommodation where individuals who have care requirements are able to live independently but with onsite assistance.
58. The flats all meet London Plan space standards for studios (37sqm) and some are significantly in exceedance of the standards (circa 50sqm).
59. Outlook from the flats in Block A would be to three elevations, with some flats facing north-west and north-east over the block's garden space and some flats facing south-east towards the newly formed highway which the block will front. The outlook provided from these three elevations will provide an excellent outlook for upper floor flats and a good outlook for ground floor flats, where the distance from the windows to the boundary fences would range between 6.5m and 22m.
60. Windows in the north-east elevation would directly face a wall of Block B, with each block being separated by an 18m gap for retention of good outlook and protection of privacy between the flats in each block. Eight of the twenty five flats (32%) in this block would have a dual aspect outlook, with those flats benefitting from placement within corners of the building.

General Affordable rent - Block B

61. Block B is the largest block and provides general purpose affordable accommodation. The western part of the building is set out in an L-form terrace of eight townhouses, each providing 3 double bedrooms and a private roof terrace. The townhouses front both arms of the extended London Road.

62. Unlike the two other blocks, Block B provides direct access to its ground floor units from the street, which helps the block to integrate with the existing character of London Road. This layout means that the ground floor environment is largely composed of front garden spaces between the new highways and the building itself. The street level front doors should foster a healthy environment and improve street activity around the highway fronting sides of the building.
63. The eastern side of the building fronts a proposed linear park which is designed to separate Block B from the playing fields. Aside from the individual dwelling entrances, two main residential core entrances are provided for entrance to the flats, one from each of the extended arms of London Road. Each main core entrance is placed adjacent to a bin store which is accessed from the road for ease of collection. The bin stores are to contain a door and window to each to ensure that the activeness of the frontage is retained. The only other aspect to the frontage is the vehicular access to the ground floor car park, which is close to the point where both new arms of London Road converge. The ground floor is also equipped with plant rooms and cycle stores as well as two stair/lift cores enabling access to the upper floors.
64. Block B's upper floors are formed of entirely residential accommodation, with the exception of the first floor which includes a large podium garden space atop the ground floor car park. The podium is large enough that all habitable room windows will enjoy at least 9m of open outlook before being obstructed by other parts of the building, as required within Brent's SPD1 guidance. There will also be no directly facing windows closer than to each other than 18m, as required within Brent's SDP1 guidance. Above second floor level, the western arm of the block (formed of the townhouses) is no longer present due to its lower massing and the block is then only formed of the more prominent eastern part of the building.
65. The upper floor accommodation within Block B is formed around two cores, one of which provides access to nine flats per floors (eight flats on the sixth floor) and one of which provides access to four flats per floor. The number of flats served by core one exceeds guidance within the Mayor's Housing SPG which generally seeks flatted development to not exceed eight units per core per floor. In their response, the GLA do not object to the arrangement of flats per core as proposed, and Brent officers note that the corridors to flats are wide and provided with windows close to the lift/stairwell access points on each floor, resulting in a high quality internal environment.
66. All of the units in Block B have a good means of outlook, which, in the case of the townhouses, is over the front garden spaces and newly proposed highways, and, in the case of the flats, is over the central podium garden (for east facing flats) or over the new linear park and Ark Elvin Academy playing fields (for west facing flats).
67. There are three dual aspect flats per floor between the ground and 2nd floors and five dual aspect flats per floor between the 3rd and 6th floors. With the exception of the townhouse at the corner of the two new highways to be created, all the other townhouses are to have a single aspect facing towards their respective highway. Overall, the layout in Block B results in 30 (32%) out of its 92 residential units having a dual aspect outlook, although none of the single aspect flats have a direct north facing outlook so will therefore benefit from some direct sunlight.

Temporary accommodation - Block C

68. Block C will provide temporary accommodation for Brent's housing services as well as a 295sqm community centre on the ground floor. The block will be accessed from the southernmost of the newly created highways and will see a prominent main residential entrance and community centre entrances provided fronting the highway. As with the other main residential core entrances, a street fronting bin store is to be placed adjacent to the entrance. The ground floor contains an office, lobby, bin store, the community centre, as well as six of the temporary units. The remainder of the elevations at ground floor level are to be active, formed of windows serving the accommodation and the community centre.
69. The upper floors are exclusively residential, serving eleven flats per floor from its single core, reducing to seven flats per floor on the fourth and fifth floors. In their response, the GLA do not object to the arrangement of flats per core as proposed and Brent officers note that the corridors to flats are wide and provided with windows close to the lift/stairwell access points on each floor, resulting in a high quality internal environment. Eight units per floor are dual aspect, which reduces to five units on the ground floor and four units on the fourth and fifth floors. Overall, 37 (70%) out of the 53 flats have dual aspect outlook. A communal rear garden is provided to the rear of the block which includes a large external bicycle store.

70. Whilst the flats will meet minimum space standards, the flat layouts within the temporary tenure have been shown as adaptable which could enable the one bedroom flats to be used as two bedroom flats and two bedroom flats to be used as three bedroom flats with reduced living room space, depending on the needs of residents. The larger adapted forms of these flats would not meet minimum space standards, however given that the flats will be used for shorter, temporary periods of residence and would respond to a bespoke requirement of the Council's housing service, officers do not consider that the proposal should be resisted because of this.

Daylight & Sunlight

71. The development is relatively low-rise and situated in a site with an open character which is surrounded by two storey development on one side and open space on the other. As a result, officers consider likely that good levels of daylight and sunlight would be experienced by residents in the new development. In order to quantitatively confirm this, the applicant has included an assessment of the daylight and sunlight levels that would be experienced at the proposed flats, as measured in accordance with BRE criteria.

72. The testing considered that Block B (affordable rent) would experience the worst daylight and sunlight as a result of its podium courtyard and double flanked unit layout. The worst affected units within this building formed the basis of the testing for compliance. Therefore, 3 units in block B, representing the worst case scenarios, were tested for daylight and sunlight, these being a corner unit (B-01-16), a typical middle unit facing the NW orientation (B-01-22) and a top floor unit (B-06-73). Of these tested units, only the middle unit's living room space on the first floor fell short of BRE criteria, as the Average Daylight Factor (ADF) testing returned a value of less than 1.5 and the Probable Sunlight Hours (PSH) testing returned values of less than 25% annually and less than 5% in winter. The assessor notes that this shortfall in BRE compliance is mainly due to the presence of balcony overhang in front of the windows. As balconies provide the required amenity, it is considered an acceptable shortfall, especially since the values are very close to the BRE targets at 1st floor level and that the daylight performance is likely to improve and meet the BRE targets on the higher levels. All other tested flats' habitable rooms met the relevant criteria.

73. Block B's central podium amenity space was tested against the BRE overshadowing criteria. The criteria require at least 50% of an open space to receive 2 hours or more of sunlight on the spring equinox (21st March). The testing found that 75% of the podium space received at least 2 hours of sunlight on this date and the test is therefore comfortably passed.

74. As mentioned above, these tested spaces represent the worst case scenarios across the development, and, given the positive results, blocks A and C did not require testing.

Overheating

75. An overheating study has been included with the application. The study considers any potential residential discomfort that could be experienced through excessive solar gains that would lead to overheating. The study concludes that, with a standard fit out, which includes low emissivity windows and mechanical ventilation with heat recovery, 98.8% of rooms in the development would meet the relevant overheating criteria (CIBSE TM 59) under current climate conditions and 94.7% of rooms in the development would meet the relevant overheating criteria under projected future climate conditions.

76. Having identified the above shortfalls, the applicants have proposed internal blinds for top floor dwellings which result in the same tests yielding 100% and 99.8% results respectively. Only one room fails, which is a south facing living room on the top floor of block B (B.05.76). The assessor notes that the installation of a balcony shading parapet could substantially reduce the solar gains to this room and ensure a pass under the future scenario.

77. The mitigation measures identified in the report will be secured by condition.

Accessibility

78. 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".

79. More than 10% of units provided are wheelchair adaptable in accordance with policy. This includes all 25 units in Block A (NAIL), 12 units within Block B and 4 units in Block C which amounts to a 100% provision

of wheelchair accessible units in Block A, a 13% provision of wheelchair accessible units in Block B, a 7.5% provision of wheelchair units in Block C and a 24% provision of wheelchair accessible units across the whole scheme.

Amenity Space and Play Space

Public spaces

80. A key amenity space/landscaping feature of the development is a proposed linear park, situated along the western edge of the development site which would act as a green buffer between the development and the playing fields. The linear park would have a focal point entrance between blocks B and C, comprised of a public space at the end of the extended London Road incorporating a publically accessible young children's play area, the access to the community centre and temporary accommodation and communal seating. The linear park would be situated between the western edge of the site and the western elevation of Block B and would be comprised of seating, landscaped areas and play apparatus for children. Five of the ground floor flats to Block B would have direct access to the linear park space from private patios serving each of the flats which front the space.

Communal spaces

81. Block A (NAIL) will be surrounded by a communal 850sqm garden space (34sqm per flat) with seating and planting that will be accessible directly from the ground floor lounge space for residents of the NAIL accommodation.
82. Block B is provided with a central podium communal space which is 664sqm in size (7sqm per flat), which includes a combination of play spaces and general amenity spaces and will be naturally surveyed from the flats which overlook this space. The first floor flats will directly adjoin this space and the plans confirm that suitable defensible spaces will be established through planting between the windows/patios of the flats and the communal garden space.
83. Block C is to have a communal rear garden of 443sqm for the use of residents in temporary accommodation. This will include play space and open spaces and will be naturally surveyed by the flats in the block. It should be noted that 54sqm of this space is formed of a cycle store and the communal space therefore includes 389sqm of usable amenity space (7sqm per flat).

Private spaces

84. In terms of private amenity spaces for individual residents, Block B (affordable rented) will include private patios or balconies for all flats as well as roof terraces for each townhouse and the sixth floor flats. The private balconies/patios range in size from 5.1sqm per flat to 17sqm per flat depending on the unit. The total quantum of private space across block B is 889sqm. When the communal amenity space at first floor level (664sqm) is apportioned between the flats in the block, the development provides an average of 16.9sqm of amenity space per flat which is close to Brent's SPD1 guidance target of 20sqm per flat and is in full exceedance of the London Plan requirements for 5sqm amenity spaces per flat with small increases in size as occupancy increases.
85. The amenity space offer is also substantially improved when it is considered that the proposed linear park would be located immediately to the west of the block and would even be directly accessible from five of the ground floor flats' patio spaces.
86. The sixth floor flats' roof terraces are shown as being shared between sets of two, three or four flats. This is acceptable in principle, however the relatively narrow depth of the terraces and the lack of defensible space in front of the windows looking onto the terrace spaces would result in unacceptable breaches of privacy when residents from the different flats use the terraces. Because of this a condition will require the sixth floor roof terraces to be subdivided and for details of the subdivisions to be submitted and approved before occupation.
87. The development is not providing private amenity spaces for individual units within block A (NAIL) and block C (Temporary) but will be providing access to communal garden spaces for the exclusive use of residents of each block and will also allow nearby access to the linear park at the side of block B. This mirrors another recent Council-led residential development at Knowles House in Harlesden for 92 temporary accommodation units where both officers and committee members accepted the provision of accommodation without balconies on the basis that the development provided accommodation to the

bespoke needs of the Council (planning reference: 17/2516). Officers would emphasise the good quality communal garden space as well as the immediate proximity to the public linear park and play spaces in justifying the same arrangement for the NAIL and temporary accommodation within this development.

Play spaces

88. Despite proximity to the adjoining Ark Elvin playing fields, the local area has deficiency of play facilities and this proposal would provide a substantial amount of both public and private play spaces for local and prospective residents. GLA guidance seeks a quantum of play space in accordance with the likely child yield of the development, as calculated through the number/size of units and their proposed tenure. Whilst the NAIL accommodation would specifically cater to adults, the affordable rented accommodation and temporary accommodation would likely yield a significant number of children within the development. In the context of this development, a provision of 1,320sqm of play space would be expected.
89. In response to the GLA play space requirements, a public under 5's play space (100sqm) is to be provided within the public realm immediately outside the entrance to the temporary accommodation and the community centre whilst a private under 5's play space (100sqm) is to be provided within the temporary block's rear garden space. Another private under 5's play space (460sqm) is to be provided within the podium garden of block B. Finally, a play space geared towards 5 – 11 year old children will be provided publically within the linear park to a quantum of 540sqm. The total quantum of play space is 1,200sqm with about half being private and half being public. The applicant's landscaping strategy indicates detailed proposals for these play spaces, with developed designs for various different types of play, enabled through different apparatus, being indicated on the plans.
90. The provision of play space, particularly publically usable play space, is strongly welcomed in this location.
91. The GLA have picked up on the slight shortfall of the scheme's play space (120sqm) compared to the target child yield figure of 1,320sqm. The GLA does consider that the proximity of nearby parks (e.g. King Edward VII) suitably mitigates this shortfall and would provide a good local recreation space for older children (12+).
92. Furthermore, the redevelopment of Ark Elvin Academy (LPA Ref: 15/3161) secured a Community Access Plan which included community access to for a minimum of 30 hours per week. Community access is proposed to the sporting facilities within the new school including the indoor sports hall and two activity studios, together with the external MUGA (multi use games area) and AWP (all weather pitch).

Transport

The site is located within PTAL 3 and there is a CPZ operating within the area.

Car parking

93. As the site does not have good access to public transport services, the higher residential car parking allowance set out in Appendix 1 of the adopted DMP 2016 applies. The 170 proposed residential units (67 x 1-bed, 82 x 2-bed & 21 x 3-bed) are allowed up to 174 car parking spaces, with some further parking allowed for the community hall. The proposed provision of 42 car parking spaces in total is therefore well within the maximum allowance.
94. Three types of parking are proposed. Firstly, an undercroft car park with 20 spaces (incl. six disabled) is proposed within Block B for those 84 flats. Secondly, each of the eight proposed houses in that block will also have their own off-street parking space within its front garden. As all of these spaces will be off-street, they will be privately managed.
95. Finally, a further 14 disabled spaces are proposed on-street alongside the new access road, laid out perpendicular to the carriageway. These will come within the same control as the street, so if the new roads are adopted as proposed, they will become subject to CPZ restrictions as an extension to Zone "C".
96. Disabled Blue Badge holders would be able to obtain permits to use these bays. the overall total of 20 disabled parking spaces would be sufficient to ensure an allocated bay can be provided for each wheelchair unit, with some surplus for the community hall if required.
97. Policy DMP12 requires that any overspill parking from development can be safely accommodated

on-street. All units are proposed for affordable housing and as a general rule, affordable housing is assumed to generate parking at 50% of the maximum allowance. This would give an estimated demand for about 87 parking spaces, creating an overspill of about 45 cars.

98. Although London Road is not noted as being heavily parked at night, it does not have sufficient spare parking capacity to accommodate the predicted level of overspill parking. The site is within walking distance of two stations and Wembley town centre, and there is a CPZ in operation in the area, so any 'permit-free' agreement can be readily enforced. It is therefore recommended that the right of future residents of this development (aside from disabled Blue Badge holders) to on-street parking permits be withdrawn through a planning condition. A condition is also recommended for a car park management plan to be secured.
99. Of the 20 off-street spaces proposed in the parking court, at least eight will need to have electric vehicle charging points (four active & four passive) and a condition is recommended to this end. The layout of all of the parking spaces meets standard dimensions. The headroom of the undercroft area is shown at 2.2m, which is fine for standard parking spaces but not for high-top conversion vehicles for wheelchair users. However, plenty of alternative disabled parking spaces are proposed along the streets that such vehicles can use. The car park access is also proposed at 4.8m width, which is fine subject to the inclusion of 300mm margins on either side to protect the structure of the building.

Cycle parking

100. The London Plan requires at least one secure bicycle parking space per 1-bed flat and two for larger flats, plus one space per 40 flats for visitors. For the general and temporary housing units, three shared cycle stores with a total capacity of 234 bikes on double height racks are proposed. The houses will each have a bicycle store for two bikes, whilst the NAIL accommodation will have its own separate buggy/bicycle store. These various secure stores meet the long-term storage requirements for the residential accommodation.
101. TfL have raised concerns with the lack of cycle parking for the NAIL accommodation. In response the applicant has advised that the current facilities for cycles and/or buggies is appropriate for NAIL accommodation and guidance has been sought from the relevant housing management team/client at Brent Council. However, should the building become more 'general purpose accommodation' in the future further provision could be provided within the secure courtyard provided for this block. This would be covered within the Travel Plan for the site.
102. The community hall also requires 5-6 spaces and a total of 13 'Sheffield' stands are proposed alongside the access road to meet this requirement plus the short-term requirement for the flats.

Refuse and fire access

103. Bin stores for the three blocks are all proposed along the outside edges of the buildings, allowing easy access for refuse vehicles from the proposed new roads. The storerooms are shown with sufficient capacity to meet Brent's waste and recycling storage guidelines. The site layout also allows easy access for fire appliances to all building entrances.

Servicing

104. The applicant has estimated that the development would receive in the order of 19-24 deliveries per day (largely vans), which could be comfortably accommodated on-site.
105. Nevertheless, a Delivery & Servicing Plan has been submitted to help to manage the number and timing of deliveries, particularly to avoid peak hours and to monitor and review this over time.

Access road and footpath layout

106. The proposed design of the access roads show sufficient width (minimum 5m) for two-way movement of cars and service vehicles, but some of the footways fall below the standard expected width of 2m.
107. To create a better balance between vehicular and pedestrian space for this pedestrian-focused development, the carriageway widths can be reduced wherever this occurs in order to retain a minimum 2m footway width. Locations where amendments are sought include opposite the undercroft car park access (a slightly realigned 4.1m-4.8m road would be possible) and along the front of Block C, where removal of the visitors parking space shown (without a Blue Badge symbol) would address the issue. In

addition, the proposed substation close to the site entrance obstructs pedestrian access alongside the access road. This substation should therefore be set back further from the access road, not just to improve pedestrian access, but to also ensure visibility is not obscured from the adjoining parking space. If this is not possible, then a footway could be provided in front of the substation, thus narrowing the carriageway to provide a 'pinch-point' – this will also require a disabled parking bay to be relocated.

108. Highways officers have indicated that they would be comfortable with these amendments (footway/carriageway widths and substation siting) being secured by condition to any forthcoming consent.
109. The provision of a pedestrian link to the existing footpath/cyclepath at the western end of Block C is welcomed by highways officers. They have advised that it would also be desirable to provide a pedestrian/cyclist link to the adjoining footpath in the vicinity of Block A (NAIL) to shorten the walking distance to Wembley Park & Wembley Stadium station. In response, your officers can advise that PROW 87 was diverted as part of the Ark Elvin School expansion. The element of the PROW that was diverted was widened to 3.4m to allow for shared use with cyclists. However, the PROW alongside Block A did not form part of the re-routed section and remains as existing.
110. The layout of the roads provides a natural turning point at the junction of the new roads. It is also proposed to provide more informal turning facilities at the end of each length of cul-de-sac, in the form of a contrasting coloured shared surface area. Tracking diagrams have been provided to demonstrate that these can accommodate 10m refuse vehicles. This is welcomed and can be considered for adoption too. The contrasting material will then be continued around the rear of Block B to provide a linear park/playspace.
111. The amended access arrangements will require alterations to the existing kerblines at the end of London Road to suit the new road layout and the formation of an entry table at the entrance to the site. The latter needs to ensure it spans the width of the footpath/cyclepath from Tokyngton Avenue to provide a level crossing surface for pedestrians and cyclists across the entry junction.
112. Works within the public highway and to provide the new access roads to adoptable standard will be secured as a condition to any forthcoming consent.

Transport Impact

113. Estimated future trips to and from the residential accommodation were based upon comparisons with seven other "private" housing blocks of flats within outer London. However, this is not considered to be the most appropriate comparison and Brent's officers consider that the assessment should have been based on "local authority/affordable" housing and "sheltered housing/care homes" for the NAIL accommodation.
114. A revised estimate of trip generation has therefore been undertaken by Brent's officers based on six outer London affordable housing developments and ten "retirement & care community sites" (category 03-O in TRICS), which together shows higher overall flows than the applicant's exercise.
115. Brent's assessment concludes that the development would be likely to generate 23 arrivals/108 departures in the morning peak hour (8-9am) and 56 arrivals/36 departures in the afternoon peak hour (5-6pm).
116. The community hall is essentially replacing an existing youth centre on the site, so trip patterns for this use are not considered likely to change from the existing situation.
117. Of the new trips generated, 6 arrivals/13 departures in the morning peak hour and 6 arrivals/5 departures in the evening peak hour are estimated to be by car drivers. This represents an increase of about 25% to flows in the area in the morning peak hour and about 10% in the evening peak hour, based upon ATC surveys undertaken by the applicant at the southern ends of London Road and Cecil Avenue (n.b. the impact in percentage terms would fall further north, as background traffic flows increase).
118. These increased flows are not considered likely to have a significant impact on highway capacity in the area, so no further junction capacity assessments are considered to be necessary.
119. However, the generated traffic will be travelling the length of London Road and Cecil Avenue, which are long roads. Speed counts in the area suggest that 85%ile speeds are typically in the mid-20's and a

traffic calming scheme for London Road and Cecil Avenue is therefore also sought through a condition to any forthcoming consent to ensure the speed of the additional traffic generated by the development is kept closer to 20mph.

120. With regard to public transport impacts, neither the applicant's nor Brent's assessments suggest that the development would generate any more than 24 additional bus trips in either peak hour. This would equate to far less than one additional passenger per bus travelling through the area, so is not considered to be significant. It is noted that TfL have requested a contribution towards bus capacity improvements within the area, and this matter will continue to be discussed with TfL as part of the stage 2 referral to the Mayor.
121. Similarly, the increase in rail/Underground trips forecast by the applicant (which is significantly higher than Brent's forecast) would also amount to only about one additional passenger per train, which is also not considered to be significant.
122. Brent's assessment predicts that the development will generate 48 additional purely walking trips in the morning peak hour and 40 in the evening peak hour (which is significantly higher than forecast by the applicant), with trips by public transport also being made initially on foot to reach the bus stop/station. Up to three cyclist trips are also forecast in the afternoon peak hour.
123. To assess the quality of pedestrian and cyclist infrastructure around the site, PERS and CLOS audits were undertaken.
124. Generally, all routes and links in the area scored well for pedestrians, although detailed comments did note the poor quality of the surfacing (which is a maintenance issue) and regular instances of overhanging vehicles from private driveways along London Road, which would be a private matter between the Highway Authority and individual householders to address.
125. For cyclists, routes along London Road and Cecil Avenue are fine, but difficulties were noted at the junctions with High Road and along High Road itself. The Council is in the early stages of developing proposals to improve pedestrian and cyclist facilities along High Road, so this could form a potential use for any CIL funds that are secured. PROW 87 will also be re-diverted and upgraded as part of Ark Elvin School expansion.
126. The traffic calming measures for London Road and Cecil Avenue suggested above would also help to improve conditions for pedestrians and cyclists by keeping vehicle speeds to a safer level.

Travel Plan

127. The size of the development is above that at which TfL Guidelines require a Residential Travel Plan to be produced.
128. A Travel Plan has therefore been attached as an Appendix to the Transport Assessment. This proposes that travel plan initiatives are managed by a Brent Council's Housing Management Team. The proposed initiatives largely centre around the provision of travel information through Welcome Packs, noticeboards and online journey planning sites. The success of the Travel Plan will then be monitored annually over a five year period.
129. However, the submitted Travel Plan is considered to be poor and is not therefore acceptable in its submitted form. It does not set out any targets for altering modal share across the lifetime of the development and does not propose a robust monitoring or review strategy, suggesting only that the condition of the cycle parking and the demand for car parking will be monitored.
130. The proposed measures are also extremely limited. In particular, no mention is made of establishing a Car Club at the site, which is considered to be a key measure for a residential development with low levels of parking. The nearest existing Car Club vehicles are a fairly long walk away and the development should be large enough in its own right to support a Car Club vehicle. An approach should be made to a Car Club operator to establish the feasibility of providing a vehicle at the site. This will also require the promotion of the Car Club to new residents with an offer of free membership for three years.
131. Finally, for the Travel Plan to be acceptable, baseline modal share estimates need to be established and targets set for amending these. Detailed monitoring surveys will then need to be undertaken at least biennially to establish progress towards those targets. It is recommended that a condition is secured for

an updated Travel Plan to address these issues.

Sustainability

132. The applicant has included an Energy and Sustainability Statement.

133. The proposed regulated development with 'Be Lean', 'Be Clean' and 'Be Green' measures incorporated is confirmed to emit 120.18 regulated tonnes of Carbon Dioxide per annum, which is down from a baseline emission of 193.75 tonnes per annum. This equates to a 35.97% reduction on the minimum building regulations (2013) as required within the London Plan, although does not achieve the zero carbon goal and as such requires an offset payment. The offset payment shall cover a 30 year period of emissions, with the payment being equivalent to £60 per tonne per annum. This payment will be secured through a condition to any forthcoming consent. With the modelling provided, a payment of £216,324 would be secured for this purpose.

134. The details of the energy efficiency improvements are as follows:

Be Lean (total savings from 'be lean': 8.42 tonnes / 4.35%)

135. Use of passive design measures.

136. Use of energy efficiency measures.

Be Clean (total savings from 'be clean': 51 tonnes / 26.32%)

137. The use of a natural gas Combined Heat and Power unit (CHP) to supply circa 55% of the total heat demand of the development.

138. Remaining heat demand provided by efficient boilers.

Be Green (total savings from 'be green': 14.15 tonnes / 7.3%)

- Review of various renewable technology feasibility.
- 34kWp of PV panels to be incorporated across the three building rooftops resulting in significant carbon savings.
- The GLA has reviewed the energy and sustainability aspects of the proposal. They consider that further emissions data should be provided, as well as further consideration of alternative low carbon heating methods and district heating opportunities. In line with GLA recommendations, officers will impose a condition requiring the development to include a future connection point between the site's CHP and any future district heat networks to which the CHP could connect. These aspects will need to be picked up by the applicant's energy consultant ahead of a Stage 2 referral to the GLA.

Environmental Health

Air Quality

- An air quality assessment considering the impacts of the proposed redevelopment of the site on air quality has been submitted.
- The report has considered the impacts that would be incurred during the construction phase and during the operational phase.
- Under best practice guidance, the proposed development will constitute a medium risk for construction dust and dust generation is likely to be the main impact associated with construction. A series of mitigation measures are proposed which would form part of the construction management plan for the development. These measures include elements such as sheeted vehicles, enforcement of minimum drop heights, covered skips and dust suppression through water.

139. During the operational phase, the applicants study confirms that the development is expected to meet all air quality objectives as measured at on-site receptors and that no special mitigation would be required to meet air quality objectives. Nonetheless, the applicants confirm that boilers should achieve a NO_x rating of below 40 mg NO_x/kWh. In addition, NO_x emission standards for CHP units will be met, with it being confirmed that the development will fall within the Band B requirements for emission limits.

140. The air quality report includes an air quality neutral assessment which concludes that the building emissions from the proposed development are within the benchmarked emissions, fully meeting air quality neutral requirements.

141. The methodology set out in the air quality report will be secured by condition.

Noise and Vibration Impact

142. The site sits nearby to railway land to the south, specifically Stonebridge Park depot alongside the West Coast Mainline. The southernmost part of the site (around where the temporary block is proposed) to the railway still sits about 50m from the depot building and about 60m from the nearest railway. The railway will be a significant local source of noise and it will be necessary for the applicants to undertake a noise and vibration study to ascertain the noise impact on the new residents, and, based on the findings, to potentially propose a programme of mitigation.

143. A condition will require that a noise and vibration assessment is submitted to the Council for officers' consideration and that the details of an acceptable report are fully implemented.

Construction Management

144. The development is within an Air Quality Management Area and located very close to other residential properties. Construction therefore has the potential to contribute to background air pollution levels and cause nuisance to neighbours. A construction method statement is therefore required for submission and approval by condition to minimise the impact on local air quality and protect the amenity of neighbours during construction.

Contaminated Land

145. The site has a history of non-residential and car parking uses, as such it is possible that the soil below the site is contaminated. An assessment of land contamination will need to be undertaken and submitted to the Council through condition. Based on the findings, a remediation strategy may be necessary and a condition will require that the means of remediation are demonstrated.

Lighting

146. Any new lighting at the proposed site should be installed considering existing homes and buildings. The new development must not give rise to light or other nuisance to nearby residents. A condition will require that, should external lighting be installed, details of the lighting, including a measure of lux levels, is submitted and approved by the Council.

Flooding and Drainage

147. The site is located just to the north of the Wembley Brook watercourse, although does fall within flood zone 1 of the Environment Agency's flood designations (the lowest flood risk). Nonetheless, given the scale of the proposal the applicant has submitted a report addressing flood risks of the development.

148. The document has been reviewed by Brent's Local Lead Flood Authority who notes that the proposal includes permeable paving and a number of storage tanks to regulate surface water discharge from the site. The proposed surface water discharge will be restricted to 5 litres per second and this will reduce the flow into the existing surface water sewer network and will drastically reduce the existing flood risk of the site. The details of the report shall be secured by condition.

149. Thames Water have reviewed the proposal and have identified an inability of the existing surface water infrastructure to accommodate the needs of this development proposal. Thames Water have therefore requested that a condition is imposed on the applicant requiring that, prior to occupation of the development, appropriate surface water network upgrades are installed OR a housing and infrastructure phasing plan is agreed that would manage the demand on the network. Thames Water confirm that they have no objection to the application in terms of sewerage infrastructure capacity.

150. Thames Water also note that the development is close to subsurface Thames Water assets, including strategic sewers. A condition requiring a piling method statement to be submitted and approved in consultation with Thames Water prior to piling is to therefore be secured.

Trees and Landscaping

151. The applicant has submitted an arboricultural assessment which identifies 43 existing trees on site. A number of these trees in the centre of the site are protected by Tree Preservation Orders. The trees on site are predominantly in average condition (Category B and C) with some being in very poor condition (Category U). The applicant's tree constraints plan indicates a proposal to remove a large number of the trees on site, including all those which are protected by tree preservation order. 15 trees are to be retained and protected including most of the trees along the eastern edge of the site which border the playing fields and the protected open space. The retained trees are confirmed to be protected from damage during construction through protective fencing within the relevant root protection areas.
152. The applicant's landscaping plan indicates a very comprehensive plan for replacement planting whose amenity value would far outweigh the small number of tree losses otherwise incurred. The proposal is for 85 trees to be planted, which, when weighed against the 29 trees to be lost, would be result in a net gain of 56 trees on site. Many of the trees would be planted as new street trees, along the newly formed cul-de-sacs, with the rest being provided within the linear park, the communal amenity spaces of all three blocks and within the focal outdoor space outside the community centre.
153. Brent's tree and landscaping officers have reviewed the plans and welcome the landscaping proposals and, subject to their implementation, would not object to the existing tree losses. It is noted that the tree losses are from within land formally protected as open space, however as detailed above in paragraphs 3-5, it is not considered that the losses are significant in the context of the character of the wider open space designation and when it is weighed against the replacement scheme. A condition will require that final detailed landscaping drawings are submitted, approved and implemented prior to the occupation of the development.

Ecology

154. The site is close to a Grade I Site in Nature Conservation (SINC) located alongside the nearby brook to the south of the site. This land is also designated as a wildlife corridor. These designations are located approximately 4 to 5 metres from the southern edge of the application site, with the separation formed by a pedestrian footpath between London Road and Lyon Park Avenue. Brent Policy DMP8 and London Plan policy 7.19 require that developments pay due regard to the ecological value of such protected spaces.
155. The submitted ecology report indicates the protected and priority species identified on or near site. This includes bats only but precautionary measures for hedgehogs were also incorporated. The invasive plant cotoneaster was identified around the community centre.
156. In terms of ecologist recommendations, further bat surveys (two dusk emergence and one dawn re-entry) were recommended to be undertaken between May and September. Vegetation clearance is recommended to be undertaken outside of the main bird breeding season and any active nests found are to be protected until nesting has concluded. One for one tree replacement is also required (as is achieved in the planting plan) with broadleaf specimens. Landscaping is proposed to be native and wildlife attracting to minimise impact on local invertebrate foraging habitat. Finally, any shrub, hedgerow or ground vegetation clearance is to be undertaken in the main active season for hedgehogs to avoid disturbing potential hedgehog habitats, and fencing around the site should have regular gaps in the base to enable movement for hedgehogs.
157. In terms of ecological enhancements, Schwegler type bat and bird boxes are suggested for inclusion at heights of above 4 metres on new buildings or retained trees, facing away from direct sunlight. A focus on native and wildlife attracting vegetation species, with fruit trees and shrubs being prioritised for foraging benefit is also suggested. Finally, a stag beetle logger, created through the partial burying of logs or retaining stumps from removed native broad-leaved trees, is suggested for incorporation into the development.
158. The recommendations and enhancement suggestions are considered to be thorough and robust given the local ecological designations, and it is therefore considered that the scheme, subject to the above measures, would not result in any unduly harmful impact on the biodiversity in the area and may be of benefit to local ecology. A condition will require that the abovementioned recommendations and enhancements are submitted in plan form and then implemented prior to the occupation of the development.

Fire Safety

159. Fire Safety is formally considered at Building Regulations stage, however the applicants have clarified a fire safety strategy within their planning submission as follows.

Block A

160. Block A may be utilised as a specialised housing development as it may offer sheltered housing / assisted living to the building occupants. However, it has been confirmed by the client that the likelihood is the tenants shall be able to self-evacuate and no additional facilities above a standard 'mainstream' housing development would be required. However, for conservative purposes, additional fire safety precautions such as sprinklers shall be included.

Block B

161. Whilst not required for Building Regulations, a sprinkler system shall be provided to Block B. There shall be 8no. triplex flats also located within the vicinity of Block B that are accessed independently from all other areas. These shall be designed as independent houses in accordance with the guidance contained in BS 9991.

Block C

162. Similar to Block B, a sprinkler system is not required for Building Regulations, however one shall be provided.

CIL liability

163. The development is CIL liable, however all of the housing within the scheme would be secured as affordable housing and would therefore be liable for full relief on CIL payment. This relief must be proactively applied for by the developer and agreed with the Local Planning Authority prior to being given.

164. The community centre component of the scheme is floor space within the D1 use class. Brent's CIL charging schedule specifies a zero charge on D1 floor space, however the Mayor's CIL charging schedule specifies (as of April 1st 2019) a £60/sqm charge on all non-health/education floor space, including that in the D1 use class. As such, subject to relief being applied for and given on the residential floor space, the scheme will only be liable for CIL payment to the Mayor in relation to the new D1 floorspace.

Equalities

165. 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

166. Following the above discussion, and weighing up all aspects of the proposal, officers consider that the proposal should be approved subject to conditions.

CIL DETAILS

This application is liable to pay **£5,710,979.13** * 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): 495 sq. m.

Total amount of floorspace on completion (G): 17206.78 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	16914.2		16427.62	£200.00	£0.00	£4,708,272.33	£0.00
(Mayoral) Non-residential institutions	292.58		284.16	£0.00	£0.00	£0.00	£0.00
(Mayoral) Dwelling houses	16914.2		16427.62	£0.00	£60.00	£0.00	£985,657.01
(Mayoral) Non-residential institutions	292.58		284.16	£0.00	£60.00	£0.00	£17,049.79

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)	321	
TOTAL CHARGEABLE AMOUNT	£4,708,272.33	£1,002,706.80

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

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

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



DECISION NOTICE – APPROVAL

Application No: 18/4273

To: Mr Martin
PRP Architects LLP
10 Lindsey Street
Smithfield
London
EC1A 9HP

I refer to your application dated **06/11/2018** proposing the following:

Demolition of community centre and erection of three residential blocks ranging from three to seven storeys in height comprising a total of 170 residential units (67 x 1 bed, 82 x 2 Bed, 13 x 3 Bed and 8 houses) with community centre, new vehicular and pedestrian access, provision for car parking, cycle and refuse storage, amenity spaces and gardens and associated landscaping.

The proposed development does not accord with the provisions of the development plan in force in the area as it seeks to develop land designated as open space within Brent's Core Strategy policy CP18.

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

at **Wembley Youth Centre and Land next to Ex Dennis Jackson Centre, London Road, Wembley, HA9**

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

Date: 11/06/2019

Signature:

A handwritten signature in black ink that reads "Alice Lester".

Alice Lester
Head of Planning, Transport and Licensing

Notes

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

DnStdG

SUMMARY OF REASONS FOR APPROVAL

- 1 The proposed development is in general accordance with policies contained in the:-
 - National Planning Policy Framework 2018
 - The 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):
 - Z-2001
 - Z-2002
 - Z-2003
 - A-2100
 - A-2300
 - B-2110
 - B-2111
 - B-2112
 - B-2113
 - B-2114
 - B-2115
 - B-2116
 - B-2117
 - B-2310
 - B-2311
 - B-2312
 - C-1120
 - C-1121
 - C-1122
 - C-1320

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

- 3 The development hereby approved shall be implemented and maintained for the lifetime of the development as 100% affordable rented housing (at rents up to 80% of the market rents and capped at Local Housing Allowance rates, inclusive of service charge, intended for households who cannot afford housing at market rates) and LB Brent will have the right to nominate people to be housed in the whole of the affordable housing development, unless otherwise agreed in writing with the local planning authority.

Reason: To ensure the development is implemented in accordance with the approved details submitted having regard to Local Plan affordable housing policy, the weight that was given to this scheme being 100% affordable when reaching a decision and to contribute to meeting Brent's identified housing needs, including meeting LB Brent's statutory housing duties.

- 4 The temporary accommodations contained within Block C shall have a maximum occupancy period per tenant/s of no more than 24 months.

Reason: To ensure that the reduced standards of the accommodation are not able to be experienced on a permanent basis, as this would be to the detriment of residential amenity for occupants.

- 5 The community centre facilities hereby permitted shall only be used for community events and community activities and for no other purposes within Class D1 of the schedule to the Use Classes Order 1987 (as amended) or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification.

Reason: To ensure that the use remains appropriate for the site location and to ensure that the standards applied to the consideration of the approved development are maintained in connection with the completed development so approved.

- 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 When the D1 floorspace is brought into use, priority for booking and using this D1 facility located on the ground floor of the Temporary Accommodation building shall be given to community/voluntary groups for a minimum of 20 hours per week.

Reason: To provide the community with an appropriate provision of community space within the Borough.

- 8 The approved parking spaces, 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.

- 9 The buildings 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 Following first occupation of the development, the full extent of the linear park (as shown between the general purpose affordable rented block and the boundary with the playing fields on the Landscape GA – Ground Floor Plan drawing no: L0479L01) as well as the linear park entrance spaces at both ends of the linear park (as annotated on the Landscape GA – Ground Floor Plan drawing no: L0479L01 and shown in a yellow colour on this plan), inclusive of the play areas in these spaces, shall remain unobstructed and publically accessible at all times for at least 364 (three hundred and sixty four) days per calendar year, except during discrete temporary periods of footway maintenance. The above restriction shall apply unless an alternative arrangement is first agreed in writing by the Local Planning Authority.

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

- 11 Not less than 10% of residential units shall be constructed to wheelchair accessible requirements (Building Regulations M4(3)) or shall meet easily accessible/adaptable standards (Building Regulations M4(2)) unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure suitable facilities for disabled users, in accordance with the London Plan policy 4.5.

- 12 The full set of mitigation measures recommended for inclusion in the development, as set out in the London Road Overheating Analysis, dated October 2018 (reference: J2331) shall be implemented in full prior to the first occupation of the development hereby approved. The mitigation measures include internal blinds for top floor dwellings and a balcony shading parapet to one room. The above restriction shall apply unless an alternative arrangement is first agreed in writing by the Local Planning Authority.

Reason: To ensure the development provides accommodation with high standards of amenity.

- 13 The mitigation measures specified in the Air Quality Assessment – Final Issue, prepared by Temple and dated October 2018, shall be adhered to in full following the commencement of the development.

Reason: To appropriately mitigate impacts on air quality arising from the development

- 14 The development hereby approved shall be carried out in full accordance with the details stipulated in the Stage 3 Drainage Design Report, prepared by Ellis+Moore and dated October 2018 (Ref: 16789-VIV-STG3-01).

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

- 15 All recommendations and enhancement measures contained within the submitted Preliminary Ecological Assessment, prepared by Oisin Kelly Arboricultural Consultant and dated June 2017 shall be adhered to throughout the construction of development.

Reason: To protect and enhance local ecosystems that would otherwise be unduly impacted by the development.

- 16 No development shall be carried out until the person carrying out the works is a member of the

Considerate Constructors Scheme and its code of practice, and the details of the membership and contact details are clearly displayed on the site so that they can be easily read by members of the public.

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

Pre-commencement reason: The considerate constructors scheme is designed to govern practices during the construction and therefore needs to be arranged prior to the construction works being carried out.

- 17 (a) No development shall commence on site until a Training & Employment Plan has been submitted to and approved in writing by the Local Planning Authority which shall include but not be limited to the following:

- (i) the details of the Training & Employment Co-ordinator;
- (ii) a methodology for meeting the Training & Employment Targets and the Training & Employment Reporting Schedule;
- (iii) a commitment to offer an interview to any job applicant who is a resident in Brent provided that they meet the minimum criteria for the particular job

The approved Training and Employment Plan shall be implemented throughout the construction phases of the development for the lifetime of the construction of the Development.

(b) The new school buildings shall not be occupied until the Training & Employment Verification Report has been submitted to and approved in writing by the Council.

Reason: In the interest of providing local employment opportunities.

Pre-commencement reason: part (a) of the condition seeks to exercise control over training and employment of Brent residents throughout the construction phase of the development and therefore needs to be discharged prior to construction.

- 18 Prior to the commencement of the development, a Construction Method Statement which incorporates a dust management plan shall be submitted to and approved in writing by the Local Planning Authority outlining measures that will be taken to control dust, noise, construction traffic and other environmental impacts of the development. The approved statement shall be implemented throughout the duration of construction.

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

Pre-commencement reason: The condition seeks to exercise control over the construction phase of the development and therefore needs to be discharged prior to construction.

- 19 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 be carried out in accordance with the approved construction logistics plan.

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

Pre-commencement reason: The condition seeks to exercise control over the construction phase of the development and therefore needs to be discharged prior to construction.

- 20 The development hereby permitted shall not be commenced until detailed design and method statements (in consultation with London Underground) for each stage of the development for all of the demolition, foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent),

have been submitted to and approved in writing by the local planning authority which:

- provide details on all structures
- provide details on the use of tall plant/scaffolding
- accommodate the location of the existing London Underground structures
- demonstrate access to elevations of the building adjacent to the property boundary with London Underground can be undertaken without recourse to entering our land
- indemnify TfL of any future noise or pollution complaints (Stonebridge Park is a 24/7 operational railway depot with noise, lighting and train movements)
- demonstrate that there will at no time be any potential security risk to our railway, property or structures
- accommodate ground movement arising from the construction thereof
- mitigate the effects of noise and vibration arising from the adjoining operations within the structures

The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, 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 of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.

Reason: To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with London Plan 2015 Table 6.1, draft London Plan policy T3 and 'Land for Industry and Transport' Supplementary Planning Guidance 2012.

Pre-commencement reason: The condition seeks to exercise control over the construction phase of the development and therefore needs to be discharged prior to construction.

- 21 (a) Prior to commencement of works on site (excluding demolition) an Energy Assessment shall be submitted to and approved in writing by the Local Planning Authority. This shall include a 100% reduction of the development's regulated carbon emissions beyond the Target Emission Rates to achieve 'zero carbon' development including a minimum 35% reduction achieved through on site measures, being the standards for CO2 reduction set out in the London Plan.

The applicant shall enter into a Memorandum of Understanding with the Local Planning Authority in order to provide appropriate offsetting measures for the development's carbon emissions as approved within the above Energy Assessment.

(b) No later than two months after practical completion of the development an Energy Assessment Review shall be submitted to and approved in writing by the Local Planning Authority. This shall include a review of the energy assessment commissioned at the applicant's expense and prepared by an independent assessor to demonstrate as built construction is in accordance with the approved Energy Assessment.

The applicant shall enter into a Memorandum of Understanding with the Local Planning Authority in order to provide appropriate offsetting measures for the development's carbon emissions as approved within the review of the Energy Assessment.

Reason: To ensure the development is in accordance with the principles of London Plan Policy 5.2.

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

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

- 23 Prior to the commencement of the development (excluding demolition of the existing building on site), an assessment of noise and vibration from sources within the environment surrounding the development site shall be submitted to and approved in writing by the Local Planning Authority. If necessary, the assessment shall detail a schedule of noise and vibration mitigation which would result in the development achieving the relevant British Standards for internal noise and vibration levels in residential units.

The approved details, inclusive of any mitigation specified, shall be implemented in full prior to the first occupation of the development hereby approved.

Reason: To appropriately mitigate noise and vibration from surrounding sources, particularly in view of the development's proximity to a railway.

- 24 (a) Prior to the commencement of any works on site, with the exception of works necessary to facilitate compliance with part (a) of this condition, a Site Investigation shall be submitted to and approved in writing by the Local Planning Authority. The Site Investigation shall be carried out by competent persons in accordance with the principles of BS 10175:2011 to determine the nature and extent of any soil contamination present; include the results of any research and analysis undertaken as well as an assessment of the risks posed by any identified contamination; and include an appraisal of remediation options should any contamination be found that presents an unacceptable risk to any identified receptors.

(b) Prior to the commencement of any works, with the exception of works necessary to facilitate compliance with part (b) of this condition and UNLESS the Local Planning Authority has previously confirmed in discharging part (a) above that no remediation measures are required, a Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy shall specify measures to contain, treat or remove any soil contamination to bring the site to a condition suitable for the intended residential use; include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures; 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.

The works shall be carried in accordance with the approved details in accordance with the approved timetable of works. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Any remediation measures required by part (a) above shall be carried out in full.

(c) Prior to the occupation of the Development and UNLESS the Local Planning Authority has previously confirmed in discharging part (a) above that no remediation measures are required, a Verification Report shall be submitted to and approved in writing by the Local Planning Authority. The Remediation Verification Report shall demonstrate that the remediation has been carried out in accordance with the approved Remediation Strategy; and that the Development is permitted for its approved end use.

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.

- 25 No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including

measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

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

- 26 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.

- 27 Within three months of commencement of the development, a revised site layout plan shall be submitted to and approved in writing by the Local Planning Authority that indicate an altered site layout that shows the following alterations:

1. Footways that are widened to a minimum width of 2m.
2. The repositioning of the existing electricity substation on site to a suitable location at least 2m from the edge of the carriageway of the new access road.

Thereafter, the site layout shall be completed in accordance with the approved plans prior to first occupation of any part of the development.

Reason: To ensure the development provides a safe means of access to it for vehicles and pedestrians.

- 28 Within three months of commencement of the development, the developer shall enter into an agreement with the Local Highways Authority to carry out the following works:

1. Construct new access roads, footways, verges, shared surface turning heads, parking spaces, bicycle parking, street lighting, drainage and all other associated signage and street furniture;
2. Provide amended kerbs and a raised table at the southern end of London Road at the entrance to the site;
3. Install traffic calming measures along the lengths of London Road and Cecil Avenue;
4. Provide suitable signage and remove overhanging hedges from the site boundary to allow use of the footpath linking the site to High Road by cyclists;

The development shall not be occupied until evidence that the abovementioned highway works have been implemented in full and certified as completed to an acceptable standard by the Local Highways Authority has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development provides a safe and functional highway environment to connect the development with its surroundings.

- 29 Within six months of works commencement on site, details of opaque physical divisions, clearly establishing a private section of the roof terrace for each sixth floor flat within Block B, shall be submitted to and approved in writing by the Local Planning Authority. The physical divisions shall thereafter be implemented prior to the first occupation of any unit on the sixth floor of the

general purpose affordable rented block and retained in perpetuity. The above restriction shall apply unless an alternative arrangement is first agreed in writing by the Local Planning Authority.

Reason: To ensure that all flats are afforded sufficient privacy.

- 30 Within six months of commencement of development, further details of hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include:

- (a) Details of proposed soft landscaping including species, locations and numbers
- (b) Details of the material treatment of the surfaces delineating the separation of pedestrian and vehicle movement areas within the proposed highways
- (c) Details of hardsurfaced areas
- (d) Details of external lighting
- (e) Details of bat and bird boxes
- (f) Details of boundary treatments within the site and along its boundaries
- (g) Details of any external seating and other features
- (h) Details of play equipment
- (j) Details of a management plan for a minimum of 5 year period

The hard and soft landscaping shall be completed prior to first occupation of the development hereby approved (or other timescales to be agreed in writing by the Local Planning Authority).

Any planting that is part of the approved scheme that within the lifetime of the development 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 preserve the amenities of nearby residents and to prevent privacy being compromised.

- 31 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 spill onto the nearby railway infrastructure. 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.

- 32 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.

- 33 The tree protection measures as set out within the Arboricultural Impact Assessment prepared by Oisín Kelly shall be adhered to through all stages of construction, unless otherwise agreed in writing by the Local Planning Authority. Prior to the commencement of works arrangements shall be made with the Council's tree officer to carry out a site visit to inspect the tree protection measures as installed.

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.

- 34 Prior to first occupation of the development hereby approved, the developer shall enter into a Memorandum of Understanding with the Local Planning Authority in order to provide appropriate

mitigation measures for the development's impacts on local bus capacity.

Reason: To ensure the development sustainably offsets its impact on the local transport network.

- 35 Prior to first occupation of the development hereby approved, further details of electric vehicle charging points shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include use of at least 20% of the approved car parking spaces with EVCP within the site. The provision of electric vehicle charging points shall be in accordance with adopted London Plan standards, providing both active and passive charging points.

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

- 36 Prior to the occupation of the development a Nominations Agreement to define nominations criteria and arrangements shall be entered into with the Council, and submitted to and approved in writing by the Local Planning Authority. The Nominations Agreement will set out the policies and procedures for the nomination by the Council of prospective tenants to the development and shall be implemented on occupation and shall remain in effect for the lifetime of the development.

Reason: To ensure the development is implemented in accordance with the approved details submitted having regard to Local Plan affordable housing policy, the weight that was given to this scheme being 100% affordable when reaching a decision, and to contribute to meeting Brent's identified housing needs, including meeting LB Brent's statutory housing duties.

- 37 Prior to the occupation of the development the applicant shall submit to the local planning authority for its approval a Management Plan for the operation of the Temporary Accommodation. The development shall be carried out in accordance with the approved Plan, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to ensure that reports to any party will be shared and acted upon.

- 38 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.

- 39 Prior to the first occupation of the development hereby approved, a car park management plan shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be adhered to in full, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure an appropriate parking arrangement and system of parking management for the development.

- 40 Prior to the first occupation of the development hereby approved, a delivery and servicing plan for the development shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be adhered to in full, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure an appropriate parking arrangement and system of parking management for the development.

- 41 Prior to first use of the community centre hereby approved, a Community Access Plan detailing community access arrangements for the community centre shall be submitted to and approved in writing by the Local Planning Authority. The Community Access Plan shall include details of rates of hire (based upon those charged at other public facilities), terms of access, hours of use and management responsibilities.

The approved updated Community Access Plan shall be brought into operation within 3 months of first use of the community centre and it shall remain in operation for the duration of the use of the development.

Reason: To secure well-managed, safe community access to the community centre, to ensure sufficient benefit to the public and to accord with Local Plan.

- 42 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.

- 43 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.

- 44 The development shall not be occupied unless confirmation in writing has been submitted to and approved in writing by the Local Planning Authority, in consultation with Thames Water, that either 1) all surface water 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: The development may lead to 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. Any necessary reinforcement works will be necessary in order to avoid sewer flooding and/or potential pollution incidents.

- 45 Prior to the first occupation of the development hereby approved, a travel plan of sufficient

quality to score a PASS rating when assessed under Transport for London's ATTrBuTE programme (or any replacement thereof), to incorporate targets for minimising car use, monitoring of those targets and associated measures to meet those targets, shall be submitted to and approved in writing by the Local Planning Authority.

The travel plan shall include proposed measures for introducing cycle storage for the NAIL accommodation, in the event that the building containing NAIL accommodation is re-purposed for general residential use. The travel plan shall also set out proposals for indicating separate pedestrian and cyclist routes through the car park.

The travel plan shall also set out details for the provision of a car club on the site, which would include free membership for residents of the development for a minimum period of three years starting from first occupation.

Upon first occupation of the development, the Travel Plan shall be fully implemented for the lifetime of the Development, or as amended by the agreement of the Local Planning Authority in writing.

Reason: In order to promote sustainable transport measures where on-street parking and manoeuvring may cause highway safety problems.

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 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.
- 5 Thames Water advise the applicant of the following:
A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.
- 6 The Environment Agency advise the applicant of the following:
This development may require a permit under the Environmental Permitting (England and Wales) Regulations 2010 from the Environment Agency. This covers any proposed works or structures in, over, under or within 8m of a fluvial, or 16m of a tidal, main river or flood

defence.

Some activities may be excluded or exempt from the permitting regulations. A permit is separate, and in addition to, any planning permission granted. Further details and guidance are available on the GOV.UK website:

<https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>.

- 7 The applicant is advised to contact London Underground Infrastructure Protection in advance of preparation of final design and associated method statements, in particular with regard to: demolition; drainage; excavation; construction methods; tall plant; scaffolding; security; boundary treatment; safety barriers; landscaping and lighting.
- 8 Network Rail advise the applicant of the following:
 - (1) The developer is to submit directly to Network Rail, a Risk Assessment and Method Statement (RAMS) for all works to be undertaken within 10m of the operational railway under Construction (Design and Management) Regulations.
 - (2) If vibro-compaction machinery / piling machinery or piling and ground treatment works are to be undertaken as part of the development, details of the use of such machinery and a method statement must be submitted to the Network Rail Asset Protection Engineer for agreement.
 - (3) As the proposal includes works which may impact the existing operational railway and in order to facilitate the above, a BAPA (Basic Asset Protection Agreement) will need to be agreed between the developer and Network Rail. The applicant / developer should liaise directly with Asset Protection to set up the BAPA - AssetProtectionLNWSouth@networkrail.co.uk.
- 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

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

19 June, 2019
04
18/4902

SITE INFORMATION

RECEIVED	24 December, 2018
WARD	Barnhill
PLANNING AREA	
LOCATION	2A, Preston Waye and 283, 285 & 287 Preston Road, Harrow, HA3
PROPOSAL	Demolition of buildings and erection of a 2 to 4 storey residential building comprising 35 self-contained flats (6 x studios, 12 x 1 bed, 10 x two bed and 7 x 3 bed) with basement level, provision for car and cycle parking 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_143278</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 "18/4902" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab

RECOMMENDATIONS

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

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

1. Payment of legal and professional costs
2. Notification of commencement 28 days prior to material start
3. Affordable housing - provision of 4 shared ownership units together with a post-implementation review mechanism for affordable housing.
4. Training and employment of Brent residents
5. Energy Assessment- Submission of Energy Assessment, and carbon offset contribution to be paid in two stages, following pre-construction submission of revised Energy Assessment and post-completion submission of Energy Assessment Review. Energy Assessment to include overheating analysis.
6. Contribution towards offsite landscape works for strip of land between access road to Tenterden Sports Ground and eastern boundary of the site
7. 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.

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

Conditions

1. Three year rule
2. Approved plans
3. Withdraw permitted development rights for C3 conversion to C4
4. Obscure glazing to windows overlooking neighbours
5. Considerate constructors scheme
6. Sustainable Urban Drainage
7. Mains water consumption for residential units not to exceed 105lppd
8. Construction Method Statement (CMS)
9. Non-road mobile machinery (NRMM)
10. Connection District Heat Network
11. Piling details
12. External materials
13. Accessibility
14. Balcony details
15. Garden screens
16. Hard and soft landscaping
17. Lighting
18. Details of boiler flues and PV panels on roof
19. Air quality follow up
20. Highways works
21. Internal noise
22. Plant noise

Informatives


1. CIL liability
2. Party Wall
3. Building near boundary
4. Environmental Health general comments
5. Asbestos
6. Groundwater risk permit
7. Highway works
8. Notify highways
9. Living Wage
10. Fire Safety

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

2. That, if by the "expiry date" of the planning application the legal agreement has not been completed, the Head of Planning is delegated authority to refuse planning permission.

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

SITE MAP

	<p>Planning Committee Map</p> <p>Site address: 2A, Preston Waye and 283, 285 & 287 Preston Road, Harrow, HA3</p> <p>© Crown copyright and database rights 2011 Ordnance Survey 100025260</p>
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This map is indicative only.

PROPOSAL IN DETAIL

The application proposes the demolition of buildings and erection of a 2 to 4 storey residential building comprising 35 self-contained flats (6 x studios, 12 x 1 bed, 10 x two bed and 7 x 3 bed) with basement level, provision for car and cycle parking and associated landscaping (revised description)

EXISTING

The site for the proposed development is located on the western side of Preston Road and currently contains 2 detached dwellinghouses (2a Preston Way & 283 Preston Road) and 2 semi-detached dwellinghouses (285 & 287 Preston Road) dwellinghouses and associated gardens. The site is bounded by No. 281 Preston Road and Preston Way to the south, the rear garden of 2 Preston Way to the west, a Council owned landscaping strip and access road to Tenterden sports ground to the North and Preston Road to the east.

The site has an area of 0.19ha and a level drop of approximately 2.9m from east to west towards 2 Preston Way. The site has a Public Transport Accessibility Level (PTAL) rating of 3 which is classified as good and it is within 150m of Preston Road tube station.

The application site is not located within a conservation area nor does it contain any listed buildings. It sits just outside the boundaries of Preston Road Town Centre.

AMENDMENTS SINCE SUBMISSION

The following amendments were made to the plans during the application:

- Alterations to the layout of the amenity space
- Alterations to increase the size of balconies to ensure adequate levels of private amenity space
- Alterations to ceiling height of basement above disabled spaces, relocation of 2 disabled parking spaces to outside the basement, and alterations to headroom height in basement to accommodate double stacked bicycles
- Rearrangement of 2 x one bedroom units into 2 x studio units on southern elevation (details to be conditioned)
- Amendments to basement layout to rearranged bins and provide a plant room

SUMMARY OF KEY ISSUES

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

Objections from neighbours: 6 objections have been received from individual properties together with an objection from Cllr Pavey. A petition with 45 signatures has also been received objecting to the proposal. These relate mainly to the impact of the buildings on the character of the area, the impact on light, outlook and privacy to neighbouring properties, parking provision and the impact on existing congestion in the area, and are covered in the relevant sections of the report.

Principle of development: The principle of the development has been established through planning approval reference 16/5444. This proposal seeks to optimise the delivery of housing within the site, and is considered acceptable in an area of good public transport accessibility (PTAL 3) and located next to Preston Road Town Centre. It will positively contribute towards the Council's housing targets.

Affordable housing and housing mix: The proposal includes 4 shared ownership units (2 x studio flats and 2 x one bedroom flats) accounting for 11% of units or 6.6% by habitable room. In addition 7 of 35 units are family sized (three bedroom), accounting for 20% of the units. Your officers consider this to be the maximum reasonable amount of affordable housing that can be provided, subject to any additional surplus being captured through early stage and late stage review mechanisms.

Design, scale and appearance: The proposal offers a more contemporary design on a corner location adjacent to a town centre area. The height, massing and scale of the development are all considered to be acceptable within this location.

Residential living standards: The 35 residential units would all meet or exceed internal space standards and the majority of units would be dual aspect. All units would have balconies and additional amenity space would be provided in the form of a communal garden. A financial contribution towards improvements to the landscape strip between the northern elevation of the site and the access road to Tenterden Sports Ground will be secured through the Section 106 Agreement.

Impact on neighbouring properties: The proposal would not result in any undue impact on the residential amenities of neighbouring occupiers in terms of daylight, sunlight or overlooking and would be acceptable.

Transportation and highways considerations: The scheme proposes 17 car parking spaces (4 of which will be disabled) within the basement car park and provision for upto 7 spaces along the access road into the site. Vehicular access is proposed from Preston Way next to No. 2 Preston Way. Cycle parking and bin storage comply with the relevant standards. Transport officers have assessed the scheme and consider that it would not result in any undue impact on traffic or parking within the area

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)
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Monitoring Residential Breakdown

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
EXISTING (Houses)			4							4
EXISTING (Flats ú Market)										
PROPOSED (Houses)										
PROPOSED (Flats ú Market)	18	10	7							35

RELEVANT SITE HISTORY

Relevant Planning history

16/5444: Demolition of the existing buildings and construction of a four storey building with a basement level providing 25 self-contained flats (11 x 1bed, 10 x 2bed and 4 x 3bed) with associated vehicular crossover off Preston Way, car and cycle parking spaces, bin stores, amenity space and ancillary gym for private use by the residents - **Granted, 14/08/2017.**

09/2136: Demolition of 4 existing dwellings and erection of a two-, three- and four-storey building to provide 33 flats (17 one-bedroom, 10 two-bedroom and 6 three-bedroom) and a basement car-park, with formation of new vehicular access from Preston Way, associated services and landscaping - **Refused and Dismissed on Appeal, 16/06/2010.**

CONSULTATIONS

Consultation Period: 14/01/2019 - 04/02/2019

Site Notice Displayed on 18/01/2019

Press Notice dated 24/01/2019

Public Consultation

83 neighbours consulted.

6 objections have been received from individual properties together with an objection from Councillor Pavey.

The objections are summarised below:

Objection	Response
The proposal would have negative impacts on residential amenity of neighbouring occupiers in terms of loss of light and privacy	The impact of the proposal in relation to neighbouring amenity has been considered, and discussed within paragraphs 17 to 30 below.
The proposal is not in keeping with the existing townscape	This is discussed within paragraphs 8 to 16 below.
Increase the massing of the building along the access road to Tenterden Sports Ground that is out of keeping with the context and would restrict views into this open space	This is discussed within paragraphs 8 to 16 below
Proposal is too dense for its context	This is discussed within paragraphs 1 to 3 below
The proposal would prejudice future development at no. 281 Preston Road	The proposal maintains an acceptable relationship with No. 281 Preston Road, and will not prejudice future development of the adjoining site – this is discussed within paragraphs 18 to 20 below.
It would set an unwanted precedent	Each application is assessed on its own merits having regard to the context of the site and its relationship to neighbouring sites, and considered against relevant and up to date planning policies.
Concerns over traffic and transport impact on Preston Way including pedestrian safety	This is discussed within paragraphs 51 to 59 below
Proposal needs to be considered in the context of a current planning application submitted at Tenterden Sports (LPA Ref: 18/4008), and the cumulative increase in traffic and congestion along the access road into Tenterden Sports ground	This is discussed within paragraphs 51 to 59 below
Transport study is out of date and should be updated	This is discussed within paragraphs 51 to 59 below
There is a Covenant in place on the land which prevents more than 11 units being developed	Covenants are covered by separate legislation and are not a material planning consideration. As such, they are an issue to be resolved by the parties involved and cannot be taken into consideration.
Loss of existing views	'views' are not protected under planning legislation and the loss of a view is not sufficient grounds to refuse permission. Notwithstanding

	this, the outlook from neighbouring properties has been assessed and is considered to be acceptable.
General disruption to neighbours as a result of dust and noise, and traffic congestion	Construction works and traffic will be managed through a construction management and logistic plan. The impact of the proposal in terms of air quality has been considered and discussed within paragraph 69 below
Proposal is too dense and not appropriate for a suburban location. The proposal will fundamentally alter the character and appearance of Preston Road	This is discussed within paragraphs 1 to 16 below.
Access from Preston Way too narrow and not appropriate to serve this development	This is discussed within paragraphs 51 to 59 below
Proposal is too dense and represents an over development of the site compared to the 2016 application	This is discussed within paragraphs 1 to 3 below

A petition with 45 signatures has also been received objecting to the proposal on the grounds of the proposal having a detrimental impact on the character of the area, seeks to increase the number of flats above a previous scheme refused by the Council, problems with traffic manoeuvring and parking, entry on Preston Way will increase risk of crime and anti-social behaviour.

Internal and External Consultation

Environmental Health - Proposal is acceptable subject to a number of conditions being secured in relation to noise, air quality, non-road mobile machinery and construction noise and dust.

Sustainability Officer - Further information requested in relation to how the total carbon emissions have been calculated, provision of an overheating analysis taking into account future climate change scenarios, and details of flues to be provided as the scheme includes a strategy for individual boilers.

Local Lead Flood Authority - Has confirmed that the site falls within Flood Zone 1 and the risks of flooding is very low and the developers are taking appropriate measures to reduce the risks further. The proposed development will have Green Roof, Permeable Paving and the discharge rate will be restricted to 5 l/s. This will improve the capacity in the existing drainage system and overall, flood risk will be greatly reduced in the area.

Parks Service - No objections subject to conditions regarding landscaping and management.

Thames Water - Confirmed that they have no objections to disposal of surface water subject to following sequential approach. They have recommended a condition for any piling works due to proximity to strategic sewer, and have recommended that an informative is attached in relation to ground water permits. They have confirmed that there is no objection to this proposal with regards to waste water network and waste water process infrastructure capacity.

POLICY CONSIDERATIONS

National Planning Policy Framework (2018)

London Plan (2016)

3.3 - Increasing Housing Supply
3.4 - Optimising housing potential
3.5 – Quality and Design of Housing 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
5.13 - Sustainable Drainage
6.3 - Assessing effects of development on transport capacity
6.9 - Cycling
6.10 - Walking
7.2 - An inclusive environment
7.4: Local Character
7.6: Architecture

Core Strategy (2010)

CP 2 Population and Housing Growth
CP 17- Protecting and Enhancing the Suburban Character of Brent
CP19: Brent Strategic Climate Change Mitigation and Adaptation Measures
CP21 A balance Housing Stock

Development Management Policy (2016)

DMP 1: Development Management General Policy
DMP 9 B: On Site Water Management and Surface Water Attenuation
DMP 11: Forming an Access on to a Road
DMP12: Parking
DMP 13: Movement of Goods and Materials
DMP 15: Affordable Housing
DMP 18: Dwelling Size and Residential Outbuildings
DMP 19: Residential Amenity Space

Supplementary Planning Guide
SPD1 - Brent Design Guide (2018)
Technical housing standards: nationally described space standard (2015)
Housing SPG (2016)
Mayor's Affordable Housing and Viability SPG

DETAILED CONSIDERATIONS

Principle of development

1. The principle of the redevelopment of the site has already been established through the approval of planning permission reference: 16/5444. The 2016 application approved the demolition of the four dwellinghouses and their replacement with a four storey development with a basement level to accommodate 25 self-contained flats (including 4 x 3 bedroom flats - accounting for 16% of units within the scheme). It should be noted that planning permission reference 16/5444 is still live and has until 14/08/2020 to be implemented. The approved scheme represents a legitimate fallback position.

2. The current scheme proposes a similar form of development to the 2016 approval but includes an additional 3/4 storey wing along the north west section of the site to continue the frontage along the access road to Tenterden Sports Ground. The main building will not exceed 4 storeys high but the design detailing has also been amended and discussed in detail below. The scheme now proposes 35 flats including 7 three bedroom units (accounting for 20% of the units within the scheme). Access to the basement car park will still be provided from Preston Way next to No. 2 Preston Way. The proposal will therefore still comply with policies CP2 and CP21 of Brent's Core Strategy 2010 and policy DMP16 in Brent's Development Management Policies.

3. It should also be noted that the emerging draft policy H1 in the London Plan proposes to increase Brent's Housing targets to around 2,900 homes per year compared to the current target of 1,950 homes per year. It seeks for boroughs to optimise the potential for housing delivery on all suitable and available brownfield sites through their Development Plans and planning decisions. This includes sites with existing or planned public transport access levels (PTALs) 3-6 or which are located within 800m of a town centre boundary. The application site is located on the edge of Preston Road town centre and within PTAL 3.

Mix of units and affordable housing

4. The scheme proposes 35 flats comprising 6 x studios, 12 x 1 bed, 10 x two bed and 7 x 3 bed. The amount of three bedroom units accounts for 20% of the scheme which falls slightly under the target of 25% as set out within policy CP2. Nevertheless it represents an uplift in family sized units compared to the existing 4 dwellinghouses on site and the provision of 4 three bedroom units secured as part of 2016 application (accounting for 16% of the units).

5. London Plan Policy 3.12 requires boroughs to seek the maximum reasonable amount of affordable housing when negotiating on private and mixed use developments, having regard to a number of factors, including development viability. Policy CP2 of Brent's Core Strategy sets a strategic target that 50% of new homes to be delivered in the borough are affordable. Development Management Policy DMP 15 reinforces the 50% target set by policy CP2 and the need to seek the maximum reasonable amount of affordable housing. It goes on to say that where a reduction to affordable housing obligations is sought on economic viability grounds on major phased developments, and where the proportion of affordable housing agreed is significantly below 50% appropriate provisions to re-appraise scheme viability will be sought and secured by s106 agreement.

6. The applicant has provided a financial viability assessment (FVA) which states that it would not be financially viable to provide any affordable housing on this application site. This assessment has been independently assessed and the conclusions of which have been supported. The independent assessment states that the residual land value is £2,570,587 and the Benchmark Land Value was £2,633,400. This assessment concluded that the wholly private scheme would a very mild deficit of -£62,813. Notwithstanding this, the applicant has voluntarily chosen to provide 4 shared ownership units. The proposed units would be 3 x studio flats and 1 x one bed flats. This would work out as 11% of the overall scheme by unit number or 6.6% via habitable room and would mean that the developer would receive a level of profit that is below accepted targets. Whilst it is regrettable that the scheme does not include any affordable rented units, the scheme could not provide any Affordable Housing if target profits were achieved. Furthermore, given the low number of affordable units that are proposed, it is unlikely that a register provider would be interested in taking on such a small number of units. The provision of affordable rented units would make the scheme even more unviable to that as concluded within the FVA.

7. Additionally, it is noted that the area, and scheme are subject to value growth over the development period. As the deficit is considered to be minor, the Council will be requiring a post implementation late stage viability

review mechanism to be secured through a S106 agreement, to capture any uplift in affordable housing. In conclusion, the proposal has secured the maximum reason level of affordable housing.

Design

8. Policy CP17 seeks to protect the traditional suburban character of Brent and states that more contemporary designs should be located in designated town centres or on corner sites. Policies DMP1 of the Development Management Policies and London Plan Policy 7.4 further state that development should be of a design, massing and scale which respects its surroundings.

9. There is no objection to the loss of the existing buildings. They are not listed and are not considered to be of a significant architectural value. Furthermore, their loss has already been established as part of the 2016 application.

10. The proposed development features a largely contemporary design which differs significantly to the traditional hipped roof buildings which surround it. However, it is noted that the site is a prominent corner site and located immediately adjacent to the Preston Road Town Centre. As such, it is considered that the more contemporary approach is appropriate in this location and would comply with the aims of Policy CP17 in this regard.

11. The choice of materials would consist of a light coloured mixed brick and light metal balustrades. It is considered that this choice of materials would be appropriate for residential properties and although different from surrounding properties, would not appear obtrusive in context. The fenestration would be of an appropriate size and would serve to add interest to the elevations of the proposal. As such, these elements would be acceptable.

Scale and Massing

12. The proposal would be set back from the main streetscene to an extent that broadly matches the front building line of no. 291 and the previously existing buildings. The design of the building would use two front projections with a further setback at the main entrance to provide a more open frontage and to further break up the front elevation. Similarly, the hexagonal approach would result in the bulk of the building being set away from the side and rear boundaries of the site.

13. In terms of height the proposal would have a maximum height of 4 storeys which would step down towards the rear of the site. The upper most floor would be set in from the front and side elevations. The rooftop areas would be used as private terraces and a green roof for the very top of the building. 14. The maximum height would therefore be greater than the two storey houses which it would replace and the nearby two storey residences in the immediate area. However, it is noted that the properties within the adjacent town centre area are 3 and 4 storey structures.

14. Considering the shape and design of the proposal including the proposed step downs and set-backs it is considered that the proposal would not appear unduly tall or bulky within its plot and would not appear at odds with the surrounding streetscene and local area. It is of a similar scale to that approved as part of 2016 application and the additional form of development at the north western end of the site is appropriately stepped down so that its massing is broken up and it reflects the transition between the more urban context and suburban form of development.

Layout

15. The proposal would feature a hexagonal design with angled walls. The main entrance would be located on Preston Road. A smaller secondary entrance on the southern side elevation would open onto a pedestrian walkway linking Preston Road and the rear of the site. This secondary entrance will provide disabled access into the site and follows the same arrangement as the 2016 application. The vehicle access down into the basement parking would be located on Preston Way. The northwestern corner of the site would also link into the nearby sports ground.

Neighbouring residential amenity

16. Policy 7.6 of the London Plan and Policy DMP1 of the local plan both emphasise that new development should not result in unacceptable harm to the residential amenities of neighbouring properties. SPD1 provides further guidance on the layout of new development to avoid such impacts.

Privacy

17. SPD1 requires a minimum distance of 9m from habitable room window to neighbouring private external amenity spaces and a minimum distance of 18m between directly facing rear habitable room windows. The proposal does not directly face the rear windows of adjoining properties.

18. A distance of over 9m is maintained to the boundary with the rear garden of 291 Preston Road. At first floor level upwards a distance of over 9m is also maintained to the rear garden of No. 2 Preston Waye. At ground floor level, the private amenity space is located within 7.8m to the boundary with the rear garden of No. 2 Preston Waye. However, the section plans show that the existing boundary fence will prevent directly overlooking from these terraces into this rear garden.

19. There are windows within the southern elevation of the development that face onto 281 Preston Road. At ground floor level these serve a number of habitable rooms and are located within 3m of the boundary. However, the section plans show that the existing boundary fence will prevent directly overlooking from these windows into the adjoining site at No. 281 Preston Road, and thus would not prejudice the future ability of this site to come forward for development in the future. On the upper floors there is a secondary window to a kitchen/living area that can be conditioned to be obscured glazed and opening at high level only. The scheme also originally proposed 2 x one bedroom flats (01_07 and 02_06) with the sole source of outlook from the bedroom facing out onto No. 281 Preston Road. Officers raised concerns with the reliance on outlook over the neighbouring site and loss of privacy. To address this concern, these two units have been amended to studio flats with the window where the former bedrooms are located obscured and opening at high level only. The sides of balconies in proximity to No. 281 Preston Road can be conditioned to include screening along the side facing No. 281 Preston Road to prevent directly overlooking. Subject to the conditions as set out above, the proposal will not result in a detrimental level of overlooking or loss of privacy to neighbouring occupiers or unduly prevent the neighbouring sites from coming forward for redevelopment.

Outlook and Overbearing appearance

20. SPD1 requires new development to sit within a line drawn at 45 degree (measured at 2m high) from the boundary of adjoining private external amenity space, and to sit within a line of 30 degrees (measured at 2m from internal floor level) from neighbouring rear habitable room windows.

21. The building sits within 45 degree lines from the rear gardens of No. 281 and Preston Road and the rear garden of No. 2 Preston Waye. It does not face onto rear habitable room windows within adjoining properties and as such 30 degree line is not applicable. As such, it is not considered to be overbearing or adversely impact on outlook from neighbouring rear gardens or rear habitable room windows.

22. The element closest to No. 281 Preston Road will sit rearward of the bedroom above the garage of No. 281 Preston Road by 5.87m compared to 2.85m as per the 2016 application. However the main element of this four storey section of the building is set further away from the boundary at 2.98m compared to 1.12m. As such the overall impact of the proposal would be not materially greater than already approved and would be acceptable on balance.

Daylight and Sunlight

23. The applicant has supplied a Daylight and Sunlight assessment to support the scheme.

24. The report uses the Vertical Sky Component (VSC) test which measures the amount of visible sky outside a property. In addition, the report uses a No Skyline Contour (NSC) test which calculates the distribution of daylight within rooms.

Guidance states that an undue impact is considered to be where the VSC levels drop below 27% or are reduced to 0.8 times their existing value or the NSC values drop to less than 0.8 times their former value.

25. For the assessment of Sunlight the report uses the APSH test which calculates the percentage of statistically probable hours of sunlight received by each window in both summer and winter months represented as APSH (Average Probable Sunlight Hours) and WPSH (Winter Probable Sunlight Hours). BRE guidelines suggest that main living rooms should achieve at least 25% of annual sunlight hours with 5% in the winter period.

26. The report identifies 3 neighbouring properties which would be at risk from the development, 281, 288 and 291 Preston Road.

27. In terms of daylight, no. 281 would have two windows which would be reduced to less than 0.8 times their original VSC value. However, these rooms serve dual aspect rooms and as per guidance, the mean VSC values for all windows serving the room may be taken into account. In these circumstances the proposal would not result in an undue loss of ambient daylight. With regards to sunlight, the only windows overlooking the site are north facing and therefore do not require a sunlight assessment as per BRE guidance.

28. The report indicates that there would be no material impact on daylight or sunlight with regards to nos. 288 or 291.

29. Overall it is concluded that the proposal would not result in any undue impacts on neighbouring amenity and would be acceptable in that regard.

Quality of accommodation

30. All of the proposed units would meet or exceed the minimum space standards as required by The London Plan. All bedrooms would meet the minimum sizes as set out by the THS and the floor to ceiling height of each unit would meet the 2.5m minimum required for development within London. All habitable rooms would be served with an external window with sufficient space adjacent to provide acceptable levels of outlook throughout the scheme. Sectional drawings have been provided to indicate that the basement units would have sufficient space to not compromise the outlook to these units. Furthermore, railings are proposed on the boundary with the park in order to prevent any further impact on the outlook or daylight of these units. The outlook to these units has been confirmed with a sectional drawing and supported by the daylight/sunlight assessment.

31. Of the proposed units, 12 would be single aspect which represents 34% of the overall development. Which is considered to be an acceptable amount given the limitations of the site.

32. There would be no direct overlooking or loss of privacy between units within the development.

33. The building would be structured around a single core. Most of the floors would have less than the 8 units per core maximum as allowed by The London Plan. However, it is noted that the 1st and 2nd floors would have 10 units and 9 units respectively and as such would not comply with the aspect of policy. However, the overall length of the corridor is not significantly long due to the cluster arrangement of units around the core, and on balance is considered acceptable.

Wheelchair accessible units

34. London Plan requires 10% of the units to be easily adaptable for wheelchair users. The scheme proposes 4 units represents just over 10% of units. These units are three 1 bedroom units. Although not located on the ground floor, they are easily accessed internally via the lift system and are considered to be acceptable on balance.

Daylight and Sunlight

35. The applicant has supplied a Daylight and Sunlight assessment to support the scheme.

36. For the assessment of daylight report uses the ADF test to calculate the average illuminance within a room expressed as a percentage. Guidance suggests that the minimum levels for kitchens should be 2% ADF, living and dining rooms 1.5% ADF and bedrooms at least 1% ADF.

37. The results of the assessment indicate that 89 of the 92 proposed new rooms would achieve an ADF target of 2% which would represent 97% of the overall development. 100% of the habitable rooms achieve a slightly lower ADF level of 1.5%. Overall this level of daylight is considered to be acceptable.

38. For the assessment of Sunlight the report uses the APSH test which calculates the percentage of statistically probable hours of sunlight received by each window in both summer and winter months represented as APSH (Average Probable Sunlight Hours) and WPSH (Winter Probable Sunlight Hours). BRE guidelines suggest that main living rooms should achieve at least 25% of annual sunlight hours with 5% in the winter period.

39. Results of the test indicate that of the 33 rooms proposed, 23 would achieve 25% APSH and 5% WPSH representing 70% of the overall scheme. The report notes that all of the 10 rooms which fail to meet the criteria would be located on the northern elevation or have windows located beneath external balconies and it

would not be possible for these rooms to meet BRE criteria.

40. Given the constraints of the site and the orientation of the building, it is considered that the overall sunlight levels are considered to be acceptable. Furthermore, it is acknowledged that the previously consented scheme achieved 60% of rooms meeting BRE criteria. As such, the levels proposed as part of this scheme would represent an overall increase in the number of acceptable units.

External amenity space

41. Policy DMP19 requires all flats to be served with 20sqm of amenity space with a minimum of 50sqm for family sized units (3 beds or more) including ground floor flats. This can be provided through private balconies/terraces meeting the minimum requirements set out within the mayor's Housing SPG (at least 5sqm for a 1-2 person unit with an additional 1sqm per additional occupant). In certain circumstances a smaller balcony may be acceptable provided that the lost balcony space is incorporated into the internal floorspace of the unit.

42. All of the units with the exception of 3 (addressed below) would feature balconies/terraces which either meet or exceed the minimum sized required, in some cases they would exceed the minimum significantly. All balconies would meet the required depths and widths and would be of a useable and practical shape.

43. Of the proposed units, 2 would fall short of the required size of balcony (Units 01_04 and 02_03). However it is noted that the shortfall is relatively minor (3sqm for unit 01_04 and 0.5sqm for unit 02_03) and these units both exceed the minimal internal floorspace by 6sqm. On balance, the shortfall is considered to be acceptable in the context of the overall development.

44. Unit 01_09 would not have a private balcony. However, it is noted that this unit is a studio flat and as such would have a very low occupancy. Furthermore the size of the unit would exceed the minimum space standards by 5sqm. Given these circumstances and in the context of the development as a whole, this is considered to be acceptable on balance.

45. In addition to the private amenity space, 243sqm of communal amenity space would be provided. When taken as a whole the combined private and communal amenity space would total 820sqm (577sqm + 243sqm) which would average out at 23.4sqm per unit, which exceeds the guidance of 20sqm per unit as set out in DMP17. The amenity space has been provided in two main areas which are separate from each other but substantial enough to be useable. The smaller of the areas is proposed to be flexible area which can be used as children's playspace.

46. Given the overall quality of the units internally, the overall provision of amenity space over the scheme as a whole and the close proximity of the sports ground, it is considered that the proposal would comply with the aims and objectives of DMP19 and would provide an acceptable level of amenity overall.

Landscape and Trees

Landscape

47. The proposal would result in the loss of some vegetation and two small trees along the frontage and the loss of 15 trees within the rear of the site. A comprehensive landscaping plan is provided which would see a significant amount of planting within the proposed amenity spaces and a total of 13 new trees would be planted to effectively mitigate the loss of the existing trees. A full landscaping strategy has been submitted indicating the type and sizes of the proposed plans to be used in the proposa.

48. The Council's Tree officer has assessed the submission and considers that the proposed landscaping would be of a good quality and the types and sizes of trees to be used are appropriate for the site. They have raised no objection to the proposal.

49. Notwithstanding the above, a condition has been attached to ensure that any dead trees or planting are replaced in order to preserve the appearance of the development.

50. As part of the proposal, the scheme would rely on the boundary treatment along the Tenterten Sports Ground via a strip of land which is owned and managed by the Council's Parks Service. The Parks Service has been notified of the proposal and offers no objections to the proposal in principle and consider that a comprehensive landscaping scheme would have an overall positive impact for the area. However the removal of the existing boundary treatment would require some improvements to the landscaping immediately

adjacent to the site in order to ensure adequate levels of amenity to the proposed basement units. As these works would fall outside the red line boundary, they would be secured via a S.106 requiring a financial contribution for these works.

Sustainability

51. London Plan Policy 5.2 seeks to minimise carbon emissions through the 'Be Lean, Be Clean and Be Green' energy hierarchy, and a 'zero carbon' standard is applied to all new residential development from 2016 onwards. The Mayor's Housing SPG defines 'zero carbon' homes as homes forming part of major development applications where the residential element of the scheme achieves at least a 35% reduction in regulated carbon dioxide emissions (beyond the Building Regulations Part L 2013 targets) on-site. The remaining regulated carbon dioxide emissions, to 100%, are to be off-set through a financial contribution in lieu to the borough to be ring fenced to secure delivery of carbon dioxide savings elsewhere. Brent's Policy CP19 also requires limiting water use to 105 litres per person per day.

52. The applicant has included an Energy Statement with the proposal. The statement demonstrates that the development would achieve a 35.26% reduction on 2013 Building Regulations emissions through these Be Lean and Be Green measures, and that a financial contribution to carbon-offsetting would be required to achieve 'zero carbon' status. A communal boiler in the basement is proposed. Details of the flue from the boiler on the roof is recommended to be conditioned to any forthcoming consent.

Transport consideration

53. Preston Road is a local distributor road, with three pay & display parking bays in place along the site frontage. Preston Way is a local residential cul-de-sac, with parking restrictions in place along the frontage of No. 2a.

Public transport access to the site is moderate (PTAL 3), with Preston Road station (Metropolitan line) and three bus services within 640 metres.

Car Parking

54. A total of 17 car parking spaces (incl. two disabled) are indicated at basement level. Vehicular access remains via Preston Way, but only part of the access drive is shown on the plans. The length that is shown has a general carriageway width of 5.5m with margins of at least 300mm width, plus 2-3 further parallel parking spaces indicated alongside the drive.

55. The moderate access to public transport services means the higher residential car parking allowance set out in Appendix 1 of the adopted DMP 2016 apply. For the increased total of 35 units (18 x 1-bed, 9 x 2-bed & 8 x 3-bed), up to 39 off-street parking spaces would now be allowed. With a reduced total of 17 marked spaces in the basement plus 2-3 spaces along the access road now proposed, maximum standards would still be complied with.

56. Policy DMP12 also requires that any overspill parking that is generated can be safely accommodated on-street though. Assuming the development generates parking at 75% of the maximum allowance, this would equate to 30 cars, which also corresponds to 2011 Census data on car ownership in the area (0.875 cars/household) (n.b. the Census data suggests just 17 cars would be owned if only flats are taken into account). The first figure exceeds the number of marked spaces that are proposed.

57. Previous assessments have taken into account potential parking along the access drive. Full details of the drive have not been provided, but it is shown with a carriageway width of 5.5m that could allow 3-4 cars to park along its western side, in addition to the 2-3 spaces indicated on its eastern side, taking off-street parking to about 24-26 spaces.

58. In addition, Preston Road has daytime pay & display bays along the site frontage and the removal of the two crossovers to the site would allow the number of bays to be increased from four to six, which can be used without charge by residents overnight (between 6.30pm - 8am).

59. As such, your officers in Transportation have advised that it is considered that sufficient space is able to be provided within the site and along the Preston Road to safely accommodate the likely future parking demand from these 35 flats and on this basis, the proposal is not considered likely to have a severe impact on parking conditions in the area.

60. The proposed provision of four wide, marked disabled spaces is sufficient to satisfy Brent's Blue Badge

parking requirement of 10% of spaces being for disabled persons. Two of the spaces would be located outside along the driveway and two within the basement. The headroom in the basement would be 2.2m, which is insufficient to accommodate high-top conversion vehicles for wheelchairs. A condition is recommended for the basement to be increased in height to 2.6m.

61. At least eight spaces (four active/four passive) will also need to be provided with electric vehicle charging points. This will be secured via a condition. Otherwise, the layout of the proposed basement provides adequate dimensions for the parking spaces and for manoeuvring.

Cycle Parking

62. London Plan bicycle parking standards require 52 secure spaces, so the proposed provision of two stores in the basement with an overall capacity for 54 bikes on two-tier racks would meet requirements. A section plan has been provided confirming the headroom of 2.4m will be provided to allow sufficient headroom for the bikes.

Refuse facilities

63. Refuse storage is proposed in two storerooms within the basement car park, each with space for 8 Eurobins in accordance with standards. One store at the far end of the car park is close to the lift core so is for the convenience of residents to satisfy the recommended maximum refuse carrying distance of 30m set out in Brent's Waste Guidance Document for residents. A property manager will then take responsibility for relocating the bins on collection days to the other store this, arrangement is considered acceptable.

64. The collection day store is still some 25m from Preston Way though, meaning the maximum refuse carrying distance of 10m for flats (as set out in Brent's Waste Planning Policy) is still exceeded. Refuse vehicles will therefore again be required to reverse into the site from Preston Way. This is again generally acceptable, with tracking having been previously provided to demonstrate this would work, subject to suitable kerb radii of about 4m being provided onto Preston Way. A full vehicle tracking diagram has been provided which shows that refuse vehicles would be able to access the site without problem.

65. All units are within 45m of Preston Road, so fire access requirements are catered for.

Vehicular access

66. As before, the provision of vehicular access from Preston Way is generally supported, as it will allow two redundant crossovers onto Preston Road to be removed and additional on-street pay and display bays to be provided. The cost of amending the Traffic Regulation Orders will be added to the cost of the crossover works. As above, suitable kerb radii will be needed to accommodate refuse vehicles and precise access layout arrangements will need to be agreed with the Highway & Infrastructure Service as a condition of any approval.

67. Visibility issues were carefully considered under the previous applications, due to the narrow footway width and the bend in the road. As before, sightlines would fall marginally short of the appropriate standard for the traffic speeds in the road (i.e. 2m x 21m (eastwards) and 2m x 23m (westwards)), but not by so significant a degree as to be likely to cause a highway safety problem.

Trip generation

68. An updated Transport Statement has been submitted for the amended number of flats. This amended assessment gives a predicted total of 224 movements between 7am and 7pm on a weekday, with 21% as car drivers, 7% as car passengers, 28% on public transport, 42% by foot and 2% by bicycle. Total vehicle trips are therefore estimated at 22 arrivals and 25 departures over the course of the 12-hour day, with peak hour flows of 1 arrival/2 departures in the am peak (8-9am) and 2 arrival/3 departures in the pm peak (5-6pm). Transportation officers have concluded that these totals are again not considered large enough to have a significant impact on the local transport network.

Environmental Health

Noise

69. The Environmental Health Team have assessed the application and note that potential exist for noise disturbance for future occupants to occur in certain areas of the development. In order to mitigate this they

have requested conditions to ensure that all residences are constructed in accordance with BS8233:2014 and evidence to be submitted and approved in writing by the LPA prior to the occupation of the development.

Construction Noise and Dust

70. The development is located very close to residential premises. Demolition and construction therefore has the potential to contribute to background air pollution levels and cause nuisance to neighbours.

Environmental Health have suggested conditions requiring a Construction Method Statement to be submitted and approved by the LPA which sets out what measures are to be undertaken to control dust, noise and other environmental impacts of the development. An additional condition requiring construction vehicles to comply with emissions standards has also been attached.

Air Quality

71. The applicant has submitted an Air Quality Assessment. This has been reviewed by a member of the environmental health team who consider that the details are acceptable. However, on their recommendation a condition has been added requiring a report to be submitted to provide evidence that the mitigation measures have been implemented.

Flooding and Drainage

72. The site lies within Flood Zone 1 which is identified as at very low risk from flooding. The applicant has submitted a Flood Risk Assessment as part of the application and details on the Sustainable Drainage Systems (SuDS) to be used as part of the development. The proposed development would feature a green roof, permeable paving and the discharge rate would be restricted to 5l/s.

73. These details have been assessed by the Council's Local Lead Flood Officer. They consider that the proposed details would improve the capacity of the existing drainage system and overall would greatly reduce flood risk in the area. The Drainage team therefore consider the details to be acceptable and offer no objections or suggested conditions.

Equalities

74. 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

75. The proposal would create a unique development in an appropriate corner site and would provide a contribution to housing within the borough of a relatively high standard and without resulting in undue levels of harm to any existing neighbouring properties. The proposal would not fully accord with certain design criteria, such as the number of units per core and the levels of private amenity space for some units. However, overall the proposal is considered to meet the aims and objectives of the Local Plan and the positive aspects of the proposal are considered to outweigh the negative. The proposal is therefore considered to be acceptable and is recommended for approval.

CIL DETAILS

This application is liable to pay **£957,304.96** * 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): 568.8 sq. m.

Total amount of floorspace on completion (G): 3281.81 sq. m.

Use	Floorspace on	Eligible* retained	Net area chargeable	Rate R: Brent	Rate R: Mayoral	Brent sub-total	Mayoral sub-total
Page 71							

	completion (Gr)	floorspace (Kr)	at rate R (A)	multiplier used	multiplier used		
(Brent) Dwelling houses	3281.81		2713.01	£200.00	£0.00	£794,524.36	£0.00
(Mayoral) Dwelling houses	3281.81		2713.01	£0.00	£60.00	£0.00	£162,780.60

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)	328	
TOTAL CHARGEABLE AMOUNT	£794,524.36	£162,780.60

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

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

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



DECISION NOTICE – APPROVAL

Application No: 18/4902

To: Mr Thomas
Savills
33 Margaret Street

London
W1G 0JD

I refer to your application dated **24/12/2018** proposing the following:

Demolition of buildings and erection of a 2 to 4 storey residential building comprising 35 self-contained flats (6 x studios, 12 x 1 bed, 10 x two bed and 7 x 3 bed) with basement level, provision for car and cycle parking and associated landscaping

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

at **2A, Preston Way and 283, 285 & 287 Preston Road, Harrow, HA3**

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: 11/06/2019

Signature:

A handwritten signature in black ink that reads "Alice Lester".

Alice Lester
Head of Planning, Transport and Licensing

Notes

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

DnStdG

SUMMARY OF REASONS FOR APPROVAL

- 1 The proposed development is in general accordance with policies contained in the:-
 - National Planning Policy Framework 2018
 - The 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):

AL(00)001 A, AL(00)100, AL(01)099 E, AL(01)100 C, AL(01)101 F, AL(01)102 F, AL(01)103 D, AL(01)104 D, AL(02)220 E, AL(02)240 C, AL(02)242 A, AL(03)320 F, AL(03)340 F, AL(03)360 C, AL(03)380 C

Supporting Documents:

Daylight/Sunlight Report

Flood Risk assessment

Air Quality Assessment

Landscape Strategy

Design and Access Statement

Transport Statement

Flood Risk Assessment

Sustainable Development Checklist

Energy Assessment

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

- 3 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.

- 4 The windows on the south elevation of units 01_06, 01_07, 02_05, 02_06 and 03_05 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.

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

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

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

- 6 The development hereby approved shall be carried out and maintained so as to fully accord with the proposed SUDS solution as detailed within the Flood risk assessment & SUDS report prepared by Nimbus Engineering Consultants Ltd dated March 2017.

Reason: To ensure that the development will not give rise to undue surface water runoff and associated flood risks.

- 7 The development shall be constructed in full accordance with the approved internal water use calculations.

Reason: to reduce the consumption of potable water in the home from all sources, including borehole well water, through the use of water efficient fittings, appliances and water recycling systems in accordance with London Plan Policy 5.15."

- 8 Prior to the commencement of the development (including the demolition of the existing dwellinghouses) a Construction Method Statement (CMS) 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 CMS shall include details of a dust monitoring plan, to be implemented during construction and demolition works. The approved CMS shall thereafter be carried out in full accordance with the approved details.

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

Reason for pre-commencement condition: Impacts arising from the construction process occur as soon as development commences and adequate controls need to be in place from this time.

- 9 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

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

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

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

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

- 12 Prior to the commencement of works above ground level, further details of the external materials for the development (including samples to be provided on site) shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full accordance with the approved details.

Reason: To ensure that the development achieves a satisfactory appearance.

- 13 Prior to the commencement of works above ground level, further details of how the development will be built so that 90% of the residential units will achieve Building Regulations requirement M4(2) - 'accessible and adaptable dwellings' and that the remaining 10% of the residential units will be easily adaptable to achieve Building Regulations requirement M4(3) - 'wheelchair user dwellings' shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full accordance with the approved details.

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

- 14 Within three months of commencement of works above ground level, details of screening for the southern sides of the balconies serving flats 01-07, 01_08, 02_06 and 02_07 shall be submitted to and approved in writing by the Local Planning Authority. The approved screening details shall be implemented in full prior to first occupation of the development and thereafter retained for the lifetime of the development.

Reason: To protect the privacy of residents at no. 281 Preston Road

- 15 Within six months of commencement of works above ground level, further details of screening between the communal and private gardens, as well as between individual private gardens within the outdoor spaces of the development shall be submitted to and approved in writing by the Local Planning Authority. The approved screening details shall be implemented in full prior to first occupation of the development and thereafter retained for the lifetime of the development.

Reason: To protect the privacy between communal and private gardens within the proposed development.

- 16 Within six months of commencement of works above ground level, details of the hard and soft landscaping of the areas identified within the drawings hereby approved, including the roof

terraces, shall be submitted to and approved in writing by the Local Planning Authority. The details shall specify species, densities and heights of plants proposed together with hard landscaping materials and other landscaping features.

Details of specific infrastructure and/or apparatus forming a child play space, measuring at least 24sqm in size, within the communal rear garden shall also be submitted to and approved in writing by the local planning authority.

The details shall be implemented in full prior to first occupation and thereafter retained.

Any planting that is part of the approved scheme that within the lifetime of the development 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 preserve and enhance the amenities of nearby residents, in compliance with the London Plan and to prevent privacy being compromised

- 17 Within six months of commencement of works above ground level, details of any external lighting, including details of the fixtures and luminance levels, shall be submitted to and approved in writing by the Local Planning Authority prior to the installation of any such lighting and the lighting shall thereafter be installed in accordance with the approved details.

Reason: In the interest of the amenity of adjoining occupiers and the safety of pedestrians and vehicles using the parking and communal areas within the development and on the local highway network.

- 18 Within six months of commencement of works above ground level, full details of the following shall be submitted to and approved in writing by the Local Planning Authority that demonstrate that the details are sufficient to meet proposed carbon dioxide emissions reduction on Part L 2013 as approved within the Energy Assessment:

- (a) proposed solar PV array together including evidence to demonstrate that the solar PV panels will be spaced sufficiently to prevent shading each other
- (b) details of the design, specification and layout of the proposed extract flues for the boiler system (including location of flues on the roof)

The development shall be implemented in accordance with the approved details, and thereafter retained throughout the lifetime of the development.

Reason: To ensure that the development makes the fullest contribution to minimising carbon dioxide emissions in accordance with London Plan Policy 5.2.

- 19 Prior to the first occupation of the flats hereby approved, the applicant shall submit for the written approval of the Local Planning Authority, a report which provides evidence that the mitigation measures described in the approved Air Quality Impact Assessment (GEM air quality ref AQ1479 dated December 2018) have been implemented.

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

- 20 The development hereby approved shall not be occupied until:

- i) All crossovers onto Preston Road that are rendered redundant by this development are reinstated to footway and associated amendments are made to on-street parking bays
- ii) The highway arrangement at the junction of the proposed vehicular access road with Preston Way has been altered to provide 4m kerb radii

These works will need to be carried out by the Council at the applicant's expense. The development shall not be occupied unless the above works have been implemented in full and the works to the adopted highway have been completed, and the car parking spaces and accesses within the site and to and from the adopted highway (both vehicular and pedestrian) as detailed within the approved drawings and documents have been implemented in full accordance with the approved drawings and details and are available for use for the residents of the development. Thereafter, the car parking spaces, cycle storage, bin storage and vehicular and pedestrian accesses shall be retained and maintained for the life of the development and they shall be used solely for purposes ancillary to the flats hereby approved unless an alternative arrangement is first agreed in writing by the Local Planning Authority.

Reason: In the interest of pedestrian and highway safety, to ensure a satisfactory standard of appearance and setting for the development and to ensure that the proposed development does not harm the visual amenity of the locality in the interests of protecting the amenities of the occupants of the development.

- 21 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:

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

Prior to first occupation of the flats hereby approved, a test shall be carried and the results of the test submitted to and approved in writing by the Local Planning Authority to demonstrate that the required internal noise levels have been met.

Reason: To obtain required sound insulation and prevent noise nuisance

- 22 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. Prior to installation of any plant, 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 and approved in writing by the Local Planning Authority. The plant shall thereafter be installed and maintained in accordance with the approved details.

Reason: To protect acceptable local noise levels.

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 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.
- 5 The applicant is 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.
- 6 A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via: www.thameswater.co.uk_wastewaterquality&d=DwIFAw&c=OMjwGp47Ad5otWI0__lpOg&r=G_hzVySAkixNxE_J_EjNJR_FDWFjexJLES8DRQ06qKk&m=fy9jnBYRqAvW9YYSPKXkNf3_CpWatQhD
- 7 The applicant is advised by the applicant to contact the Head of Highways & Infrastructure to arrange for the crossover, on street parking bay and kerb radii works to be undertaken. Such works are undertaken by the Council at the applicant's expense.
- 8 The applicant is advised to notify the Council's Highways Service of the intention to commence works prior to commencement. They shall contact Mark O'Brien (Public Realm Monitoring Manager) at Mark.O'Brien@brent.gov.uk, and include photographs showing the condition of highway along the site boundaries.
- 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 Liam McFadden, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 3299

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

19 June, 2019
05
18/4675

SITE INFORMATION

RECEIVED	7 December, 2018	
WARD	Mapesbury	
PLANNING AREA		
LOCATION	110 Walm Lane, London, NW2 4RS	
PROPOSAL	Replacement of existing building (containing public house and former members club) with a mixed use development within a part 4 and 5 storey building comprising public house and function room on ground floor (Use Class A4), 48 self-contained flats (14 x 1 bed, 22 x 2 bed, 11 x 3 bed & 1 x 4 bed), green roof and photovoltaics panels, bicycle and refuse storage, amenity space and landscaping (SCHEME A)(Amended Plans - Key changes to public house facade and internal layout)	
PLAN NO'S	4704/PA/001 4704/PA/002 4704/PA/010 4704/PA/011 4704/PA/015 4704/PA/016 4704/PA/200B 4704/PA/201B 4704/PA/202B 4704/PA/203B 4704/PA/204B 4704/PA/205B 4704/PA/206C 4704/PA/207C 4704/PA/210C 4704/PA/220A 4704/PA/221A 4704/PA/222A 4704/PA/223A 4704/PA/225A 4704/PA/230A 4704/PA/231 4704/PA/400 4704/PA/401 4704/PA/410B 4704/PA/411 4704/PA/501 4704/PA/502 4704/PA/503 4704/PA/504 4704/PA/505A 4704/PA/511 4704/PA/512 4704/PA/513 4704/PA/514 4704/PA/515	Site Location Plan Site Photos Existing Site Plan Existing Floor Plan Existing Elevations 1 Existing Elevations 2 Proposed Site & Ground Floor Plan Proposed First Floor Plan Proposed Second Floor Plan Proposed Third Floor Plan Proposed Fourth Floor Plan Proposed Fifth Floor Plan Proposed Roof Plan Proposed Basement Floor Plan Proposed Floor Plans Proposed Walm Lane Elevation Proposed South Elevation North Elevation C-C East Elevation D-D Walm Lane Street Elevation Proposed Sections Proposed Sections Material Palette Local Precedents and Materiality Proposed Site & Ground Floor Plan Elevation - Pub Study CGI Views - 1 CGI Views - 2 CGI Views - 3 Summer CGI Views - 3 Winter CGI Views - 4 CGI Views - 1 (Amended Roof) CGI Views - 2 (Amended Roof) CGI Views - 3 (Amended Roof) Summer CGI Views - 3 (Amended Roof) Winter CGI Views - 4 (Amended Roof)

Air Quality Assessment (January 2018)
Arboricultural Survey & Impact Assessment (December 2018)
Daylight/Sunlight Report (December 2018)
Design & Access Statement (V2) (April 2019)
Energy and Sustainability Assessment (December 2018)
Environmental Noise Assessment (November 2018)
Financial Viability Appraisal (March 2019)
Foul and Surface Water Drainage Strategy (December 2018)
Heritage Impact Assessment (November 2018)
Planning Statement (December 2018)
Preliminary Bat Roost Assessment (January 2018)
Preliminary Ecological Appraisal (January 2018)
Pub Ceiling Height (Email 03 June 2019)
Statement of Community Involvement (November 2018)
Technical Note Insulation (April 2019)
Transport Statement (December 2018)

**LINK TO DOCUMENTS
ASSOCIATED WITH
THIS PLANNING
APPLICATION**

When viewing this on an Electronic Device

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_143024

When viewing this as an Hard Copy _

Please use the following steps

1. Please go to pa.brent.gov.uk
2. Select Planning and conduct a search tying "18/4675" (i.e. Case Reference) into the search Box
3. Click on "View Documents" tab

RECOMMENDATIONS

Having regard to the matters set out below within the Report, it is considered that planning permission should be **refused** for the following reasons:

1. The proposed development, by reason of its massing and poorly designed front elevation, would appear unduly prominent and out of character in the street scene and in the wider locality. The development would fail to preserve or enhance the character or appearance of the Mapesbury Conservation Area. As a result, the proposal fails to comply with Policies 3.4, 3.5, 7.4, 7.6 and 7.8 of the London Plan; policy CP17 of the Core Strategy, Policies DMP1 and DMP7 of the Development Management Policies; National Planning Policy Framework 2018.
2. In the absence of a legal agreement to control the matter the proposal would fail to provide the maximum reasonable amount of affordable housing which would be contrary to Policy 3.12 of the London Plan, Policies H5 and H6 of the draft London Plan, Policy CP2 of the Core Strategy, Policy DMP15 of the Development Management Policies.
3. In the absence of a legal agreement to control the matter the proposal would result in additional carbon dioxide emissions within the borough in an Air Quality Management Area, without any contribution to carbon reduction measures in the area. As a result, the proposal would be contrary to Policies 5.2, 5.3 and 7.14 of the London Plan, Policy CP19 of the Core Strategy, Policy DMP1 of the Development Management Policies.
4. In the absence of a legal agreement to control the matter, the development would result in additional pressure on servicing, parking demand and transport infrastructure to the detriment of the free and safe flow of traffic and pedestrians which would be contrary to Policies DMP1 and DMP12 of the Development Management Policies

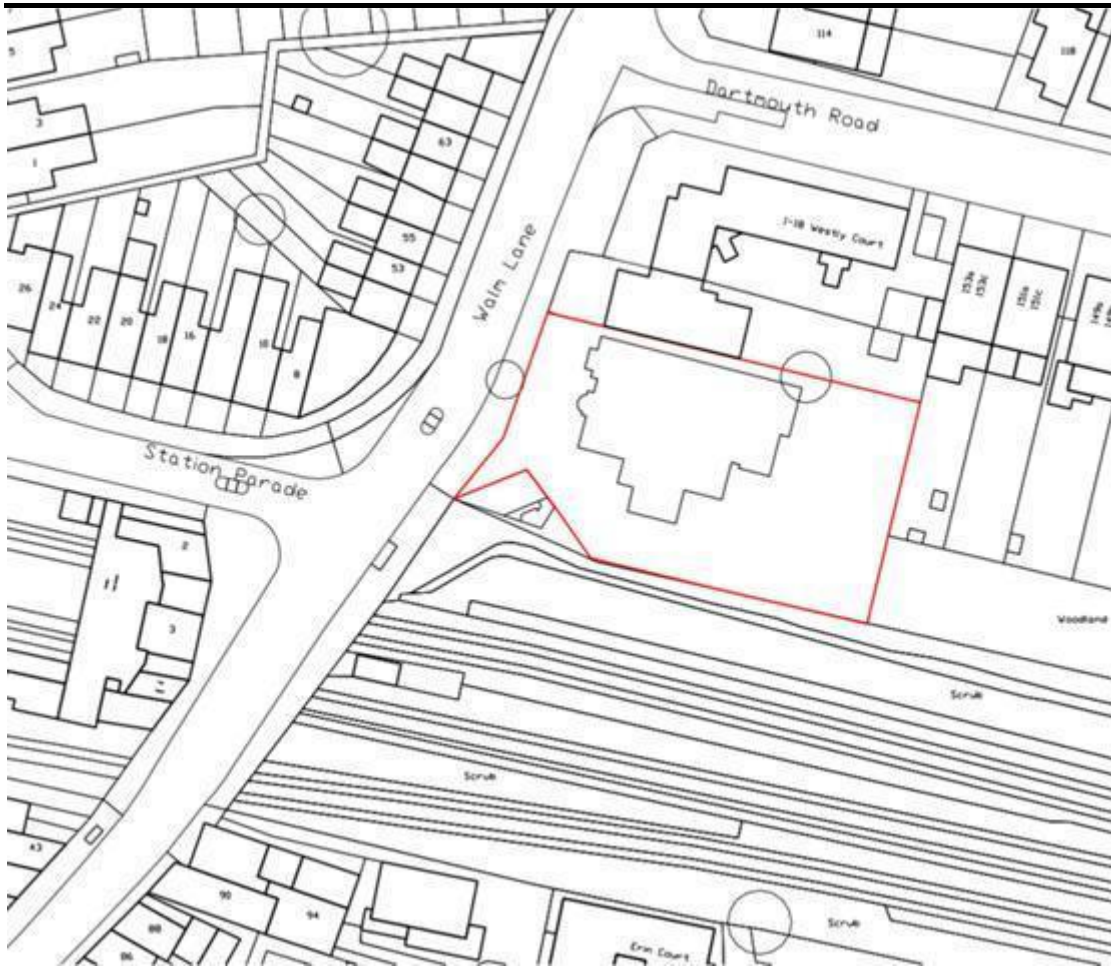
SITE MAP



Planning Committee Map

Site address: 110 Walm Lane, London, NW2 4RS

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This map is indicative only.

PROPOSAL IN DETAIL

As Members are aware, two schemes are being considered for the site, with the applications being referred to as Schemes A and B. Whilst both schemes are identical in terms of the number of units proposed, the provision of a public house with community/function room and outdoor space, and amenity space provision, the key differences to note are:

- The design of the roof, with Scheme A sitting further back (with a long front dormer window with roof lights above), compared to Scheme B which is sited towards the front, with inset dormer windows and rooflights)
- The appearance of the public house element

In relation to Scheme A, permission is sought for the replacement of existing building (containing public house and former members club) with a mixed use development within a 4 and part 5 storey building comprising 48 self-contained flats (14 x 1 bed, 22 x 2 bed, 11 x 3 bed & 1 x 4 bed) and public house and function room on ground floor (Use Class A4) with green roof and photovoltaics panels, provision of bicycle storage with associated amenity space, landscaping and refuse stores (SCHEME B)

The proposed building will be L-shaped, extending along the Walm Lane frontage approximately 31.5m and extending a maximum depth of 47.3m near to the railway line. It will have a maximum height of approximately 19m to the top of a crown roof along the Walm Lane frontage and a maximum height of approximately 15m to the top of a flat roof along the railway frontage. At the rear, the fourth floor extends into the roof plane.

The roof is set back 6m deep (7.5m to the end of the bay windows) from the front building line. It will contain a dormer window which extends almost the entire width and will have four rooflights above. The dormer will be 30.1m wide, 2m deep, and 2.55m in height to the top of a flat roof. On the rear roof slope, four high level dormers will be provided, each measuring 3.4m in width, 2.5m in depth along the top of a flat roof, and 3m in height to the top of a flat roof.

At the front of the building, a seating area will be re-provided. The ground floor of the "Walm Lane block" will contain a public house with floorspace for a function/community use and toilet facilities (back of house facilities for the public house e.g. store/office will be located within the basement, together with a plant room). The five floors above, including two within the roof space, will contain the 33 private housing units, each with access to a balcony or terrace. The rear block will contain the 15 affordable units over its four levels.

EXISTING

The site is located on the eastern side of Walm Lane and consists of a part two, part three storey detached building, containing The Queensbury public house and the former Conservative Club. The building is registered as an Asset of Community Value (ACV) and there is also currently an arrangement where local community groups have access to the building on Monday to Saturday mornings. A car park, accessed from Walm Lane, is located on the southern side of the site.

The site is located within the Mapesbury Conservation Area, a designated heritage asset but the site itself does not contain a locally or statutory listed building. The site abuts the rear garden of Nos.147A to E and Nos.153A to C Dartmouth Road to the east, a five storey residential development at No. 112 Walm Lane to the north and three single storey commercial units to the south. The southern boundary of the site also abuts the railway line which serves the Metropolitan and Jubilee Lines of the London Underground and Chiltern railway services. The embankment along the railway line is designated as a wildlife corridor.

On the opposite side of the railway line is the Willesden Green Conservation Area. The western side of Walm Lane, opposite the application site contains the secondary shopping frontage of Willesden Green Town Centre. This section of Willesden Green contains three storey terraced properties with commercial at ground floor and residential above. Willesden Green Underground Station is a statutory listed Grade II and is in close proximity to the application site on the opposite side of Walm Lane.

AMENDMENTS SINCE SUBMISSION

The façade of the public house has been amended to give it a more traditional public house appearance; Toilet facilities are provided on the ground floor; Rooms have been amended to provide more regular-shaped accommodation; and Basement enlarged to provide a plant room for the residential element.

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:

- a. **Principle of uses:** The principle of the development is accepted because the proposal includes the re-provision of a public house (The Queensbury being a designated asset of community value) and the provision of housing to help meet borough and London targets.
- b. **Heritage Assets:** The development site, whilst not occupied by a listed building, sits within the Mapesbury Conservation Area, it is opposite the Willesden Conservation Area and grade II listed Willesden Green Underground Station, and 350 metres south of the listed St Gabriel's Church
- c. **Affordable Housing:** The development is proposing 35% affordable housing (by room) and a policy compliant tenure split. The viability assessment has been reviewed and whilst there is some disagreement in relation to some aspects of the financial position, a late stage viability review, secured via a legal agreement, is proposed to capture actual sales values and build costs, and if the scheme viability improves, monies would be secured to towards off-site affordable housing. Although the proposed level of affordable housing falls short of the current policy position (50%), it would accord with emerging London Plan and Brent policy and would accord with Brent Policy when this can be given greater weight.
- d. **Design:** The design of Scheme A is has not addressed all of the concerns raised previously and the quality of design is not considered to be sufficient to justify the loss of the existing building within a designated Conservation Area. The harm associated with this loss is not considered to be outweighed by the benefits of the scheme.
- e. **Scale/Bulk/Neighbour Impact:** The overall scale and bulk of the building is similar to the previously refused scheme where impacts on neighbouring occupiers were considered to be acceptable.
- f. **Quality of accommodation:** The issues with the previously refused scheme have been resolved, and the scheme would be considered to provide a good standard of accommodation for future residents.

RELEVANT SITE HISTORY

An application (**ref: 18/0210**) for the demolition of public house and erection of a 4 and part 5 storey building comprising 48 self-contained flats (14 x 1 bed, 22 x 2 bed, 11 x 3 bed & 1 x 4 bed) on upper floors with green roof and photovoltaics panels, a public house and function room on ground floor, provision of bicycle storage with associated amenity space, landscaping and refuse stores. Permission was **refused** on 01/05/2018 for the following reasons:

- the development failing to preserve or enhance the character and appearance of the Mapesbury Conservation Area (massing, poor design and lack of articulation);
- the overall inadequacy of the standard of accommodation (undersize units and lack of amenity space for all units);
- a failure to provide the maximum reasonable amount of affordable housing; the additional CO2 emissions in the AQMA together with a failure to achieve a BREEAM rating of at least 'Very Good'; and
- the absence of a legal agreement to mitigate the impact of servicing, parking demand and transport infrastructure, thus being detrimental to the free flow and safety of traffic and pedestrians.

This scheme is currently at Appeal.

Planning permission (**ref: 13/3503**) for the demolition of existing Public House and Conservative Club and erection of 2 to 10 storey building containing A4/D1 use unit on ground floor and 53 residential units on the ground and upper floors (13 x one bed, 30 x two bed and 10 x three bed). Formation of revised vehicular access from Walm Lane to basement car park comprising 23 parking spaces and associated amenity space,

landscaping works and pedestrian access from Walm Lane, subject to Deed of Agreement dated under Section 106 of the Town and Country Planning Act 1990, as amended (revised description) was **refused** on 12/03/2013 for the following reasons:

- The development failing to preserve or enhance the character of the Mapesbury Conservation Area and adversely impacting on the Willesden Green Conservation Area due to the height, scale, massing and density appearing unduly prominent and out of character in the street scene and in the wider locality.
- Insufficient provision of affordable housing.
- The lack of a legal agreement to secure: a Community Access Plan; sustainability measures; job & training opportunities for local residents, adherence to the Considerate Contractors Scheme; a Travel Plan; and restrictions to prevent future residents from applying for parking permits.

The scheme was also **dismissed on Appeal** with the Inspector noting the following:

- The existing building makes a positive contribution to the character and appearance of the Mapesbury Conservation Area and to the setting of both the Willesden Green Conservation Area and the Willesden Green Station
- The buildings contribution to the significance of St Gabriel's Church is modest
- The importance of the building is not integral to the Conservation area and the degree of harm from its loss would be "less than substantial"
- The development would not preserve or enhance the character of the Mapesbury Conservation Area, adversely affect the setting of the Willesden Green Conservation Area and the listed Station, fail to preserve the setting of St Gabriel's Church (but not its significance)
- The public benefits identified (provision of affordable housing, a replacement public house, and the formalisation of arrangements for Busy Rascals, investment in new construction and employment) were outweighed by the "adverse lasting impacts on the character and appearance of the Mapesbury Conservation Area and on the setting of the Underground station would be considerable, even if within the 'less than substantial' category" (para.82 Appeal Decision).

CONSULTATIONS

Public Consultation

Letters were sent to the occupiers of 1795 neighbouring and nearby properties in addition to site and press publicity. Fifty-six letters of objection were received with the initial consultation period (from 18/12/2018) with an additional 26 letters received following a further round of consultation (from 05/04/2019) following the receipt of amended plans. Objectors raised some or all of the following points:

<u>Comment</u>	<u>Response</u>
Heritage	
Inspector noted in a previous appeal that the building makes a positive contribution to the setting of a grade II listed station, which would be desirable to preserve. This is a blanket recommendation to all future development.	Please see Heritage section of this Report
Appeal scheme dismissed on the basis that the development would not enhance the conservation area and stressed the importance of the existing building	Please see Heritage section of this Report
The existing building needs to be protected into perpetuity. Brent could list the Queensbury Pub as a heritage asset.	Please see Heritage section of this Report
Destroying another old building on the edge of a conversation area	Please see Heritage section of this Report
Brent Planners should look at the historic events involving Westminster Council's planning department in 2015 with The Carlton Tavern	This was a grade II listed building which was demolished without permission and has no relevance to the current scheme.
The development will sever the links with the past by eroding historic character	Please see Heritage section of this Report
Object to destruction of a turn of the century nice building with a breathtakingly beautiful steep and large roof	Please see Heritage section of this Report

Replacement building does not preserve or enhance the conservation area	Please see Heritage section of this Report
The proposed apartment block is very unattractive from the outside and certainly does not fit in with the Edwardian and Victorian appearance of the Mapesbury conservation area	Please see Heritage section of this Report
Little left of character in Willesden but the old library tower remains.	Please see Heritage section of this Report
Brent Council's policy BE27 is that a building in a conservation area cannot be demolished, partly demolished or in any substantial way altered unless they positively detract from the character or appearance of the conservation area	Please see Heritage section of this Report
The existing building complements the Grade II listed station and elegantly shapes one of the gateways to Willesden Green	Please see Heritage section of this Report
The pub is one of the last icons remaining in Willesden Green conserving the area's charisma	Please see Heritage section of this Report
It is so important for those of us who live in the area, to retain the main building with its charming pub full of character, and wonderful sunny terrace for summer	Please see Heritage section of this Report
The demolition of this building with replacement with a rather generic modern apartment block would give rather the impression that you could be anywhere	Please see Heritage section of this Report
The current building can be seen as the flagship of the conservation area	Please see Heritage section of this Report
Public House/Community Use	
Whilst there is a need for housing, there is also a need for place where the community can gather, socialise, relax	A public house is being re-provided
No other place like this which not only brings community together it brings income and jobs to the area	A public house is being re-provided
Will be forced to travel to other areas to find a similar establishment	A public house is being re-provided
No safeguards for Busy Rascals and nothing in the new plans about how they would operate.	A community / function room is being provided. The existing arrangement with Busy Rascals is informal and there is no requirement to provide a community use.
The only community gastro pub bringing everyone together. A newly built pub would not replace it.	A public house is being re-provided
Similar to the situation of the Corrib Rest in Queens Park, only difference is Queens Park has more restaurants and bars for community.	A public house is being re-provided
This is a vibrant pub and community hub protected by CP23, the London Plan, and paragraph 70 of the NPPF.	The development does not involve the loss of a public house from the site as one will be re-provided
Proposed development does not protect the A4 use within the overall scheme – noise insulation should be required.	The development would have to meet with Building Regulation requirements for noise insulation
The ownership, maintenance and management of the Function / Community Room are not defined and should be in perpetuity	A Community Access Plan will be provided
What will be the legal status of the Function / Community room, who will own the ground on which the room sits	A Community Access Plan will be provided. Ownership rests with the owner of the site
The Queensbury is a recreational and sociable	This is a mixed-use development with a

amenity - it is entirely inappropriate for the council to approve replacing The Queensbury with private housing - a completely different category of usage.	public house being re-provided together with residential
Too many pubs are being lost in London, so Brent Council should reject this proposal to demolish the building	A public house is being re-provided
The only local good pub and bar will be closed	A public house is being re-provided
There is negligible community pay-back and what is proposed is not seriously practical as a community user-space, should be 156sqm or 3% of the total area of the building	The proposed community / function room is a significant improvement on the existing by providing a dedicated space 3x the size of the informal area currently provided. In addition, there is an external area for the sole use of this element.
The internal footprint of the new pub, is much smaller than the existing pub, and has much lower ceilings and is too long and narrow	Please see Public House / Community Use section of this Report
A highly inappropriate replacement "community" area has been proposed - totally unfit for purpose.	The proposed space is 3x greater than the existing temporary space
Removing the pub would also contribute to the loss of businesses from across the road	The public house will be re-provided
There is nothing in the appeal that guarantees the re-instalment of the pub and the community area	Should the appeal scheme be approved, it will be on the basis of the plans which show a public house
No kitchen or ventilation in the proposed plan	Provision of a kitchen is a management decision and is not a requirement for a public house. Kitchen ventilation is shown on the roof plan.
Design	
No amount of internal tweaking will make me change my mind. Recent amendments are only cosmetic	Please see Design section of this Report
The façade to the public house looks unaccommodating, has no exterior space, or 'garden suburb' atmosphere.	Please see Design section of this Report
Prefer the other facade, and object to any room size of less than 10m2	Please see Design section of this Report
Roof elevation is far too high and overbearing and is ill conceived in design related to the neighbouring buildings	Please see Design section of this Report
Amendments do not make up for the loss of the existing building - roof line doesn't compensate for the loss of the existing roof which enhances the sounding built environment providing an interest roof line	Please see Design section of this Report
Yet another attempt to shoehorn an ugly inappropriate development into the space at 110 Walm Lane	Please see Design section of this Report
A poor design	Please see Design section of this Report
Obtaining the maximum number of units seems to be the priority	Please see Design section of this Report
Inappropriate location for bin store at the front	Please see Design section of this Report
Diagonal bays and stepped balconies are a mistake	Please see Design section of this Report
Object to any room less than 10 m2 - 7.5m2 is unacceptable for any living standard	Rooms comply with the Technical Standards
Too tall – shouldn't be taller than No.112	Please see Design section of this Report
Why not build around the existing building, as was done with the library?	Please see Design section of this Report
Balconies out of character with the area	Balconies are found within the wider area

Design of pub is poor	Please see Design section of this Report
Internal layout for the 'pub' is not spacious enough to give space for a kitchen facility	It is a management decision as to whether a kitchen is provided.
Characterless inside and out	Please see Design section of this Report
Should not be allowed to build up to the boundary lines in order to maintain the existing space around the building	Please see Design section of this Report
The mass of the base block (to the rear) is too bulky for the setting	Please see Design section of this Report
Not so much the height but the blandness of the roof line in particular. The skyline of existing properties broken up due to chimney stacks, protruding dormers and gable ends. The current proposal will be visible from many angles and is overbearing and lacks interest.	Please see Design section of this Report
All three proposals look like a blocky concrete nightmare designed to jam more people in with a lack of greenery and outside space.	The LPA is only considering two schemes (A & B) whilst the Planning Inspectorate will be determining the Appeal scheme.
Out of scale with other buildings, especially the grade II listed Willesden Green Station	Please see Design section of this Report
LP policies 7.4 and 7.6 seek to protect local character and architectural quality	Please see Design section of this Report
Almost no change between rejected and proposed scheme and the design alterations do not bring any improvement	Please see Design section of this Report
Quality of the architecture continues to be poor and not worthy of the Conservation Area where it's located	Please see Heritage section and Design section of this Report
The new articulation of the façade is a simplistic approach and a failed attempt to relate to the character of the buildings along Walm Lane	Please see Design section of this Report
The proposed massing is out of scale with its surroundings	Please see Design section of this Report
The proposals for the retail space are out of character with the area and with the Willesden Green retail design guidelines	Retail is not proposed
New proposal is even worse than the one which has previously been rejected by the Council. The proposed new building is too high, too solid, too ugly and does nothing positive for the community or the look of the buildings forming that part of Walm Lane	Please see Design section of this Report
The applicants should be directed to come back with a proposal based on retaining the existing building, or at least the front portions of it, and building in the rear portion of the site, where there is quite a large area, which is currently a car park, and towards the side of the main building	Please see Design section of this Report
The proposed edifice is a big hulking ugly lump which does zero to enhance the area. It overshadows everything. A bunch of red brick and faux bay windows does not make for sympathetic Edwardian style	Please see Design section of this Report
A gold fish bowl shop front	
Should be limited to same height as 112 Walm Lane (5-storeys), with the top floor set back.	Please see Design section of this Report
Should be flat fronted like No.112 Walm Lane	Please see Design section of this Report
Entrance to flats is too narrow can be improved using our plan submitted	Please see Design section of this Report
No disabled / baby changing toilets on the	Amended plans show WC facilities on the

ground floor.	ground floor
Detrimental effect on the Walm Lane frontage with the loss of outdoor space	Seating area is re-provided at the front
Loss of a unique large open area in front of the pub which provides benefit both to users and is pleasant for the general public	Seating area is re-provided at the front.
Proposed beer garden does not have the same charm and character of the existing. At present raised and sheltered from passers by with the new one dropped down to below the footpath in places and open to all passers by.	Raised planters will help screen the re-provided seating area and being set at street level enables easier access.
Insulting to simply dismiss retention of existing building and development of the rest of the site by simply stating "This approach was tested, but discounted owing to the excessive height of the block and its poor relationship with the existing building"	Please see Design section of this Report
Amenity	
Residential above a public house is not a socially wise strategy because of potential noise complaints	Development will have to meet with Building Regulations
Will block light	Please see Impact on Neighbour Amenity section of this Report
Overlooking of existing buildings/properties	Please see Impact on Neighbour Amenity section of this Report
Overlooking and loss of privacy to houses on Dartmouth Road	Please see Impact on Neighbour Amenity section of this Report
Affordable Housing	
Insufficient affordable housing proposed	Please see Housing section of this Report
Are there guarantees about affordability?	Affordable units are secured by a legal agreement
There aren't enough affordable flats in the plan - affordable housing is needed in NW2, this needs to be addressed	Please see Housing section of this Report
The development will not benefit local residents by providing low cost social housing and will not provide any new community amenities, in fact the opposite	Please see Housing section of this Report
Would like to see further documentation to support the low valuation given to the property - which does not seem accurate and therefore should not be used as a reason to pull away from providing social housing in the mix	Social housing is being provided but not at a policy compliant level. As a result, the FVA is being assessed by independent consultants to establish the maximum level of affordable housing that can be provided.
Environmental Matters	
No sign of environmental considerations – no evidence that it will offset its environmental impact	Please see Sustainable Design section of this Report
Landscaping is poor quality and does not reflect the Mapesbury planning guidelines which specifically state that frontages should be of permeable materials and a minimum of 50 must be planted	Please see Sustainable Design section of this Report
Insufficient to meet with the policy of ensuring the greening of Brent. Little space for increasing the tree planting	Please see Sustainable Design section of this Report
there is more evidence of the environmental impact of concrete, with it accounting for 8% of global CO2 emissions. Therefore, opportunities like this one to retain some or all of existing buildings, should be taken whenever they can.	Please see Sustainable Design section of this Report
Highways Matters	

Increased traffic on an already busy road	Please see Highway Safety section of this Report
No provision for visitor parking	Please see Highway Safety section of this Report
Servicing shown from the main street, in the busiest spot of Willesden Green increasing the already problematic congestion	Please see Highway Safety section of this Report
Lydford Rd is already a rat run.	Please see Highway Safety section of this Report
Although there are plans for 2 parking spaces in front of the building it will still be incredibly congested as there is a bus stop opposite the station and there are plans to move the bus stop from opposite Sainsbury's Local to outside Foxton's - right opposite the site -which will cause huge traffic problems	Please see Highway Safety section of this Report
Other Matters Raised	
Are there guarantees the flats won't be sold off plan abroad, like the library centre flats?	
Devious to provide us with many applications and clearly hoping that consultees will miss one	
Underhand how the developer has submitted two applications before the appeal has been heard	
These constant planning applications are a total waste of public time and resource, an attempt at attrition.	
Not enough GP's to cope with an influx of new patients	
Not enough school places	
I don't think that local residents (and voters) will be happy if this is approved	
These plans are in almost every way identical to the last set of plans proposed. Evidently the planners hope that by continually resubmitting the same ideas, local residents will tire of responding and they'll eventually get their plans through unnoticed	
It is time that no more application are filed for 110 Walm Lane which should be a protected building	
Brent Council could make a compulsory purchase of the land, and with the protection of the pub and its facilities, keeping the pub as a listed and protected building within the Conservation area, the land behind could be used to build more council flats for key workers	
Would hope the planning department will refuse this scheme and intervene with a protection order that would stop any more applications being made	
This plot must not be used to profit developers and, most likely, overseas purchasers. It should be developed to benefit local people, possibly via a joint council/community enterprise.	

The Mapesbury Residents Association object for the following reasons:

<u>Comment</u>	<u>Response</u>
Heritage	
Proposed new building is too tall and too bulky	Please see Heritage section of this Report

and would detract from the appearance of the area and does not preserve or enhance existing conservation area	
The existing building makes a positive contribution to the setting of the listed station, which according to the previous Appeal inspector, would be desirable to preserve. The Planning Authority ought to respect that view and act consistently with it.	Please see Heritage section of this Report
Public House/Community Use	
The function/community room is too small. It would need to be doubled to be useful	Please see Public House / Community Use section of this Report
The function/community room is poorly laid out and badly located in an insecure place	Please see Public House / Community Use section of this Report
Size of the Function / Community room is not of sufficient value in relation to the value of the planning permission being sought	Please see Public House / Community Use section of this Report
Floor plan of the pub is too long and narrow	Please see Public House / Community Use and Design sections of this Report
Replacement pub has neither a kitchen nor ventilation in the proposed plan which will severely limit its menu	Please see Public House / Community Use section of this Report
Poor floor plan and absence of a kitchen must impact upon its popularity with residents. It would be a completely inadequate replacement for the existing pub and brings into question the viability of the proposal for this space as a replacement for a popular and important local amenity	Please see Public House / Community Use section of this Report
Ownership, maintenance and management of the Function / Community Room are not defined	A Community Access Plan will be provided. Ownership rests with the owner of the site
Design	
The applications are described as 4 and in part 5 storeys; however, both schemes are 6 storeys visible height across the frontage with 5 storeys behind.	Please see Design section of this Report
Each floor is taller than those of no 112 and the roof level would therefore be 1.5 storeys higher than the 5 storeys on no 112	Please see Design section of this Report
No attempt to harmonise with no 112. It does not carry across the basic simple flat front wall with rectangular balconies of 112. Instead there are prominent bays forming a modelled front, stepping in and out, drawing attention to the bulk of the new building	Please see Design section of this Report
Proposed horizontal banding for the brickwork between the bays and balconies is whimsical and unnecessary	Please see Design section of this Report
Main entrance to the flats is a constricted passage next to the bin store	Please see Design section of this Report
Metal cladding is for industrial sheds and timber cladding has no feel of permanence and quickly deteriorates in appearance.	Please see Design section of this Report

One letter of support has been received, confirming that it is good to see more housing in an area which needs it; and the investment in the area.

Internal / External Bodies

London Underground

Document Imaged

*DocRepF
Ref: 18/4675 Page 5 of 35*

It has been advised that there are no objections in principle to the proposed development. However, given the close proximity to railway infrastructure, it is requested that a condition is imposed to secure details of design and method statements to ensure no impact on LU infrastructure.

It is advised that although the proposal is separated from Network Rail land by the LUL, Network Rail still need to be aware of any piling works on site or any tower crane working. In addition, the most appropriate measures to mitigate noise and vibration from the existing operational railway to ensure that there will be no future issues for residents must be explored.

Historic England (GLAAS)

It has been advised that GLAAS do not wish to provide comment.

Thames Water

With regard to foul water sewage network infrastructure capacity and water network and water treatment infrastructure, no objections are raised based on the information provided. Concerns are raised over the existing surface water infrastructure to accommodate the needs of this development proposal and that it is expected that surface water is attenuated to Greenfield run off rates prior to discharge to the surface water sewer.

Community Protection

No objections subject to conditions.

Environmental Health

The methodology of the Aether AQ report and the conclusions drawn are considered acceptable. Conditions are proposed in relation to securing a Construction Method Statement

Local Lead Flood Authority

It is also advised that the site is within Flood Zone 1 and the risk of flooding is considered very low, with no historical records of flooding in the area. The scheme reduces the impermeable area and also includes permeable paving and a storage tank. No objections are raised.

Transportation

No objections are raised.

POLICY CONSIDERATIONS

The London Plan

- 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 3.8 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 4.3 Mixed use development and offices
- Policy 4.8 Supporting a successful and diverse retail sector and related facilities and services
- 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 7.8 Heritage assets and archaeology
 Policy 7.14 Improving air quality
 Policy 7.15 Reducing noise and enhancing soundscapes
 Policy 7.18 Protecting open space and addressing deficiency
 Policy 7.19 Biodiversity and access to nature

Core Strategy

CP1 Spatial Development Strategy
 CP2 Population and Housing Growth
 CP6 Design & Density in Place Shaping
 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
 DMP4a Shop Front Design and Forecourt Trading
 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
 DMP21 Public Houses

Other Relevant Policy Considerations

National Planning Policy Framework (NPPF)
 Planning Practice Guidance (PPG)
 Technical housing standards – nationally described space standards (2015)
 draft London Plan (2017)
 Mayor of London - A City for all Londoners
 LB Brent S106 Planning Obligations SPD (2013)
 LB Brent Design Guide for New Development (SPD1)
 LB Brent Residential Extensions & Alterations (SPD2)
 LB Brent Shopfronts SPD (SPD3)

LB Brent Basement SPD (Jun 2017)
LB Brent Willesden Green Conservation Area Character Appraisal (2006)
LB Brent Mapesbury Conservation Area Character Appraisal (2006)
LB Brent Mapesbury Conservation Area Design Guide (2018)
LB Brent Waste Planning Guide SPG
Community Infrastructure Levy Regulations 2010
London Cycling Design Standards

DETAILED CONSIDERATIONS

Heritage Considerations

Statutory Background and the NPPF

1. 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).
2. 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 at para.192 take in to 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
3. 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). Whilst being encouraged to look for new development opportunities within Conservation Areas (para.200), it is also advised at para.201 that not all elements of a Conservation Area will necessarily contribute to significance. Loss of a building or other element, which makes a positive contribution to the areas significance, should be treated either as substantial harm under para.195, or less than substantial harm under para.196 (the harm to be weighed against the public benefits of the proposal). For the avoidance of doubt, it should be noted that the term “public benefit” is set out with the Planning Practice Guidance (Paragraph: 020 Reference ID: 18a-020-20140306):

Public benefits may follow from many developments and could be anything that delivers economic, social or environmental progress as described in the National Planning Policy Framework (paragraph 8). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and should not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits.

Public benefits may include heritage benefits, such as:

- *sustaining or enhancing the significance of a heritage asset and the contribution of its setting*
- *reducing or removing risks to a heritage asset*
- *securing the optimum viable use of a heritage asset in support of its long term conservation*

4. A “benefit” is not limited solely to heritage benefits but to all material planning benefits arising from a particular scheme, providing that they meet with the relevant policy tests for conditions and obligations
5. It is also important for Members to note that with regard to the legislation, the term “setting” only refers to listed buildings and not to Conservation Areas. The NPPF defines the setting of a heritage asset as:

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

6. 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.
7. There are several heritage assets against which the proposed development should again be considered. These include:
 - The Mapesbury Conservation Area;
 - The Willesden Green Conservation Area; and
 - Willesden Green Underground Station (grade II listed)
 - St Gabriel’s Church
8. What must therefore be determined is whether the proposed development will harm the significance of the aforementioned 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).
9. The proposal will have a greater or lesser impact on individual heritage assets. The factors for consideration will be:
 - Proximity
 - Visibility
 - Compatibility of the proposal with the context and setting of the asset
 - The significance of the asset
 - The sensitivity to harm of the asset

Assessment Against Significance of Heritage Assets and Consideration of any Public Benefits

The Mapesbury Conservation Area

10. Appraisal and Design Guide) from the area being largely unaltered from when development largely took place from just before the turn of the 19th Century. The area is characterised by wide tree-lined streets and town houses of high architectural quality with intricate detailing. It is also acknowledged that the inter-war houses are of a similar quality and integrate well with those earlier houses. What sets the Mapesbury Conservation Area apart from developments in the local and wider context is:
 - The scale of the buildings;
 - Quality of the architecture and detailing with largely unaltered building frontages;
 - The views between the houses and the open nature of the rear gardens being relatively exposed to view giving the area its characteristic green and open vista

11. The significance of the Conservation Area is “*under pressure from insidious small scale change through erosion of building detail*” (section 6.7, Character Appraisal). Prior to the implementation of the Article 4 Direction in November 1987, some harm had been caused on some properties through insensitive changes to front gardens (including boundary walls), fenestration, and extensions.
12. The sites positioning in the south west corner of the Mapesbury Conservation Area and north of the railway line and elevated above street level, results in it acting as a gateway to the conservation area and as a local landmark. In the appealed application (ref:13/3503), the Inspector described how the buildings scale and use of materials are an important highly prominent announcement of the character of the Mapesbury area and due to its location, a cornerstone that provides a marker of the area’s history and character. Although the Inspector acknowledged that the existing building is not of outstanding design merit, it was considered that the building is still sufficiently distinctive and pleasing in its design to carry off its local landmark function. The Inspector considered that the building makes a positive contribution to the character and appearance of the conservation area and that the preservation of this contribution would be desirable. Importantly, the Inspector concluded that although the building does make a positive contribution, its importance is not absolutely integral to the quality of the area as a whole. This sentiment is echoed by the Council’s Heritage Officer, who whilst recognising some positive design features of the building (detailed façade with coursed tile hanging, multi-paned windows and red brick dressings characteristic of Mapesbury), considers that the Queensbury is not integral to the character or appearance of the conservation area and its demolition should be seen as resulting in “less than substantial harm”.
13. From certain vantage points (approaching the site from the north and standing directly in front), views of the existing building are obscured by existing development or trees in front of the building. The prominence of the existing building is derived partly from its elevated ground level but more so from its views when approached from the south, as it is located next to the cutting for the railway lines (approximately 40m wide) and with only three single storey shop units at the front with their front building line angled towards the site, resulting in no intervening buildings to obscure views of it. This view reveals a large catslide roof and the upper floors of the building. Views into the site at the point of the existing vehicular access reveal a 2 storey extension which whilst brick-built, appears incongruous, signage for the various other activities on site which only contribute to visual clutter, and part of the car park. These elements detract from the setting of the existing building. Views of the rear of the site are only afforded from the surrounding multi storey buildings and reveal more of the car park, the unsympathetic extensions, and the impact of the scale and massing of No.112 Walm Lane.
14. In identifying any public benefits to help justify the loss of the existing building, which is considered to make a positive contribution to the Conservation Area, the following is advanced:
15. The redevelopment of the site would remove all of the negative features experienced from the public realm, described above.
 - It will improve the outlook from the neighbouring properties.
 - Glimpses towards the rear would be maintained and improved upon through the pedestrian entrance.
 - Direct street-level access is provided
 - The proposal would contribute to increasing the stock of housing within the Borough through the provision of 48 residential units
 - The number of family units proposed will be a policy compliant 25%
 - 35% of habitable rooms will be affordable housing.
 - The applicant will formally provide a community space within the re-provided public house, in place of the informal existing arrangement, with the arrangement secured through a Community Use Agreement.
- Notwithstanding the public benefits identified above, these are considered to be outweighed by the harm that would be caused through the introduction of a building, which by virtue of its poor design, has an unacceptable massing at the front through the reintroduction of the deep front projection and front dormer window which the Local Authority has objected to previously. This massing would, like the Appeal scheme, continue to be overly bulky, clunky and unattractive, appearing out of place within the streetscene. This is discussed in more detail later in this report.

Willesden Green Conservation Area

16. The Willesden Green Conservation Area was designated in January 1993. The junction of High Road and Walm Lane, together with the junction at the original library are considered to be the foci, with

tributary roads offering nodes of activity and interest. The predominant character is one of commercial uses with offices and residential above. The main exception being Heathfield Park, a residential area of large town houses and villas separated from the high street by Walm Lane. At section 4.1 of the Appraisal, it advises that the only significant modern development within the Conservation Area, located opposite the station, has been “*sympathetically designed and is in keeping with its surrounds*”.

17. Although opposite the northern extremity of the Conservation Area, the nearest of the foci (the junction of High Road and Walm Lane) is some 360m to the south. From this junction, and due to the curvature of the road, it is not possible to view the application site, with only the tallest element of Erin House looming in the distance. It is therefore considered that the development would not cause harm to the significance of the Conservation Area and it would therefore not be necessary to consider any public benefits.

18. *Willesden Green Underground Station*

19. The grade II listed Willesden Green Underground Station was listed in 2006 (List Entry No. 1391808), with the principle elements worthy of listing being: the materials (“*a distinctive cream terracotta tiling...dressed with moulded terracotta architraves, quoins, and raised panels. Windows are metal-framed casements paired along the front with cross mullions*”); the exterior facing Walm Lane which includes the original serif upper-case lettering announcing the station name on the cornice and the solid diamond motif of the Metropolitan Railway Company, the two original cantilevered entrance canopies with late C20 dark blue fascia, two original shops with quadrant shopfronts with curved glass, and the cantilevered diamond-shaped clock; and the interior booking hall. It should be noted that the listing considers that the south elevation and the areas beneath the ticket office are not of special interest.

20. The architectural significance of the station is largely derived from the design and detailing of its front elevation. Although the views towards the application site is one of the first someone would experience when exiting the station, it is considered that the development proposal will not harm the elements which contribute to the significance of the building. It is considered that the application site falls within the setting of this listed building as both sites are clearly in view on approaches from the south and west (Station Parade). It is considered that the disjointed design of the new building would interrupt the pleasant backdrop provided by the existing arrangement, however this “less than substantial harm” is considered to be outweighed by the substantial public benefits identified above.

Church of St Gabriel

21. Grade II listed Church of St Gabriel (List Entry No.1188738) is described in its list entry as:

Architects R P Day and W Bassett Smith. Circa 1898. Rubble ashlar dressings. Tiled roofs. Chancel, nave with clerestory and low side aisles. West tower of oblong plan with sloping tiled saddleback roof. Five bay nave. Contemporary fittings. Conspicuous among surrounding buildings.

22. The development site is approximately 345m south of St Gabriel's and is considered too distant to have any detrimental impact on the significance of this heritage asset. This is a view supported by the Inspector at the previous Appeal (paras.35 & 36, Decision Letter), although he did consider that the application site did form part of the setting of the Church and the impact on setting would not be severe (para.56, Decision Letter). This conclusion is still supported and therefore it is not necessary to consider any public benefits.

Summary of Heritage Considerations

23. When considering applications which will impact on heritage assets, the decision maker must give considerable importance and weight to the desirability of preserving the setting of a listed building (s.66) and preserving or enhancing the character and appearance of a conservation area (s.72). There is a presumption in law to refuse applications which would cause harm, as great weight must be given to the preservation of those heritage assets. As paragraph 93 of the NPPF confirms, the more important the asset, the greater the weight should be. Harm can potentially be outweighed where public benefits exist which are sufficiently powerful enough to outweigh the identified harm. The existing building is considered to not be worthy of designation as a heritage asset in its own right but it is considered to make a positive contribution to the historic interest of the area but is not integral to the area. Its loss would cause less than substantial harm, for which consideration has been given to the existence of any public benefits as required by paragraph 196 of the NPPF.

24. In its current form, the poor design of the proposed development would not conserve and enhance the character and appearance of this part of the Mapesbury Conservation Area. In the consideration of whether any public benefits exist, these are identified above but it is considered that these are outweighed by the overall design of the proposed building and in particular those front elements of it.
25. With particular regard to the setting of the grade II listed Willesden Green Station, whilst “less than substantial harm is identified, this is considered to be outweighed by the significant public benefits which would arise. With regard to the other identified heritage assets, it is considered that the proposed development will not harm their significance
26. 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), the proposal has been assessed against the identified heritage assets as set out above. It is considered that the development proposal, by virtue of the overall design, will unacceptably harm the character or appearance of the Mapesbury Conservation Area contrary 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. For completeness, the development proposal will also be assessed against any other material considerations, in accordance with s.38(6) of the of the 2004 Act and s.70(2) of the T&CPA 1990.
27. Public House / Community Use
28. The existing public house is a designated Asset of Community Value (“ACV”), a designation that recognises the importance of the use to the community and its wellbeing. It is important to note that the designation does not mean that the site cannot be redeveloped but that the local community is given a six-month period to make a bid for the asset should it be sold. Policy 4.8B of the London Plan, together with DMP21 (“Public Houses”) have the overriding aim of protecting facilities which are valued by the community and seek to protect public houses. DMP21 sets out the criteria upon which an application for the loss of a public house would only be supported. Although the development proposal does involve the loss of the existing public house, and objections to this are noted, it is again proposed to re-provide a public house on the ground floor with ancillary basement accommodation. Designation does not prohibit any potential redevelopment of the site but instead requires an owner wishing to sell the ACV to give the community six months to raise funds and make an offer - a community right to bid. The application site is not being sold and the re-provision of the public house (with the benefit of a community space) would therefore accord with the aforementioned policies.
29. The existing floor space comprises of a bar with dining room, toilets and kitchen on the ground floor, providing a total of 286sqm. The basement (95sqm) houses the ancillary storage, kitchen and plant room. The pub, which is long (27.5m) and narrow (6.3m wall to wall) occupies an area of 194sqm, inclusive of 28sqm of space at the rear used by Busy Rascals on an informal basis in the mornings from Monday to Saturday.
30. The total floor area proposed for the ground floor will be approximately 300sqm, with a further 235sqm within the basement, inclusive of 176sqm for the ancillary back of house accommodation and the remainder as a plant room for the residential element. The pub will be 22m long and 6.8m wide (not including the depth of the three bay windows), and will occupy 205sqm while the additional 95sqm will be provided for a dual-use function room / community use, with access to toilet facilities at this level, and to an external area.
31. External seating will continue to be provided for the public house patrons on the Walm Lane frontage and as mentioned above, separate external space is provided for the function room/community use element. It is considered that the re-provided public house is acceptable in terms of the quantum of development and the quality of the spaces proposed. Moreover, level access is now provided to the seating area and into the building. The provision of raised planters on the site frontage will provide a level of screening.
32. Objectors have questioned the ownership and legal status of the community space, its management, and how access to toilet and kitchen facilities are managed. As with the current scenario, the owner of the building and/or public house would own the space. However, this is a legal matter and not a planning consideration. As with the current arrangement, access to the various amenities is still at the discretion of the owner/manager of the public house and given that there is not a permanent community use currently in place, there is no requirement in planning terms to re-provide one, although the owner is willing to provide one. The proposed space will be of an improved quantum and quality, as the existing space at the rear of the pub is approximately 32sqm compared to the 92sqm proposed. In addition, an outside

space of approximately 85sqm is also proposed along the southern boundary. To provide some certainty around access, whether by Busy Rascals or any other community group, the applicant is also willing to provide a Community Access Plan, which would be secured through either condition or a legal agreement.

33. Although the existing pub has a kitchen, this is not a requirement for a pub and the provision of one remains a management decision. However, should a kitchen be provided, details of the design and siting of any extractor kit will need to be provided for approval to ensure that there will not be any harm to residential amenity and to visual amenity. It should be noted that the roof plan does show a kitchen extraction vent.
34. The viability of the public house has been brought into question by objectors who are of the opinion that the floor to ceiling height is insufficient. In response to this the applicant has provided updated plans confirming that the floor to ceiling height will be 3.15m. Moreover, the ceiling depth above the pub is 450mm which is considered sufficient for providing a suitable thickness of acoustic insulation and relevant services. In addition, an email from Davis Coffey Lyons, Leisure Property Consultants, has confirmed that the proposed floor to ceiling height is acceptable would be acceptable for bar use.
35. In summary, the proposed development will not result in the net loss of a community facility as a public house will be re-provided. Moreover, a dedicated, improved, space is being provided for the wider community and community groups (inclusive of Busy Rascals).

Density

36. 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.
37. The site (approximately 0.218ha) is located within an area with a public transport accessibility level ("PTAL") of 6, suggesting that an appropriate level of density for this urban location is in the range of 200-450hr/ha or 70-170u/ha.
38. One hundred and forty one (141) habitable rooms proposed within 48 units, equating to a proposed density level of 646hr/ha or 220u/ha. From a numerical perspective, the proposed density exceeds the suggested range, however, adopted 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 any highways matters. These are considered below.

Design / Scale / Character / Appearance / Proximity to Boundaries

39. Issues raised with the scheme at Appeal related to the overly bulky appearance of the front elevation due to the 3-storey, 5.45m deep projection with bay windows and the large roof. The mixture of architectural styles was considered to accentuate the fact that the building would appear out of place in the streetscene, with the front elevation considered to be poorly proportioned and detailed. In addition, there was considered to be a lack of definition on the public house and residential elements, with the public house entrance lacking any legibility.
40. Scheme A remains similar to the scheme at Appeal and other than the amendments to the public house façade (discussed below), has not addressed the design concerns raised with that scheme. Whilst the overall size of the roof is similar to Scheme B and considered acceptable, the massing at the front of the building as a result of the retention of the deep front projection (6.8m or 7.5m to the end of the bay windows) would continue to maintain the overly bulky, clunky and unattractive appearance of the Appeal scheme, introducing an unwelcome visual intrusion into the streetscene. There would be of course greater massing and bulk extending into the site, however the rear elements remain suitably subservient to the main block.
41. At ground floor level, a more traditional-looking public house is now provided. The design approach is

similar to that of Scheme B, however the colour scheme will be green and white, with a white entablature, grey doors, windows, and stall risers. The white finish will also wrap around the southern elevation to incorporate the function room/ community use element. Unfortunately, unlike the strong colour contrast evident between the residential and commercial elements with Scheme B, it is difficult to differentiate between these two elements on the southern elevation. On the Walm Lane elevation, by virtue of those materials, there is insufficient distinction between the public house and the residential above, giving the appearance of a hotel frontage. It should be noted that whilst a proposed materials palette has been included (Drawing No. 4704/PA/400), different materials can be conditioned if Members were minded to approve the development.

42. Notwithstanding the continuing issues with regards to the bulky appearance caused by the front extensions, the overall character and appearance of the building is of a mansion block. This form of residential development, as discussed above, is found within the wider area. On this type of development, it is common to find balconies on front elevations between projecting bays (Chichele Mansions, Exeter Mansions), and gable ended roofs (Alexandra Mansions).
43. Some objectors have queried why the existing building could not be retained as part of any development of the site. The quantum of development required to provide a viable scheme would result in a massing and scale of development which would completely dominate the existing building and potentially cause harm to the amenity of neighbouring occupiers through overshadowing. In addition, the interventions that would be required to the existing building to ensure it complied with standards of accommodation and level access could unacceptably compromise the integrity of the existing building.
44. In summary, whilst features of the proposed development are common to the wider area, the overall design approach has not addressed previous concerns raised about the scaling and massing of the front elevation in particular.

Quality of Accommodation

45. 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"). Concerns were raised in relation to the refused scheme over the substandard size of some of the units and the layout of certain units due to their narrow widths and irregular shapes. The current scheme has addressed these matters with all units meeting or exceeding their respective floorspace standard and the layout of units has improved to ensure that minimum width standards for individual rooms comply with the Technical Standards. It should be noted that unit 4.03 is annotated to be a 3b5p although each of the bedrooms exceed the minimum standard for double rooms. As such, it falls short of the minimum GIA of a 3b6p (95sqm) unit by 3sqm which on balance, having regard to the layout and quality of accommodation is considered acceptable. Moreover, internal space does not necessarily imply occupancy but is a means of classification for planning purposes.
46. To ensure acceptable levels of light, north facing single-aspect units are discouraged, although it is recognised that this may not always be unavoidable. Similar to the refused scheme, there are no single aspect north-facing units. Three previously proposed units gave rise to concerns over their primary outlook facing the flank wall of the upper floor units on the block towards the rear at a distance of not more than 5m. Whilst this relationship had not changed, each of the respective units (2.06, 3.06 and 4.04) also have some outlook towards the south. In the case of units 2.06 and 3.06 this is provided in the form of balconies while that for unit 4.04 is a window. On balance, this is considered to sufficiently overcome the concerns previously raised.
47. Paragraph 180 of the NPPF confirms that planning decisions should mitigate and reduce to a minimum any resulting impacts from noise. Objectors have again raised questions over the impact of the pub on residents through noise disturbance. To assist in the consideration of any potential noise impact, an *Environmental Noise Assessment* and a *Technical Report* have been provided which has assessed the likely future noise climate on existing and future residents. Whilst these are discussed below, it is noted that noise impacts would not be unacceptable given the nature of the scheme and that noise can be suitably mitigated.

Amenity Space Provision

48. New developments should be providing private amenity space to all dwellings (20sqm per flat), or where this is not achievable, in the form of communal space. Given the nature of the scheme, not all units in the

upper floors will be provided with private amenity space which meets (or exceeds) the above standard, although each will be provided balcony or terrace space which exceeds the London Plan standard of 5sqm. Four ground floor affordable units (AF1 to AF4) are each provided with private gardens which range in size from approximately 40sqm to 60sqm. Communal space (c.356sqm) will also be provided in the courtyard to the rear of the proposed building. The overall provision of amenity space is considered to be acceptable.

Impact on Neighbour Amenity

Distancing / Loss of Outlook / Overlooking / Loss of Privacy

49. Along the common boundary with No.112 Walm Lane the proposed development will not project beyond the rear building line of that adjoining building, therefore not compromising the 2:1 guidance within SPD2, therefore there will be no impact on the existing amenity of those immediately adjoining occupiers in terms of loss of light and outlook. Further into the site, units with some outlook towards the north will directly look towards the boundary and towards Westly Court. With distances of approximately 16.3m from the face of the building to the boundary (14.3m from the end of balconies) and a further 20m to the rear of Westly Court, it is again considered that the proposed levels of distancing will not lead to overlooking and a loss of privacy to those occupiers. Moreover, the level of distancing proposed exceeds the recommended 9m and 18m minima contained within SPD1.
50. The relationship to the properties on the opposite side of Walm Lane has not changed from the refused scheme (25m), where this level of distancing was considered acceptable. It should be noted that since the consideration of the refused scheme, distancing standards have been reduced from 20m to 18m.

Loss of Light / Overshadowing

51. A *Daylight and Sunlight Report* has been provided to assess the impact on neighbouring occupiers. The assessment has been undertaken in accordance with the recommendations of the Building Research Establishment ("BRE") report *Site Layout Planning for Daylight & Sunlight: a guide to good practice 2011* and the British Standard document *BS8206 Pt2*. The Report assesses the potential impact on: 112 Walm Lane; Westly Court; and 153 Dartmouth Road. Four recognised tests were undertaken: the Vertical Sky Component ("VSC") and Daylight Distribution ("DD") to assess daylight; Annual Probable Sunlight Hours ("APSH") to assess sunlight; and sun on the ground to measure sunlight on external amenity spaces.

Vertical Sky Component

52. All of the windows at 112 Walm Lane and 153 Dartmouth Road either pass or are improved. At Westly Court, four windows (x2 at ground, x2 at first floor level) fail the initial test, however this is due to a structure above those windows. BRE guidance advises that such obstructions can be removed, therefore once the test is re-run, all windows pass.

Daylight Distribution

53. Where room layouts are known (or estimated) the impact on daylighting distribution can be found by plotting what is known as the 'no sky line' in each of the main rooms. These are the same rooms as used for the VSC test. The no sky line effectively divides the points on the working plane (0.85m high for residential properties and 0.7m high for offices) that cannot see the sky. Therefore, areas beyond the no sky line will receive no direct daylight but will instead be lit from reflected light.
54. Following the construction of a new development, if the no sky line moves so that the area of the existing room, which does not receive direct skylight, is reduced to less than 0.8 times its former value, this will be noticeable to the average occupant. All rooms within the aforementioned properties pass.

Available Sunlight Hours

55. Habitable rooms in domestic buildings that face within 90 degrees of due south are tested, as are rooms in non-domestic buildings that have a particular requirement for sunlight (there is no requirement for windows that face within 90 degrees of due north to be tested). The recommendations are that applicable windows should receive a minimum of 25 percent of the total annual probable sunshine hours, to include a minimum of 5 percent of that which is available during the winter months between 21st September to the 21st March (the approximate dates of the autumn and spring equinoxes).

56. If this is not possible (or the amount of sunlight is already reduced because of the effect of existing obstructions) then a further reduction in sunlight availability will be noticeable to an occupier if the total number of sunlight hours is below the target 25 percent of the total annual probable sunshine hours, to include a minimum of 5 percent of that which is available during the winter months, and is less than 0.8 times its former value prior to the development.
57. All of the windows at 112 Walm Lane and 153 Dartmouth Road pass. One window at Westly Court would compromise the guidance during the winter, however once the same obstruction encountered with the VSC test above is removed, all windows would pass.

Amenity Space

58. BRE Guidance recommends that at least 50% of the garden should receive 2 hours of sunlight on the 21st of March (Spring equinox). Each of the tested properties is considered to have passed the test, with it being noted that the amenity space at 112 Walm Lane would improve significantly.

Housing

Tenure / Mix / Affordable Housing

59. 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. For the scheme, this should equate to x12 family units and x24 affordable units (x17 being social/affordable and x7 intermediate tenure).
60. The application proposes 1x studio, 13x 1-bed, 22x 2-bed, 11x 3-bed, and 1x 4-bed flats. The number of family units proposed equates to approximately 25% of the total provision, thus meeting with the policy target. In terms of the affordable element, 15 units (31%) are proposed, which equates to 35% by habitable room. The tenure split on the affordable would be 9 units (60%) social/affordable rented and x6 units (40%) shared ownership, although by habitable room the tenure split would meet with the 70/30 policy position. It should be noted that in terms of the intermediate units, these will be offered at London Living Rent rates.
61. A review of the FVA has been undertaken because the offer falls short of the policy position, and this has indicated a potential surplus in the scheme. Whilst there is some disagreement over the level of the surplus, should permission be granted it is considered that this would best be captured through a late stage review to capture actual sales values, with the sum secured to be used for affordable housing (family-size units) elsewhere in the Borough. The applicant has suggested that a review could take place after the sale of 10 open market housing units but this would be contrary to Mayoral advice on review mechanisms and a late stage review would be expected because this would better capture actual sales values.

Accessible and Adaptable Dwellings

62. 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. This would be secured by an appropriately worded condition.

Highway Safety

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).

Parking

63. The site lies within a controlled parking zone (CPZ) and is limited to parking within designated bays, within the short-stay Pay and Display bays or the car club bays. The proposed public house would not generate a need for off-street parking whilst the proposed 48 residential units would normally be permitted up to 41 spaces. However, given the high PTAL, it is proposed that the development is parking permit restricted, which would comply with standards. Moreover, there are no particular standards for food and drink uses, rendering the existing car park at the rear of the site superfluous to parking requirements.
64. Car-borne visitors to the public house would again be able to make use of nearby pay and display bays on Walm Lane and Station Parade, although the excellent access to public transport means the site is readily accessible to staff and customers without requiring a car. The aforementioned CPZ would prevent overspill parking by staff in residential streets.
65. For the residential units, Policy DMP12 requires that any overspill parking that is generated can be safely accommodated on-street. However, Walm Lane is a busy distributor road and waiting restrictions thus prevent parking during the day along the site frontage. In order to mitigate any adverse impact on parking conditions in the area, a parking permit restriction is recommended (as encouraged in Policy DMP12) to withdraw the right of future residents to on-street parking permits. This has been acknowledged by the applicant and as before, it is recommended that a condition or legal agreement is attached to any planning consent to secure this. Blue badge holders would of course remain exempt from parking restrictions and would be eligible to obtain parking permits.

Cycle Parking

66. The London Plan requires the provision of one secure bicycle parking space for every 1-bed flat and two spaces for larger flats, giving a total requirement of 82 spaces for residents. Three long-stay spaces are also required for the public house, taking the total requirement to 85 long-term spaces. Eighty-four cycle spaces are proposed within three shelters at the rear, which exceeds the minimum requirements and is acceptable. Short-term cycle storage will also be required and it is recommended that eight 'Sheffield' stands be provided within the landscaped area at the front of the site. Details for the proposed cycle storage have not been provided but can be reasonably secured by conditioned, and to also show the additional spaces required.

Servicing

67. In terms of servicing, the public house will again require deliveries of beer barrels, which typically arrive on 10m long drays. Refuse collection for the flats is also required, along with occasional removals vehicles and furniture/white goods deliveries.
68. Servicing is proposed from Walm Lane, within a proposed loading bay. There is currently insufficient space available along the site frontage for the proposed loading bay, due to the presence of a mature street tree and pedestrian refuge. However, a public realm improvement scheme has been designed for Walm Lane in the vicinity of Willesden Green station, which will replace the existing refuge with a zebra crossing, widen the footway fronting the site, raise the carriageway surface onto a long speed table and reduce the speed limit to 20mph. Adequate funding has already been secured and although works were initially programmed for the 2018-19 financial year, their start has been held up by delays in getting approval for works on the adjacent railway bridge structure and is now expected to be undertaken in the summer of 2019. The proposed widening of the footway fronting the site again potentially provides the space for a loading bay and an amended plan (Drawing No.1707-39/PL01A) for a 3.5m x 12m bay has been included with the updated Transport Statement.

Road Safety

69. A Road Safety Audit has been undertaken to consider the layout in more detail. This raised three concerns, relating to: (i) the inter-visibility between pedestrians using the proposed zebra crossing and approaching southbound vehicles; (ii) the demarcation between the bay and the footway; and (iii) the swept path for delivery vehicles using the bay and their ability to manoeuvre into and out of the bay without reversing.
70. Issue (ii) would be addressed through the detailed approval of paving materials as part of the S278 highway works approval process anyway, whilst further tracking has been undertaken to address issue (iii) by demonstrating that 10m rigid lorries can access and leave the lay-by in a forward gear.

71. The primary concern therefore remains issue (j) (visibility to the future zebra crossing), with the Road Safety Audit requiring that this is assessed in detail. The applicant has therefore considered this further. For a 20mph approach (as is proposed once Brent's traffic calming scheme is in place), a minimum visibility splay of 1.5m x 25m is required along the kerblines of the road. However, the applicant has incorrectly drawn the splay to a point 1m into the carriageway, rather than along the kerblines. If drawn correctly, then any vehicle in the loading bay would need to be positioned at the very back of the bay (i.e. 1m from the carriageway edge) so as not to impede visibility.
72. It is therefore important that the bay is designed in such a way as to encourage all delivery lorries to pull up as far back from the carriageway edge as possible. To this end, previous transport comments recommended that if the visibility issue persisted, then a realignment of the kerblines to provide a narrower 3m wide loading bay positioned further back towards the site (thus effectively leaving a build-out on the southern side of the zebra crossing) could be pursued as a means of addressing the concern.
73. As previously mentioned, any final design also needs to ensure that adequate footway width (at least 3m) is retained behind the loading bay and this will require a narrow part of the site frontage to be offered for adoption to accommodate the increased footway width.
74. An agreement under S38/S278 of the Highways Act 1980 will therefore be required to undertake the highway works to form the loading bay and to widen the footway, in accordance with a slightly amended design.
75. As mentioned previously, the bay is also dependent upon the public realm improvement works coming forward. As such, if there is any further significant delay to the undertaking of the public realm works by the Council, it may be necessary to extend the scope of the S278 works accordingly. In any case, the building should not come into use until the loading bay has been completed.

Access

76. Fire access to the rear of the development would again exceed the maximum hose distance of 45m. A strategy for fire access will therefore need to be agreed with the London Fire Service, which is likely to entail provision of a sprinkler system.
77. Pedestrian access is again proposed via a re-landscaped forecourt area, which is also proposed to be used for external seating associated with the public house. Subject to incorporating the visitor cycle parking as discussed above, this is considered acceptable.

Trip Generation

78. The scale of the development remains as previously proposed, therefore estimates of future residential trip generation from the site also remain unchanged (i.e. 3 arrivals/24 departures during the morning peak hour (8-9am) and 14 arrivals/4 departures during the evening peak hour (5-6pm)). Trips to and from the public house are assumed to remain essentially unchanged from the existing site.
79. As previously noted, the absence of off-street parking means that car use can be assumed to be negligible and would be lower than for the existing site with its 35-space car park. The proposal is therefore again likely to have a beneficial impact on the local highway network.
80. For public transport, the development is again estimated to give rise to 18 rail/Underground trips in the morning peak hour and 12 in the evening peak hour, whilst bus trips would total 5 trips and 3 trips respectively. With 60 buses and 50 Underground trains passing close to the site each hour, these volumes are again not considered large enough to have a noticeable impact on any particular bus or Underground service.

Travel Plan

81. Although the development will be car-free and does not trigger the need for a full Travel Plan under TfL's guidance, the previous Framework Travel Plan has been re-submitted. This aims to increase the share of walking and cycling trips by 5% each, at the expense of public transport trips. A Travel Plan Co-ordinator will be employed to manage the Travel Plan, which will include the provision of information on transport options through a Welcome Pack, noticeboards and promotion of online journey planning resources. Monitoring of the success of the Travel Plan is to be undertaken for five years from first occupation, in accordance with standard practice. No mention is made of nearby Car Clubs though and these should

preferably be promoted too through the provision of subsidised membership for new residents. A legal agreement is recommended to secure this for two years.

82. Whilst the Travel Plan measures are welcomed, the securing of a full Travel Plan is not considered entirely necessary, so a simple commitment to employ the measures as set out can be secured through a planning condition, without any need to undertake future monitoring.

Sustainable Design

Carbon Reduction / Energy

83. Chapter five of the London Plan sets out a comprehensive range of policies to underpin London's response to climate change and mitigation, supported by policies within the Core Strategy (CP19) and the DMP (Chapters 6 & 7). The commercial element will be expected to achieve a BREEAM "Excellent" rating and the residential element, 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.
84. The submitted Energy and Sustainability Statement outlines the approach to carbon emission savings and renewable energy. The proposed design approach is to minimise energy consumption through passive design, fabric performance and energy efficiency measures. Consideration has been given to the passive design of the scheme, including the orientation and layout of the building and units, glazing, lighting to be used, and stacking of balconies for shading.
85. The Statement confirms that the residential element should achieve a 36.3% saving, thus exceeding the minimum on site 35% reduction required. However, in accordance with the London Plan (policy 5.2E *Minimising carbon dioxide emissions*) the remaining regulated carbon dioxide emissions, to 100%, are required to be off-set through a cash in lieu contribution (£67,050) to secure delivery of carbon dioxide savings elsewhere. Whilst the Statement discusses this policy position, it does not confirm that the payment would be made, which would be contrary to the aforementioned policy. Such a payment could only be secured through a S106 Agreement while the targeted reduction can be conditioned.
86. With regard to the commercial element, the applicant has not submitted a BREEAM pre-assessment and has again commented that as this element is less than 1000sqm, "BREEAM is not relevant". A rating of "Excellent" is normally sought for non-residential development however the applicants' report states that due to the fact that the area of non-residential development proposed would be considerably below the threshold (1,000sqm) that BREEAM is not relevant. This reflects the approach taken by the council and is considered to be acceptable.
87. In terms of renewable or low-carbon energy sources, the Statement confirms the feasibility of providing a 10.5kWp PV array on the rear block, with Drawing No. 4747/PA/306 B indicating an array of 53 panels on the roof. Details of the panels together with a maintenance plan, will need to be secured through an appropriately worded condition. Whilst the Statement advises that a communal heating system is not preferred, with individual units being provided with their own boilers, further consideration of this has resulted in an amendment to the submitted plans which now show additional space created within the basement level for the necessary plant to provide a communal heating system. Ducts would vent to the roof and importantly, would not be visible as they would sit behind a small parapet. This strategy is supported.

Flood Risk/Drainage/Water Consumption

88. 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 Councils approach. The site falls within the Flood Zone 1, with the risk of fluvial and surface water flooding considered to be low.
89. The *Foul and Surface Water Strategy* advises that the sustainable drainage hierarchy has been considered but due to site constraints, the drainage strategy will be limited to permeable paving with a geo-cellular attenuation tank located at the front of the site to limit flow into the public sewer to a rate of 25.7l/s. This would be a significant improvement on the existing un-attenuated flow. A condition will be imposed to secure the proposed SuDS measures.

90. In order to minimise any impact on water supply, and as acknowledged within the *Energy and Sustainability Statement*, major developments should be limiting consumption to a target of 105 litres or less per person, per day, although it advises that the indicative specification is 100 litres per person per day. An improvement on the minimum requirement is welcomed and a condition could be reasonably imposed to seek the details of such measures.

Ecology and Biodiversity

Bats

91. 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 proposal involves the demolition of the existing building and the removal of some trees, therefore in support of the application, a *Preliminary Bat Roost Assessment* together with a *Preliminary Ecological Appraisal* has been submitted.
92. The *Roost Assessment* advises that it was not possible to fully inspect all features on the building due to their height and location. In addition, a full inspection of the roof was not possible due to access constraints onto the roof itself. However, no evidence of roosting bats were recorded in areas that could be inspected. The internal assessment of the building identified the presence of features considered to provide potential access points into the buildings or suitable roosting locations within voids. Features identified included crevices beneath clay tiles and exposed beams. No evidence of bats were recorded within the two accessible voids or the internal areas of the flat. However, it was not possible to inspect the remainder of the building internals, including any potential voids beneath the three-storey pitched and hipped roofed segments. As such, the bat roosting status of the building could not be confirmed. Due to the features presented above and having regard to the surrounding habitat, it is considered that 110 Walm Lane has a high potential for roosting bats. It is therefore recommended that emergence/re-entry surveys be undertaken to determine the absence/presence of bats within the building. If a roost is discovered, a licence will have to be applied for from Natural England. The peak season for such surveys is between May and August.
93. In relation to trees, it has been advised that the majority of trees are not mature enough to contain features suitable for roosting bats. The mature Ash tree in the north-east corner of the site did not have any suitable features. The findings of the *Roost Assessment* are only valid for 12 months from the survey date (11/01/2018), therefore if works have not commenced on site within this timeframe, a further survey is required to ascertain whether the trees have developed features that could be used by roosting bats in the interim.

Biodiversity

94. The adjacent railway line is designated as a wildlife corridor and a Site of Importance for Nature Conservation (grade I), and as such, a Preliminary Ecological Appraisal recommends that a Construction Ecological Management Plan (CEMP) should be compiled for the site. In addition to this, it is recommended that biodiversity enhancement measures should be incorporated into any landscaping plans; that excavations should not be left overnight; that vegetation clearance should be undertaken outside nesting bird season; and that works should not cause snowberry and butterfly-bush to spread. A condition should be imposed to secure the recommendations as part of the CEMP, inclusive of a landscaping strategy.

Trees

95. The submitted *Arboricultural Survey & Impact Assessment* confirms the presence of thirteen trees within (x10) or immediately adjacent (x3) to the site that could be impacted by the proposed development. Four trees are considered to be Category ‘B’ trees, meaning that they are of a moderate quality with an expected life expectancy of at least 20 years, with the remaining trees given a Category ‘C’ classification meaning that they are of low quality with a life expectancy of less than 10 years. Trees of particular note (Category ‘B’) are: ‘T3’, a 14m tall Ash tree located in the north east corner of the site covered by a Tree Protection Order; an 11m tall Oak tree (‘T8’) located on the adjoining railway land; and a 10m tall London Plane tree located on the public footway at the front of the site. The remaining Category tree (‘T9’), a 12m tall Ash tree is located near to T8 but within the site, will be removed as part of the development proposal as it is impacting upon the Oak tree, however replacement planting is advocated. The tree protection

measures proposed would be secured by condition. The landscaping strategy is set out in Appendix D of the *Arboricultural Survey* and would also be secured by condition, should permission be granted.

Contamination

96. Policy 5.21 of the London Plan (“Contaminated Land”) encourages the recycling of brownfield sites, inclusive of those affected by contamination, through remediation. Having regard to the historic uses of the site as a former “textile and dye” works and railway land, potential contaminants remain. To ensure that there is no risk to human health, conditions could be imposed to require a site investigation to be undertaken, remediation, and verification.
97. Given the age of the buildings to be demolished it is possible that asbestos may be present. The applicant will 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 could be attached to any permission to remind the applicant of this.

Air Quality

98. Policy 7.14 of the London Plan requires boroughs to seek reductions in the level of air pollutants, with developments being ‘air quality neutral’. The site falls within an Air Quality Management Area and as such, an Air Quality Assessment has been submitted in support of the application. The methodology employed is considered to be sound.
99. An air quality assessment has been carried out using the ADMS-Roads dispersion model to determine the impact of emissions from road traffic on sensitive receptors. Predicted concentrations have been compared with the air quality objectives. The results of the assessment indicate that annual mean NO₂ concentrations are below the objective in the baseline and future year development scenario. Concentrations of particulate matter (PM₁₀) are also predicted to be below the annual mean objective in the baseline and future year development scenario. Based on the evidence it is also estimated that there will be no exceedances of either short term objective for NO₂ or PM₁₀. Therefore, no mitigation is required as the air quality objectives are predicted to be met. The Report therefore recommends that instead, other measures such as providing secure and covered cycle storage, as has already been integrated into the development plans, should be considered to reduce the emissions arising from the development. In accordance with comments received from Environmental Health, conditions to secure the details of domestic boilers, a Construction Method Statement, details of Non Road Mobile Machinery could be reasonably attached to any permission.

Noise

100. Road and rail noise are identified as the main sources of external noise, which the submitted *Environmental Noise Assessment* addresses. In relation to noise impact from the public house on the proposed residents, a further *Technical Note* has been provided. The *Noise Assessment* confirms that subject to sufficient noise mitigation, there will not be unacceptable harm on the internal environment from road and rail sources.
101. The *Technical Note*, which was requested because objectors considered that it would be inappropriate to have residential above a public house because of noise, confirms that this is not an uncommon scenario and the requirements set out within *Approved Document E* are a legal requirement to be achieved and verified through testing. Conditions would be imposed on any approval to secure the recommendations of the *Noise Assessment*.

Site Waste Management

102. 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.
103. The development proposal involves the demolition of the existing building and substantial

excavations to help facilitate the proposed building. The *Energy and Sustainability Statement* advises that “the demolition protocol could be followed where applicable to ensure that all arisings are suitably recycled”. Waste will not only be produced from excavation, but from demolition and construction. To ensure that all waste arising from demolition and construction is dealt with appropriately, a construction site waste management plan could be secured by condition.

Conclusions

104. The proposed development has addressed some of the issues identified with the scheme currently at Appeal: Internally, the standard of accommodation of individual units is improved with more regular shaped rooms proposed and units meeting with the Technical Standards; and outlook and amenity space provision is also considered acceptable. No issues are again raised in relation to neighbour impact.
105. Notwithstanding the above, the overall design is still considered to be an issue, and one which would continue to have an unacceptable impact on the character and appearance of the Mapesbury Conservation Area, neither preserving or enhancing this heritage asset. In addition, the appearance of the public house element, whilst an improvement on the refused scheme does not provide the necessary distinction to properly announce its use and function, separate from the residential element.
106. The affordable housing offer of 35 % does not meet the 50 % target set out in current Council’s adopted policy and there remains some disagreement in relation to some of the variables and the associated potential surplus generated by the scheme. However, it is considered that this can be resolved through a post implementation review which would use actual sales values and build costs as opposed to hypothetical values should permission be granted. Any money received would contribute towards much needed affordable housing elsewhere in the Borough. It is also noted that the current offer by the applicant of 35% affordable by habitable room would comply with the draft London Plan and with emerging local policy.

CIL DETAILS

This application is liable to pay **£1,181,456.64** * 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): 1217.44 sq. m.

Total amount of floorspace on completion (G): 4800.76 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) Drinking establishments (2004)	493.34		368.23	£40.00	£0.00	£21,567.89	£0.00
(Brent) Dwelling houses	4307.42		3215.09	£200.00	£0.00	£941,561.39	£0.00
(Mayoral) Drinking establishments (2004)	493.34		368.23	£0.00	£60.00	£0.00	£22,435.95
(Mayoral) Dwelling houses	4307.42		3215.09	£0.00	£60.00	£0.00	£195,891.41

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)	328	
TOTAL CHARGEABLE AMOUNT	£963,129.28	£218,327.36

*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: 18/4675

To: Mr Raistrick
Centro Planning Consultancy
55 St John Street
London
EC1M 4AN

I refer to your application dated **07/12/2018** proposing the following:

Replacement of existing building (containing public house and former members club) with a mixed use development within a part 4 and 5 storey building comprising public house and function room on ground floor (Use Class A4), 48 self-contained flats (14 x 1 bed, 22 x 2 bed, 11 x 3 bed & 1 x 4 bed), green roof and photovoltaics panels, bicycle and refuse storage, amenity space and landscaping (SCHEME A)(Amended Plans - Key changes to public house facade and internal layout)

and accompanied by plans or documents listed here:

4704/PA/001	Site Location Plan
4704/PA/002	Site Photos
4704/PA/010	Existing Site Plan
4704/PA/011	Existing Floor Plan
4704/PA/015	Existing Elevations 1
4704/PA/016	Existing Elevations 2
4704/PA/200B	Proposed Site & Ground Floor Plan
4704/PA/201B	Proposed First Floor Plan
4704/PA/202B	Proposed Second Floor Plan
4704/PA/203B	Proposed Third Floor Plan
4704/PA/204B	Proposed Fourth Floor Plan
4704/PA/205B	Proposed Fifth Floor Plan
4704/PA/206C	Proposed Roof Plan
4704/PA/207C	Proposed Basement Floor Plan
4704/PA/210C	Proposed Floor Plans
4704/PA/220A	Proposed Walm Lane Elevation
4704/PA/221A	Proposed South Elevation
4704/PA/222A	North Elevation C-C
4704/PA/223A	East Elevation D-D
4704/PA/225A	Walm Lane Street Elevation
4704/PA/230A	Proposed Sections
4704/PA/231	Proposed Sections
4704/PA/400	Material Palette
4704/PA/401	Local Precedents and Materiality
4704/PA/410B	Proposed Site & Ground Floor Plan
4704/PA/411	Elevation - Pub Study
4704/PA/501	CGI Views - 1
4704/PA/502	CGI Views - 2
4704/PA/503	CGI Views - 3 Summer
4704/PA/504	CGI Views - 3 Winter
4704/PA/505A	CGI Views - 4
4704/PA/511	CGI Views - 1 (Amended Roof)
4704/PA/512	CGI Views - 2 (Amended Roof)
4704/PA/513	CGI Views - 3 (Amended Roof) Summer

4704/PA/514 CGI Views - 3 (Amended Roof) Winter
4704/PA/515 CGI Views - 4 (Amended Roof)
Air Quality Assessment (January 2018)
Arboricultural Survey & Impact Assessment (December 2018)
Daylight/Sunlight Report (December 2018)
Design & Access Statement (V2) (April 2019)
Energy and Sustainability Assessment (December 2018)
Environmental Noise Assessment (November 2018)
Financial Viability Appraisal (March 2019)
Foul and Surface Water Drainage Strategy (December 2018)
Heritage Impact Assessment (November 2018)
Planning Statement (December 2018)
Preliminary Bat Roost Assessment (January 2018)
Preliminary Ecological Appraisal (January 2018)
Pub Ceiling Height (Email 03 June 2019)
Statement of Community Involvement (November 2018)
Technical Note Insulation (April 2019)
Transport Statement (December 2018)

at **110 Walm Lane, London, NW2 4RS**

The Council of the London Borough of Brent, the Local Planning Authority, hereby **REFUSE** permission for the reasons set out on the attached Schedule B.

Date: 11/06/2019

Signature:



Alice Lester

Head of Planning, Transport and Licensing

Note

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.

DnStdR

PROACTIVE WORKING STATEMENT

REASONS

- 1 The proposed development, by reason of its massing and poorly designed front elevation, would appear unduly prominent and out of character in the street scene and in the wider locality. The development would fail to preserve or enhance the character or appearance of the Mapesbury Conservation Area. As a result, the proposal fails to comply with Policies 3.4, 3.5, 7.4, 7.6 and 7.8 of the London Plan; policy CP17 of the Core Strategy, Policies DMP1 and DMP7 of the Development Management Policies; National Planning Policy Framework 2018.
- 2 The proposal would fail to provide the maximum reasonable amount of affordable housing which would be contrary to Policy 3.12 of the London Plan, Policies H5 and H6 of the draft London Plan, Policy CP2 of the Core Strategy, Policy DMP15 of the Development Management Policies.
- 3 In the absence of a legal agreement to control the matter the proposal would result in additional carbon dioxide emissions within the borough in an Air Quality Management Area, without any contribution to carbon reduction measures in the area. The proposal would also fail to demonstrate that a BREEAM rating of at least 'Very Good' could be achieved. As a result, the proposal would be contrary to Policies 5.2, 5.3 and 7.14 of the London Plan, Policy CP19 of the Core Strategy, Policy DMP1 of the Development Management Policies.
- 4 In the absence of a legal agreement to control the matter, the development would result in additional pressure on servicing, parking demand and transport infrastructure to the detriment of the free and safe flow of traffic and pedestrians which would be contrary to Policies DMP1 and DMP12 of the Development Management Policies

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

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COMMITTEE REPORT

Planning Committee on
Item No
Case Number

19 June, 2019
06
18/4701

SITE INFORMATION

RECEIVED	10 December, 2018
WARD	Mapesbury
PLANNING AREA	
LOCATION	110 Walm Lane, London, NW2 4RS
PROPOSAL	Replacement of existing building (containing public house and former members club) with a mixed use development within a part 4 and 5 storey building comprising public house and function room on ground floor (Use Class A4), 48 self-contained flats (14 x 1 bed, 22 x 2 bed, 11 x 3 bed & 1 x 4 bed), green roof and photovoltaics panels, bicycle and refuse storage, amenity space and landscaping (SCHEME B)(Amended Plans - Key changes to roof form, public house facade and internal layout).
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_143050</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 "18/4701" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab

RECOMMENDATIONS

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

A. That the Committee resolve the **GRANT** of planning permission subject to:

1. Payment of Council's legal and other professional costs in the preparation and management of the Agreement
2. Payment on completion of the deed of the Council's legal and professional fees in preparing and thereafter monitoring the agreement
3. Notice of commencement within 28 days of a material operation
4. Affordable housing
 - a. The securing of 15 units as affordable units, comprising:
 - i. Affordable rented units: 1 x 1-bed, 7 x 3-bed, and 1 x 4-bed
 - ii. Intermediate units: 3 x 1-bed and 3 x 2-bed
 - b. Affordable Rented definition (rents to be agreed but will need to be inclusive of service charges, capped at LHA rates)
 - c. Intermediate units – London Living rent
 - d. Affordable Rented units disposed to RP on freehold or minimum 125 year lease
 - e. Nomination rights (100%)
 - f. s106 post-implementation review
5. Community Access Plan
6. Training and Employment
 - a. Prior to a material start on site, to inform in writing Brent Works of the projected amount of construction jobs, training opportunities and provide a copy of the Schedule of Works.
 - b. Prior to a material start, to prepare and submit for the Council's approval an Employment Training Plan for the provision of training, skills and employment initiatives for residents of the Borough relating to the construction phase of the Development and in relation to the operational phase of the Development.
 - c. To offer an interview to any applicant who is a Brent resident and who also meets with the minimum job criteria
 - d. From material start, to provide monthly verification of the number of Brent residents employed or provided training during construction, and if the targets are not being met, to implement measures to achieve them
 - e. To use reasonable endeavours to achieve 1 in 10 of the projected construction jobs to be held by Brent residents and for every 1 in 100 construction jobs to provide training for a previously unemployed Brent resident/school leave for at least 6 months
7. Carbon Offsetting
 - a. Contribution of £67,050 towards a local carbon off-setting scheme to achieve a zero carbon development based upon the carbon reduction measures set out in the Energy & Sustainability Statement dated 23rd January 2017.
8. Considerate Constructors Scheme
9. Any other planning obligation(s) considered necessary by the Head of Planning.

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

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

1. Time Limited Permission
2. Approved Plans
3. Contract for Redevelopment
4. Building Recording
5. Display Board
6. Accessible / Adaptable Dwellings
7. Restriction of Change of Use to C4
8. Use - Public House


9. Details of Materials
10. Details - Sections
11. No External Plant and Fittings
12. Noise - glazing
13. Noise - Insulation
14. Noise - Plant
15. Noise - Non-Road Mobile Machinery
16. Hours of Opening
17. Contaminated Land - Site investigation
18. Contaminated Land - Remediation and Verification
19. Piling/Foundations
20. Details of External Lighting
21. Travel Plan
22. Construction Methodology / Traffic Management Plan
23. Construction Site Waste Management Plan
24. Details of Cycle Parking
25. Energy & Carbon Reduction
26. Air Quality
27. Water Efficiency
28. SUDS 1
29. SUDS 2
30. Soft and Hard Landscaping
31. Means of Enclosure
32. Ecology
33. Bats
34. Satellite dish / TV Antenna

D. Informatives as detailed at the end of this of this report.

E. 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.

F. 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

	<p>Planning Committee Map</p> <p>Site address: 110 Walm Lane, London, NW2 4RS</p> <p>© Crown copyright and database rights 2011 Ordnance Survey 100025260</p>
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This map is
indicative only.

PROPOSAL IN DETAIL

As Members are aware, two schemes are being considered for the site, with the applications being referred to as Schemes A and B. Whilst both schemes are identical in terms of the number of units proposed, the provision of a public house with community/function room and outdoor space, and amenity space provision, the key differences to note are:

- The design of the roof, with Scheme A sitting further back (with a long front dormer window with roof lights above), compared to Scheme B which is sited towards the front, with inset dormer windows and rooflights)
- The appearance of the public house element

In relation to Scheme B, permission is sought for the replacement of existing building (containing public house and former members club) with a mixed use development within a 4 and part 5 storey building comprising 48 self-contained flats (14 x 1 bed, 22 x 2 bed, 11 x 3 bed & 1 x 4 bed) and public house and function room on ground floor (Use Class A4) with green roof and photovoltaics panels, provision of bicycle storage with associated amenity space, landscaping and refuse stores (SCHEME B)

The proposed building will be L-shaped, extending along the Walm Lane frontage approximately 31.5m and extending a maximum depth of 47.3m near to the railway line. It will have a maximum height of approximately 19m to the top of a crown roof along the Walm Lane frontage and a maximum height of approximately 15m to the top of a flat roof along the railway frontage. Four inset dormer windows and 3 pairs of rooflights between are proposed facing Walm Lane. At the rear, two levels of dormer windows are proposed to help facilitate the provision of the units within the roof space.

The ground floor of the “Walm Lane block” will contain a public house with floorspace for a function/community use and toilet facilities (back of house facilities for the public house e.g. store/office will be located within the basement). The five floors above, including two within the roof space, will contain the 33 private housing units, each with access to a balcony or terrace. The rear block will contain the 15 affordable units over its four levels

EXISTING

The site is located on the eastern side of Walm Lane and consists of a part two, part three storey detached building, containing The Queensbury public house and the former Conservative Club. The building is registered as an Asset of Community Value (ACV) and there is also currently an arrangement where local community groups have access to the building on Monday to Saturday mornings. A car park, accessed from Walm Lane, is located on the southern side of the site.

The site is located within the Mapesbury Conservation Area, a designated heritage asset but the site itself does not contain a locally or statutory listed building. The site abuts the rear garden of Nos.147A to E and Nos.153A to C Dartmouth Road to the east, a five storey residential development at No. 112 Walm Lane to the north and three single storey commercial units to the south. The southern boundary of the site also abuts the railway line which serves the Metropolitan and Jubilee Lines of the London Underground and Chiltern railway services. The embankment along the railway line is designated as a wildlife corridor.

On the opposite side of the railway line is the Willesden Green Conservation Area. The western side of Walm Lane, opposite the application site contains the secondary shopping frontage of Willesden Green Town Centre. This section of Willesden Green contains three storey terraced properties with commercial at ground floor and residential above. Willesden Green Underground Station is a statutory listed Grade II and is in close proximity to the application site on the opposite side of Walm Lane.

AMENDMENTS SINCE SUBMISSION

The following amendments have been made since the original submission:

- The façade of the public house has been amended to give it a traditional public house appearance;
- Toilet facilities are provided on the ground floor;
- Rooms have been amended to provide more regular-shaped accommodation; and
- Projecting dormers on the Walm Road elevation have been removed, with inset dormers and rooflights provided.

- The basement has been enlarged to provide a plant room for the residential element.

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 of uses:** The principle of the development is accepted because the proposal includes the re-provision of a public house (The Queensbury being a designated asset of community value) and the provision of housing to help meet borough and London targets.
- Heritage Assets:** The development site, whilst not occupied by a listed building, sits within the Mapesbury conservation area, it is opposite the Willesden Conservation Area and grade II listed Willesden Green Underground Station, and 350 metres south of the listed St Gabriel's Church.
- Affordable Housing:** The development is proposing 35% affordable housing (by room) and a policy compliant tenure split. The viability assessment has been reviewed and whilst there is some disagreement in relation to some aspects of the financial position, a late stage viability review, secured via a legal agreement, is proposed to capture actual sales values and build costs, and if the scheme viability improves, monies would be secured to towards off-site affordable housing. Although the proposed level of affordable housing falls short of the current policy position (50%), it would accord with emerging London Plan and Brent policy and would accord with Brent Policy when this can be given greater weight.
- Design:** The design of Scheme B is considered to have addressed the concerns raised previously and the quality of design is considered to be sufficient.
- Scale/Bulk/Neighbour Impact:** The overall scale and bulk of the building is similar to the previously refused scheme where impacts on neighbouring occupiers were considered to be acceptable.
- Quality of accommodation:** The issues with the previously refused scheme have been resolved, and the scheme would be considered to provide a good standard of accommodation for future residents.

RELEVANT SITE HISTORY

An application (**ref: 18/0210**) for the demolition of public house and erection of a 4 and part 5 storey building comprising 48 self-contained flats (14 x 1 bed, 22 x 2 bed, 11 x 3 bed & 1 x 4 bed) on upper floors with green roof and photovoltaics panels, a public house and function room on ground floor, provision of bicycle storage with associated amenity space, landscaping and refuse stores. Permission was **refused** on 01/05/2018 for the following reasons:

- the development failing to preserve or enhance the character and appearance of the Mapesbury Conservation Area (massing, poor design and lack of articulation);
- the overall inadequacy of the standard of accommodation (undersize units and lack of amenity space for all units);
- a failure to provide the maximum reasonable amount of affordable housing; the additional CO2 emissions in the AQMA together with a failure to achieve a BREEAM rating of at least 'Very Good'; and
- the absence of a legal agreement to mitigate the impact of servicing, parking demand and transport infrastructure, thus being detrimental to the free flow and safety of traffic and pedestrians.

This scheme is currently at Appeal.

Planning permission (**ref: 13/3503**) for the demolition of existing Public House and Conservative Club and erection of 2 to 10 storey building containing A4/D1 use unit on ground floor and 53 residential units on the ground and upper floors (13 x one bed, 30 x two bed and 10 x three bed). Formation of revised vehicular access from Walm Lane to basement car park comprising 23 parking spaces and associated amenity space, landscaping works and pedestrian access from Walm Lane, subject to Deed of Agreement dated under Section 106 of the Town and Country Planning Act 1990, as amended (revised description) was **refused** on 12/03/2013 for the following reasons:

- The development failing to preserve or enhance the character of the Mapesbury Conservation Area and adversely impacting on the Willesden Green Conservation Area due to the height, scale, massing and density appearing unduly prominent and out of character in the street scene and in the

- wider locality.
- Insufficient provision of affordable housing.
- The lack of a legal agreement to secure: a Community Access Plan; sustainability measures; job & training opportunities for local residents, adherence to the Considerate Contractors Scheme; a Travel Plan; and restrictions to prevent future residents from applying for parking permits.

The scheme was also **dismissed on Appeal** with the Inspector noting the following:

- The existing building makes a positive contribution to the character and appearance of the Mapesbury Conservation Area and to the setting of both the Willesden Green Conservation Area and the Willesden Green Station
- The buildings contribution to the significance of St Gabriel's Church is modest
- The importance of the building is not integral to the Conservation area and the degree of harm from its loss would be "less than substantial"
- The development would not preserve or enhance the character of the Mapesbury Conservation Area, adversely affect the setting of the Willesden Green Conservation Area and the listed Station, fail to preserve the setting of St Gabriel's Church (but not its significance)
- The public benefits identified (provision of affordable housing, a replacement public house, and the formalisation of arrangements for Busy Rascals, investment in new construction and employment) were outweighed by the "adverse lasting impacts on the character and appearance of the Mapesbury Conservation Area and on the setting of the Underground station would be considerable, even if within the 'less than substantial' category" (para.82 Appeal Decision).

CONSULTATIONS

Public Consultation

Letters were sent to the occupiers of 1795 neighbouring and nearby properties in addition to site and press publicity. Fifty-nine letters of objection were received with the initial consultation period (from 18/12/2018) with an additional 26 letters received following a further round of consultation (from 05/04/2019) following the receipt of amended plans. Objectors raised some or all of the following points:

<u>Comment</u>	<u>Response</u>
Heritage	
Inspector noted in a previous appeal that the building makes a positive contribution to the setting of a grade II listed station, which would be desirable to preserve. This is a blanket recommendation to all future development.	Please see Heritage section of this Report
Appeal scheme dismissed on the basis that the development would not enhance the conservation area and stressed the importance of the existing building	Please see Heritage section of this Report
The existing building needs to be protected into perpetuity. Brent could list the Queensbury Pub as a heritage asset.	Please see Heritage section of this Report
Destroying another old building on the edge of a conversation area	Please see Heritage section of this Report
Brent Planners should look at the historic events involving Westminster Council's planning department in 2015 with The Carlton Tavern	This was a grade II listed building which was demolished without permission and has no relevance to the current scheme.
The development will sever the links with the past by eroding historic character	Please see Heritage section of this Report
Object to destruction of a turn of the century nice building with a breathtakingly beautiful steep and large roof	Please see Heritage section of this Report
Replacement building does not preserve or enhance the conservation area	Please see Heritage section of this Report
The proposed apartment block is very unattractive from the outside and certainly does not fit in with the Edwardian and Victorian appearance of the Mapesbury conservation area	Please see Heritage section of this Report

Little left of character in Willesden but the old library tower remains.	Please see Heritage section of this Report
Brent Council's policy BE27 is that a building in a conservation area cannot be demolished, partly demolished or in any substantial way altered unless they positively detract from the character or appearance of the conservation area	Please see Heritage section of this Report
The existing building complements the Grade II listed station and elegantly shapes one of the gateways to Willesden Green	Please see Heritage section of this Report
The pub is one of the last icons remaining in Willesden Green conserving the area's charisma	Please see Heritage section of this Report
It is so important for those of us who live in the area, to retain the main building with its charming pub full of character, and wonderful sunny terrace for summer	Please see Heritage section of this Report
The demolition of this building with replacement with a rather generic modern apartment block would give rather the impression that you could be anywhere	Please see Heritage section of this Report
The current building can be seen as the flagship of the conservation area	Please see Heritage section of this Report
Public House/Community Use	
Whilst there is a need for housing, there is also a need for place where the community can gather, socialise, relax	
No other place like this which not only brings community together it brings income and jobs to the area	
Will be forced to travel to other areas to find a similar establishment	
No safeguards for Busy Rascals and nothing in the new plans about how they would operate.	A community / function room is being provided. The existing arrangement with Busy Rascals is informal and there is no requirement to provide a community use.
The only community gastro pub bringing everyone together. A newly built pub would not replace it.	
Similar to the situation of the Corrib Rest in Queens Park, only difference is Queens Park has more restaurants and bars for community.	
This is a vibrant pub and community hub protected by CP23, the London Plan, and paragraph 70 of the NPPF.	The development does not involve the loss of a public house from the site as one will be re-provided
Proposed development does not protect the A4 use within the overall scheme – noise insulation should be required.	The development would have to meet with Building Regulation requirements for noise insulation
The ownership, maintenance and management of the Function / Community Room are not Defined and should be in perpetuity	A Community Access Plan will be provided
What will be the legal status of the Function / Community room, who will own the ground on which the room sits	A Community Access Plan will be provided. Ownership rests with the owner of the site
The Queensbury is a recreational and sociable amenity - it is entirely inappropriate for the council to approve replacing The Queensbury with private housing - a completely different category of usage.	This is a mixed-use development with a public house being re-provided together with residential
Too many pubs are being lost in London, so	A public house is being re-provided

Brent Council should reject this proposal to demolish the building	
The only local good pub and bar will be closed	A public house is being re-provided
There is negligible community pay-back and what is proposed is not seriously practical as a community user-space, should be 156sqm or 3% of the total area of the building	The proposed community / function room is a significant improvement on the existing by providing a dedicated space 3x the size of the informal area currently provided. In addition, there is an external area for the sole use of this element.
The internal footprint of the new pub, is much smaller than the existing pub, and has much lower ceilings and is too long and narrow	
A highly inappropriate replacement "community" area has been proposed - totally unfit for purpose.	The proposed space is 3x greater than the existing temporary space
Removing the pub would also contribute to the loss of businesses from across the road	The public house will be re-provided
There is nothing in the appeal that guarantees the re-instalment of the pub and the community area	Should the appeal scheme be approved, it will be on the basis of the plans which show a public house
No kitchen or ventilation in the proposed plan	Provision of a kitchen is a management decision and is not a requirement for a public house. Kitchen ventilation is shown on the roof plan.
Design	
No amount of internal tweaking will make me change my mind. Recent amendments are only cosmetic	Please see Design section of this Report
The façade to the public house looks unaccommodating, has no exterior space, or 'garden suburb' atmosphere.	Please see Design section of this Report
Prefer the other facade, and object to any room size of less than 10m2	Please see Design section of this Report
Roof elevation is far too high and overbearing and is ill conceived in design related to the neighbouring buildings	Please see Design section of this Report
Amendments do not make up for the loss of the existing building - roof line in no way compensates for the loss of the existing roof which enhances the sounding built environment providing an interest roof line	Please see Design section of this Report
Yet another attempt to shoehorn an ugly inappropriate development into the space at 110 Walm Lane	Please see Design section of this Report
A poor design	Please see Design section of this Report
Obtaining the maximum number of units seems to be the priority	Please see Design section of this Report
Inappropriate location for bin store at the front	Please see Design section of this Report
Diagonal bays and stepped balconies are a mistake	Please see Design section of this Report
Object to any room less than 10 m2 - 7.5m2 is unacceptable for any living standard	Units comply with the Technical Housing Standards
Too tall – shouldn't be taller than No.112	Please see Design section of this Report
Why not build around the existing building, as was done with the library?	Please see Design section of this Report
Balconies out of character with the area	Balconies are found within the wider area
Design of pub is poor	
Characterless inside and out	
Should not be allowed to build up to the boundary lines in order to maintain the existing space around the building	Please see Design section of this Report

The mass of the base block (to the rear) is too bulky for the setting	Please see Design section of this Report
Not so much the height but the blandness of the roof line in particular. The skyline of existing properties broken up due to chimney stacks, protruding dormers and gable ends. The current proposal will be visible from many angles and is overbearing and lacks interest.	Please see Design section of this Report
All three proposals look like a blocky concrete nightmare designed to jam more people in with a lack of greenery and outside space.	The LPA is only considering two schemes (A & B) whilst the Planning Inspectorate will be determining the Appeal scheme.
Out of scale with other buildings, especially the grade II listed Willesden Green Station	Please see Design section of this Report
LP policies 7.4 and 7.6 seek to protect local character and architectural quality	Please see Design section of this Report
Almost no change between rejected and proposed scheme and the design alterations do not bring any improvement	Please see Design section of this Report
Quality of the architecture continues to be poor and not worthy of the Conservation Area where it's located	Please see Design section of this Report
The new articulation of the façade is a simplistic approach and a failed attempt to relate to the character of the buildings along Walm Lane	Please see Design section of this Report
The proposed massing is out of scale with its surroundings	Please see Design section of this Report
The proposals for the retail space are out of character with the area and with the Willesden Green retail design guidelines	Please see Design section of this Report
New proposal is even worse than the one which has previously been rejected by the Council. The proposed new building is too high, too solid, too ugly and does nothing positive for the community or the look of the buildings forming that part of Walm Lane	Please see Design section of this Report
The applicants should be directed to come back with a proposal based on retaining the existing building, or at least the front portions of it, and building rather in the rear portion of the site, where there is quite a large area, which is currently a car park, and towards the side of the main building	Please see Design section of this Report
The proposed edifice is a big hulking ugly lump which does zero to enhance the area. It overshadows everything. A bunch of red brick and faux bay windows does not make for sympathetic Edwardian style	Please see Design section of this Report
A gold fish bowl shop front	Please see Design section of this Report
Should be limited to same height as 112 Walm Lane (5-storeys), with the top floor set back	Please see Design section of this Report
Should be flat fronted like No.112 Walm Lane	Please see Design section of this Report
Entrance to flats is too narrow can be improved using our plan submitted	Please see Design section of this Report
No disabled / baby changing toilets on the ground floor.	Please see Design section of this Report
Detrimental effect on the Walm Lane frontage with the loss of outdoor space	Please see Design section of this Report
Loss of a unique large open area in front of the pub which provides benefit both to users and is pleasant for the general public	Please see Design section of this Report
Proposed beer garden does not have the same	Please see Design section of this Report

charm and character of the existing. At present raised and sheltered from passers by with the new one dropped down to below the footpath in places and open to all passers by.	
Insulting to simply dismiss retention of existing building and development of the rest of the site by simply stating "This approach was tested, but discounted owing to the excessive height of the block and its poor relationship with the existing building"	Please see Design section of this Report
Amenity	Please see Design section of this Report
Residential above a public house is not a socially wise strategy because of potential noise complaints	Please see Design section of this Report
Will block light	Please see Design section of this Report
Overlooking of existing buildings/properties	Please see Impact on Neighbour Amenity section of this Report
Overlooking and loss of privacy to houses on Dartmouth Road	Please see Impact on Neighbour Amenity section of this Report
Affordable Housing	
Insufficient affordable housing proposed	Please see Housing section of this Report
Are there guarantees about affordability?	Affordable units are secured by a legal agreement
There aren't enough affordable flats in the plan - affordable housing is needed in NW2, this needs to be addressed	Please see Housing section of this Report
Would like to see further documentation to support the low valuation given to the property - which does not seem accurate and therefore should not be used as a reason to pull away from providing social housing in the mix	Social housing is being provided but not at a policy compliant level. As a result, the FVA is being assessed by independent consultants to establish the maximum level of affordable housing that can be provided.
The development will not benefit local residents by providing low cost social housing and will not provide any new community amenities, in fact the opposite	Please see Housing section of this Report
Environmental Matters	
No sign of environmental considerations – no evidence that it will offset its environmental impact	Please see Sustainable Design section of this Report
Landscaping is poor quality and does not reflect the Mapesbury planning guidelines which specifically state that frontages should be of permeable materials and a minimum of 50 must be planted	Please see Sustainable Design section of this Report
Insufficient to meet with the policy of ensuring the greening of Brent. Little space for increasing the tree planting	Please see Sustainable Design section of this Report
there is more evidence of the environmental impact of concrete, with it accounting for 8% of global CO2 emissions. Therefore, opportunities like this one to retain some or all of existing buildings, should be taken whenever they can.	Please see Sustainable Design section of this Report
Highways Matters	
Increased traffic on an already busy road	Please see Highway Safety section of this Report
No provision for visitor parking	Please see Highway Safety section of this Report
Servicing shown from the main street, in the busiest spot of Willesden Green increasing the already problematic congestion	Please see Highway Safety section of this Report
Lydford Rd is already a rat run.	Please see Highway Safety section of this Report

	Report
Although there are plans for 2 parking spaces in front of the building for Ocado / Amazon deliveries - it will still be incredibly congested as there is a bus stop opposite the station and there are plans to move the bus stop from opposite Sainsbury's Local to outside Foxton's - right opposite the site -which will cause huge traffic problems	Please see Highway Safety section of this Report
Other Matters Raised	
Are there guarantees the flats won't be sold off plan abroad, like the library centre flats?	No restriction on private sale units
Devious to provide us with many applications and clearly hoping that consultees will miss one	There is no restriction in legislation to the number of applications which can be made
Underhand how the developer has submitted two applications before the appeal has been heard	There is no restriction in legislation to the number of applications which can be made
These constant planning applications are a total waste of public time and resource, an attempt at attrition.	There is no restriction in legislation to the number of applications which can be made
Not enough GP's to cope with an influx of new patients	CIL payment contributes to provision of health services
Not enough school places	CIL payment contributes to provision of education services
I don't think that local residents (and voters) will be happy if this is approved	Each scheme must be assessed on its own merits
These plans are in almost every way identical to the last set of plans proposed. Evidently the planners hope that by continually resubmitting the same ideas, local residents will tire of responding and they'll eventually get their plans through unnoticed	There is no restriction in legislation to the number of applications which can be made
It is time that no more application are filed for 110 Walm Lane which should be a protected building	There is no restriction in legislation to the number of applications which can be made
Brent Council could make a compulsory purchase of the land, and with the protection of the pub and its facilities, keeping the pub as a listed and protected building within the Conservation area, the land behind could be used to build more council flats for key workers	Please see Heritage and Design sections of this Report
Would hope the planning department will refuse this scheme and intervene with a protection order that would stop any more applications being made	Each scheme must be assessed on its own merits and there is no restriction in legislation to the number of applications which can be made
This plot must not be used to profit developers and, most likely, overseas purchasers. It should be developed to benefit local people, possibly via a joint council/community enterprise.	A public house is being re-provided together with social housing units

1. The Mapesbury Residents Association object for the following reasons:

Comment	Response
Heritage	
Proposed new building is too tall and too bulky and would detract from the appearance of the area and does not preserve or enhance existing conservation area	Please see Heritage section of this Report
The existing building makes a positive contribution to the setting of the listed station, which according to the previous Appeal	Please see Heritage section of this Report

inspector, would be desirable to preserve. The Planning Authority ought to respect that view and act consistently with it.	
Public House/Community Use	
The function/community room is too small. It would need to be doubled to be useful	Please see Public House / Community Use section of this Report
The function/community room is poorly laid out and badly located in an insecure place	Please see Public House / Community Use section of this Report
Size of the Function / Community room is not of sufficient value in relation to the value of the planning permission being sought	Please see Public House / Community Use section of this Report
Floor plan of the pub is too long and narrow	Please see Public House / Community Use and Design sections of this Report
Replacement pub has neither a kitchen nor ventilation in the proposed plan which will severely limit its menu	Please see Public House / Community Use section of this Report
Poor floor plan and absence of a kitchen must impact upon its popularity with residents. It would be a completely inadequate replacement for the existing pub and brings into question the viability of the proposal for this space as a replacement for a popular and important local amenity	Please see Public House / Community Use section of this Report
Ownership, maintenance and management of the Function / Community Room are not defined	A Community Access Plan will be provided. Ownership rests with the owner of the site
Design	
The applications are described as 4 and in part 5 storeys; however, both schemes are 6 storeys visible height across the frontage with 5 storeys behind.	Please see Design section of this Report
Each floor is taller than those of no 112 and the roof level would therefore be 1.5 storeys higher than the 5 storeys on no 112	Please see Design section of this Report
No attempt to harmonise with no 112. It does not carry across the basic simple flat front wall with rectangular balconies of 112. Instead there are prominent bays forming a modelled front, stepping in and out, drawing attention to the bulk of the new building	Please see Design section of this Report
Main entrance to the flats is a constricted passage next to the bin store	Please see Design section of this Report
Metal cladding is for industrial sheds and timber cladding has no feel of permanence and quickly deteriorates in appearance.	Please see Design section of this Report
Proposed horizontal banding for the brickwork between the bays and balconies is whimsical and unnecessary	Please see Design section of this Report

One letter of support has been received, confirming that it is good to see more housing in an area which needs it; and the investment in the area.

Consultees Internal / External Bodies

London Underground

It has been advised that there are no objections in principle to the proposed development. However, given the close proximity to railway infrastructure, it is requested that a condition is imposed to secure details of design and method statements to ensure no impact on LU infrastructure.

It is advised that although the proposal is separated from Network Rail land by the LUL, Network Rail still need to be aware of any piling works on site or any tower crane working. In addition, the most appropriate

measures to mitigate noise and vibration from the existing operational railway to ensure that there will be no future issues for residents must be explored.

Historic England (GLAAS)

It has been advised that GLAAS do not wish to provide comment.

Thames Water

With regard to foul water sewage network infrastructure capacity and water network and water treatment infrastructure, no objections are raised based on the information provided. Concerns are raised over the existing surface water infrastructure to accommodate the needs of this development proposal and that it is expected that surface water is attenuated to Greenfield run off rates prior to discharge to the surface water sewer.

Community Protection

No objections subject to conditions.

Environmental Health – Air Quality

The methodology of the Aether AQ report and the conclusions drawn are considered acceptable. Conditions are proposed in relation to securing a Construction Method Statement

Environmental Health – Noise

The measurements and methodology of the Environmental Noise Assessment are considered acceptable. Conditions are proposed in relation to securing details of noise mitigation measures.

Local Lead Flood Authority

It is also advised that the site is within Flood Zone 1 and the risk of flooding is considered very low, with no historical records of flooding in the area. The scheme reduces the impermeable area and also includes permeable paving and a storage tank. No objections are raised.

Transportation

No objections are raised.

POLICY CONSIDERATIONS

The London Plan

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 3.8	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 4.3	Mixed use development and offices
Policy 4.8	Supporting a successful and diverse retail sector and related facilities and services
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 7.8	Heritage assets and archaeology
Policy 7.14	Improving air quality
Policy 7.15	Reducing noise and enhancing soundscapes
Policy 7.18	Protecting open space and addressing deficiency
Policy 7.19	Biodiversity and access to nature

Core Strategy

CP1	Spatial Development Strategy
CP2	Population and Housing Growth
CP6	Design & Density in Place Shaping
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
DMP4a	Shop Front Design and Forecourt Trading
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
DMP21	Public Houses

Other Relevant Policy Considerations

National Planning Policy Framework (NPPF)
 Planning Practice Guidance (PPG)
 Technical housing standards – nationally described space standards (2015)
 draft London Plan (2017)
 Mayor of London - A City for all Londoners
 LB Brent S106 Planning Obligations SPD (2013)
 LB Brent Design Guide for New Development (SPD1)
 LB Brent Residential Extensions & Alterations (SPD2)
 LB Brent Shopfronts SPD (SPD3)

LB Brent Basement SPD (Jun 2017)
LB Brent Willesden Green Conservation Area Character Appraisal (2006)
LB Brent Mapesbury Conservation Area Character Appraisal (2006)
LB Brent Mapesbury Conservation Area Design Guide (2018)
LB Brent Waste Planning Guide SPG
Community Infrastructure Levy Regulations 2010
London Cycling Design Standards

DETAILED CONSIDERATIONS

Heritage Considerations

Statutory Background and the NPPF

1. 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).
2. 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 at para.192 take in to 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
3. 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). Whilst being encouraged to look for new development opportunities within Conservation Areas (para.200), it is also advised at para.201 that not all elements of a Conservation Area will necessarily contribute to significance. Loss of a building or other element, which makes a positive contribution to the areas significance, should be treated either as substantial harm under para.195, or less than substantial harm under para.196 (the harm to be weighed against the public benefits of the proposal). For the avoidance of doubt, it should be noted that the term “public benefit” is set out with the Planning Practice Guidance (Paragraph: 020 Reference ID: 18a-020-20140306):

Public benefits may follow from many developments and could be anything that delivers economic, social or environmental progress as described in the National Planning Policy Framework (paragraph 8). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and should not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits.

Public benefits may include heritage benefits, such as:

- *sustaining or enhancing the significance of a heritage asset and the contribution of its setting*
- *reducing or removing risks to a heritage asset*
- *securing the optimum viable use of a heritage asset in support of its long term conservation*

4. A “benefit” is not limited solely to heritage benefits but to all material planning benefits arising from a particular scheme, providing that they meet with the relevant policy tests for conditions and obligations.
5. It is also important for Members to note that with regard to the legislation, the term “setting” only refers to listed buildings and not to Conservation Areas. The NPPF defines the setting of a heritage asset as:

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

6. 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.
7. There are several heritage assets against which the proposed development should again be considered. These include:
 - The Mapesbury Conservation Area;
 - The Willesden Green Conservation Area; and
 - Willesden Green Underground Station (grade II listed)
 - St Gabriel’s Church

What must therefore be determined is whether the proposed development will harm the significance of the aforementioned 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).

The proposal will have a greater or lesser impact on individual heritage assets. The factors for consideration will be:

- Proximity
- Visibility
- Compatibility of the proposal with the context and setting of the asset
- The significance of the asset
- The sensitivity to harm of the asset

Assessment Against Significance of Heritage Assets and Consideration of any Public Benefits

The Mapesbury Conservation Area

8. The Mapesbury Conservation Area, designated in 1982, derives its significance (see Character Appraisal and Design Guide) from the area being largely unaltered from when development largely took place from just before the turn of the 19th Century. The area is characterised by wide tree-lined streets and town houses of high architectural quality with intricate detailing. It is also acknowledged that the inter-war houses are of a similar quality and integrate well with those earlier houses. What sets the Mapesbury Conservation Area apart from developments in the local and wider context is:
 - The scale of the buildings;
 - Quality of the architecture and detailing with largely unaltered building frontages;
 - The views between the houses and the open nature of the rear gardens being relatively exposed to

view giving the area its characteristic green and open vista

9. The significance of the Conservation Area is “*under pressure from insidious small scale change through erosion of building detail*” (section 6.7, Character Appraisal). Prior to the implementation of the Article 4 Direction in November 1987, some harm had been caused on some properties through insensitive changes to front gardens (including boundary walls), fenestration, and extensions.
10. The sites positioning in the south west corner of the Mapesbury Conservation Area and north of the railway line and elevated above street level, results in it acting as a gateway to the conservation area and as a local landmark. In the appealed application (ref:13/3503), the Inspector described how the buildings scale and use of materials are an important highly prominent announcement of the character of the Mapesbury area and due to its location, a cornerstone that provides a marker of the area’s history and character. Although the Inspector acknowledged that the existing building is not of outstanding design merit, it was considered that the building is still sufficiently distinctive and pleasing in its design to carry off its local landmark function. The Inspector considered that the building makes a positive contribution to the character and appearance of the conservation area and that the preservation of this contribution would be desirable. Importantly, the Inspector concluded that although the building does make a positive contribution, its importance is not absolutely integral to the quality of the area as a whole. This sentiment is echoed by the Council’s Heritage Officer, who whilst recognising some positive design features of the building (detailed façade with coursed tile hanging, multi-paned windows and red brick dressings characteristic of Mapesbury), considers that the Queensbury is not integral to the character or appearance of the conservation area and its demolition should be seen as resulting in “less than substantial harm”.
11. From certain vantage points (approaching the site from the north and standing directly in front), views of the existing building are obscured by existing development or trees in front of the building. The prominence of the existing building is derived partly from its elevated ground level but more so from its views when approached from the south, as it is located next to the cutting for the railway lines (approximately 40m wide) and with only three single storey shop units at the front with their front building line angled towards the site, resulting in no intervening buildings to obscure views of it. This view reveals a large catslide roof and the upper floors of the building. Views into the site at the point of the existing vehicular access point reveal a 2 storey extension which whilst brick-built, appears incongruous, signage for the various other activities on site which only contribute to visual clutter, and part of the car park. These elements detract from the setting of the existing building. Views of the rear of the site are only afforded from the surrounding multi storey buildings and reveal more of the car park, the unsympathetic extensions, and the impact of the scale and massing of No.112 Walm Lane.
12. In identifying any public benefits to help justify the loss of the existing building, which is considered to make a positive contribution to the Conservation Area, the following is advanced:
 - The redevelopment of the site would remove all of the negative features experienced from the public realm, described above, thus enhancing the character and appearance of this part of the Conservation Area.
 - It will improve the outlook from the neighbouring properties.
 - Glimpses towards the rear would be maintained and improved upon through the pedestrian entrance.
 - Direct street-level access is provided
 - The proposal would contribute to increasing the stock of housing within the Borough through the provision of 48 residential units
 - The number of family units proposed will be a policy compliant 25%
 - A minimum 35% of habitable rooms will be affordable housing.
 - The applicant will formally provide a community space within the re-provided public house, in place of the informal existing arrangement, with the arrangement secured through a Community Use Agreement.
13. It is considered that the public benefits identified above are significant and sufficient to outweigh the less than substantial harm that would be caused through the loss of the existing building.
14. In addition, to ensure that the site is not left vacant, it is considered appropriate to impose a condition requiring evidence of a contract for works, prior to the demolition of the building. A further condition is proposed to record and provide a public record of the building, which could take the form of a display panel within the new building. To ensure that the quality of materials and detailing remains acceptable, conditions will be imposed to secure those details.

Willesden Green Conservation Area

15. The Willesden Green Conservation Area was designated in January 1993. The junction of High Road and Walm Lane, together with the junction at the original library are considered to be the foci, with tributary roads offering nodes of activity and interest. The predominant character is one of commercial uses with offices and residential above. The main exception being Heathfield Park, a residential area of large town houses and villas separated from the high street by Walm Lane. At section 4.1 of the Appraisal, it advises that the only significant modern development within the Conservation Area, located opposite the station, has been "*sympathetically designed and is in keeping with its surrounds*".
16. Although the application site is opposite part of the Conservation Area, the nearest of the foci (the junction of High Road and Walm Lane) is some 360m to the south. From this junction, and due to the curvature of the road, it is not possible to view the application site, with only the tallest element of Erin House looming in the distance. Although the development site sits opposite the northern extremity of this Conservation Area, it is considered that the development would not cause harm to its significance.

Willesden Green Underground Station

17. The grade II listed Willesden Green Underground Station was listed in 2006 (List Entry No. 1391808), with the principle elements worthy of listing being: the materials ("*a distinctive cream terracotta tiling...dressed with moulded terracotta architraves, quoins, and raised panels. Windows are metal-framed casements paired along the front with cross mullions*"); the exterior facing Walm Lane which includes the original serif upper-case lettering announcing the station name on the cornice and the solid diamond motif of the Metropolitan Railway Company, the two original cantilevered entrance canopies with late C20 dark blue fascia, two original shops with quadrant shopfronts with curved glass, and the cantilevered diamond-shaped clock; and the interior booking hall. It should be noted that the listing considers that the south elevation and the areas beneath the ticket office are not of special interest.
18. The architectural significance of the station is largely derived from the design and detailing of its front elevation. Although the views towards the application site is one of the first someone would experience when exiting the station, it is considered that the development proposal will not harm the elements which contribute to the significance of the building. However, it is considered that the application site falls within the setting of this listed building as both sites are clearly in view on approaches from the south and west (Station Parade). The overall design of the proposed scheme will not detract from this and will continue to preserve the setting.

Church of St Gabriel

19. Grade II listed Church of St Gabriel (List Entry No.1188738) is described in its list entry as:

Architects R P Day and W Bassett Smith. Circa 1898. Rubble ashlar dressings. Tiled roofs. Chancel, nave with clerestory and low side aisles. West tower of oblong plan with sloping tiled saddleback roof. Five bay nave. Contemporary fittings. Conspicuous among surrounding buildings.

20. The development site is approximately 345m south of St Gabriel's and is considered too distant to have any detrimental impact on the significance of this heritage asset. This is a view supported by the Inspector at the previous Appeal (paras.35 & 36, Decision Letter), although he did consider that the application site did form part of the setting of the Church and the impact on setting would not be severe (para.56, Decision Letter).

Summary of Heritage Considerations

21. When considering applications which will impact on heritage assets, the decision maker must give considerable importance and weight to the desirability of preserving the setting of a listed building (s.66) and preserving or enhancing the character and appearance of a conservation area (s.72). There is a presumption in law to refuse applications which would cause harm, as great weight must be given to the preservation of those heritage assets. As paragraph 93 of the NPPF confirms, the more important the asset, the greater the weight should be. Harm can potentially be outweighed where public benefits exist which are sufficiently powerful enough to outweigh the identified harm. It is considered that sufficient public benefits exist to outweigh the less than substantial harm that would arise through the loss of a building which makes a positive contribution to the Mapesbury Conservation Area and the development

scheme.

22. It is considered that that the proposed development, due to its design and siting, will not harm the significance of the identified heritage assets. In particular, the development would continue to conserve and enhance the character of this part of the Mapesbury Conservation Area and the setting of the grade II listed Willesden Green Station.
23. 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), the proposal has been assessed against the identified heritage assets as set out above. It is considered that the development proposal will not lead to any harm to the designated heritage assets 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. The development proposals must therefore now be assessed against any other material considerations, in accordance with s.38(6) of the of the 2004 Act and s.70(2) of the T&CPA 1990.

Public House / Community Use

24. The existing public house is a designated Asset of Community Value (“ACV”), a designation that recognises the importance of the use to the community and its wellbeing. It is important to note that the designation does not mean that the site cannot be redeveloped but that the local community is given a six-month period to make a bid for the asset should it be sold. Policy 4.8B of the London Plan, together with DMP21 (“Public Houses”) have the overriding aim of protecting facilities which are valued by the community and seek to protect public houses. DMP21 sets out the criteria upon which an application for the loss of a public house would only be supported. Although the development proposal does involve the loss of the existing public house, and objections to this are noted, it is again proposed to re-provide a public house on the ground floor with ancillary basement accommodation. Designation does not prohibit any potential redevelopment of the site but instead requires an owner wishing to sell the ACV to give the community six months to raise funds and make an offer - a community right to bid. The application site is not being sold and the re-provision of the public house (with the benefit of a community space) would therefore accord with the aforementioned policies.
25. The existing floor space comprises of a bar with dining room, toilets and kitchen on the ground floor, providing a total of 286sqm. The basement (95sqm) houses the ancillary storage, kitchen and plant room. The pub, which is long (27.5m) and narrow (6.3m wall to wall) occupies an area of 194sqm, inclusive of 28sqm of space at the rear used by Busy Rascals on an informal basis in the mornings from Monday to Saturday.
26. The total floor area proposed for the ground floor will be approximately 300sqm, with a further 235sqm within the basement, inclusive of 176sqm for the ancillary back of house accommodation and the remainder as a plant room for the residential element. The pub will be 22m long and 6.8m wide (not including the depth of the three bay windows), and will occupy 205sqm while the additional 95sqm will be provided for a dual-use function room / community use, with access to toilet facilities at this level, and to an external area.
27. External seating will continue to be provided for the public house patrons on the Walm Lane frontage and as mentioned above, separate external space is provided for the function room/community use element. It is considered that the re-provided public house is acceptable in terms of the quantum of development and the quality of the spaces proposed. Moreover, level access is now provided to the seating area and into the building. The provision of raised planters on the site frontage will provide a level of screening.
28. Objectors have questioned the ownership and legal status of the community space, its management, and how access to toilet and kitchen facilities are managed. As with the current scenario, the owner of the building and/or public house would own the space. However, this is a legal matter and not a planning consideration. As with the current arrangement, access to the various amenities is still at the discretion of the owner/manager of the public house and given that there is not a permanent community use currently in place, there is no requirement in planning terms to re-provide one, although the owner is willing to provide one. The proposed space will be of an improved quantum and quality, as the existing space at the rear of the pub is approximately 32sqm compared to the 92sqm proposed. In addition, an outside space of approximately 85sqm is also proposed along the southern boundary. To provide some certainty around access, whether by Busy Rascals or any other community group, the applicant is also willing to provide a Community Access Plan, which would be secured through either condition or a legal agreement.

29. Although the existing pub has a kitchen, this is not a requirement for a pub and the provision of one remains a management decision. However, should a kitchen be provided, details of the design and siting of any extractor kit will need to be provided for approval, to ensure that there will not be any harm to residential and visual amenity. It should be noted that the roof plan does show a kitchen extraction vent.
30. The viability of the public house has been brought into question by objectors who are of the opinion that the floor to ceiling height is insufficient. In response to this the applicant has provided updated plans confirming that the floor to ceiling height will be 3.15m. Moreover, the ceiling depth above the pub is 450mm which is considered sufficient for providing a suitable thickness of acoustic insulation and relevant services. In addition, an email from Davis Coffey Lyons, Leisure Property Consultants, has confirmed that the proposed floor to ceiling height would be acceptable for bar use.
31. In summary, the proposed development will not result in the net loss of a community facility as a public house will be re-provided. Moreover, a dedicated, improved, space is being provided for the wider community and community groups (inclusive of Busy Rascals).

Density

32. 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.
33. The site (approximately 0.218ha) is located within an area with a public transport accessibility level ("PTAL") of 6, suggesting that an appropriate level of density for this urban location is in the range of 200-450hr/ha or 70-170u/ha.
34. One hundred and forty one (141) habitable rooms proposed within 48 units, equating to a proposed density level of 646hr/ha or 220u/ha. From a numerical perspective, the proposed density exceeds the suggested range, however, adopted 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 any highways matters. These are considered below.

Design / Scale / Character / Appearance / Proximity to Boundaries

35. Issues raised with the scheme at Appeal related to the overly bulky appearance of the front elevation due to the 3-storey, 5.45m deep projection with bay windows and the large roof. The mixture of architectural styles was considered to accentuate the fact that the building would appear out of place in the streetscene, with the front elevation considered to be poorly proportioned and detailed. In addition, there was considered to be a lack of definition on the public house and residential elements, with the public house entrance lacking any legibility.
36. Whilst the roof remains large (similar to Scheme A and the Appeal scheme) this is considered acceptable, the removal of the projecting front dormer windows removes some bulk and helps provide a cleaner profile while the inset dormer windows also provide some visual interest in breaking up the massing when viewed from the front. In addition, its more traditional positioning towards the front elevation helps to better link it to the lower elements, giving the building a cohesive form. The gable ends of the roof are considered acceptable and are a modern interpretation of a gable form.
37. The removal of the previously proposed 5.45m deep front projection reduces the bulk at the front of the building and an otherwise unwelcome visual intrusion into the streetscene. There would be of course greater massing and bulk extending into the site, however the rear elements remain suitably subservient to the main block.
38. At ground floor level, a more traditional-looking public house is now provided. The façade of the public house will be dark blue, including the entablature, with grey doors, windows, and stall risers. The materials proposed for the public house façade will also wrap around the southern elevation to

incorporate the function room/ community use element. The traditional pub design features and the strong colour clearly differentiates the commercial/community elements from the residential and these materials will need to be conditioned to ensure an acceptable quality. It should be noted that whilst a proposed materials palette has been included (Drawing No. 4704/PA/400), different materials can be conditioned if Members were minded to approve the development.

39. The façade of the upper levels draws upon features common to both the Mapesbury and Willesden Green Conservation Areas, evident in the use of stone and red brick, full height bay windows.
40. The proposed building will be noticeably taller than the existing (c.3.9m taller than the existing ridge level and c.3.87m taller than the lift overrun at 112 Walm Lane) and not, as suggested within the Heritage Impact Assessment as being of an equivalent height (para.5.36). Notwithstanding, the height is considered acceptable and reflects the change in levels approaching the railway bridge and also reflects the gradual step up of building height from Westly Court and 112 Walm Lane.
41. With regard to the proximity to boundaries, it is considered appropriate for the Walm Lane block to be sited on the boundary with No.112 Walm Lane, and as discussed below, along this boundary, it does not project beyond the rear building line of No.112 Walm Lane. The massing will be greater towards the southern boundary (5.3m) however, although as discussed above, the railway cutting is approximately 40m in width, therefore capable of accommodating this greater massing. The rear block, is discussed below with regard to impact on neighbour amenity.
42. Some objectors have queried why the existing building could not be retained as part of any development of the site. The quantum of development required to provide a viable scheme would result in a massing and scale of development which would completely dominate the existing building and potentially cause harm to the amenity of neighbouring occupiers through overshadowing. In addition, the interventions that would be required to the existing building to ensure it complied with standards of accommodation and level access could unacceptably compromise the integrity of the existing building.
43. In summary, there is now a more consistent design approach to the building and one which is considered to have addressed previous concerns. The removal of the bulky front projection, results in a building which appears more coherent in the streetscene and in keeping, and the façade of the upper elements draws upon features found in the wider area. In addition, the overall design of the public house is now considered to be suitably distinctive from the residential elements. The applicant has reviewed other design options such as retaining the existing building, however as discussed above, a viable scheme would result in a development which would completely dominate the existing building, have unacceptable impacts on neighbouring occupiers or unacceptably alter the existing building. On balance, the proposed design is considered acceptable.

Quality of Accommodation

44. 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"). Concerns were raised in relation to the refused scheme over the substandard size of some of the units and the layout of certain units due to their narrow widths and irregular shapes. The current scheme has addressed these matters with all units meeting or exceeding their respective floorspace standard and the layout of units has improved to ensure that minimum width standards for individual rooms comply with the Technical Standards. It should be noted that unit 4.03 is annotated to be a 3b5p although each of the bedrooms exceed the minimum standard for double rooms. As such, it falls short of the minimum GIA of a 3b6p (95sqm) unit by 3sqm which on balance, having regard to the layout and quality of accommodation is considered acceptable. Moreover, internal space does not necessarily imply occupancy but is a means of classification for planning purposes.
45. To ensure acceptable levels of light, north facing single-aspect units are discouraged, although it is recognised that this may not always be unavoidable. Similar to the refused scheme, there are no single aspect north-facing units. Three previously proposed units gave rise to concerns over their primary outlook facing the flank wall of the upper floor units on the block towards the rear at a distance of not more than 5m. Whilst this relationship had not changed, each of the respective units (2.06, 3.06 and 4.04) also have some outlook towards the south. In the case of units 2.06 and 3.06 this is provided in the form of balconies while that for unit 4.04 is a window. On balance, this is considered to sufficiently overcome the concerns previously raised.

46. Objectors have again raised questions over the impact of the pub on residents through noise disturbance. As discussed below, the scheme would need to meet with the Building Regulations.
47. To assist in the consideration of any potential noise impact, an *Environmental Noise Assessment* has been provided which has assessed the likely future noise climate on existing and future residents. This is discussed below. Paragraph 180 of the NPPF confirms that planning decisions should mitigate and reduce to a minimum any resulting impacts from noise.

Amenity Space Provision

48. New developments should be providing private amenity space to all dwellings (20sqm per flat), or where this is not achievable, in the form of communal space. Given the nature of the scheme, not all units in the upper floors will be provided with private amenity space which meets (or exceeds) the above standard, although each will be provided balcony or terrace space which exceeds the London Plan standard of 5sqm. Four ground floor affordable units (AF1 to AF4) are each provided with private gardens which range in size from approximately 40sqm to 60sqm. Communal space (c.356sqm) will also be provided in the courtyard to the rear of the proposed building. The overall provision of amenity space is considered to be acceptable.

Impact on Neighbour Amenity

Distancing / Loss of Outlook / Overlooking / Loss of Privacy .

49. Along the common boundary with No.112 Walm Lane the proposed development will not project beyond the rear building line of that adjoining building, therefore not compromising the 2:1 guidance within SPD2, therefore there will be no significant impact on the existing amenity of those immediately adjoining occupiers in terms of loss of light and outlook. Further into the site, units with some outlook towards the north will directly look towards the boundary and towards Westly Court. With distances of approximately 16.3m from the face of the building to the boundary (14.3m from the end of balconies) and a further 20m to the rear of Westly Court, it is again considered that the proposed levels of distancing will not lead to overlooking and a loss of privacy to those occupiers. Moreover, the level of distancing proposed exceeds the recommended 9m and 18m minima contained within SPD1.
50. The relationship to the properties on the opposite side of Walm Lane has not changed from the refused scheme (25m), where this level of distancing was considered acceptable. It should be noted that since the consideration of the refused scheme, distancing standards have been reduced from 20m to 18m.

Loss of Light / Overshadowing

51. A *Daylight and Sunlight Report* has been provided to assess the impact on neighbouring occupiers. The assessment has been undertaken in accordance with the recommendations of the Building Research Establishment ("BRE") report *Site Layout Planning for Daylight & Sunlight: a guide to good practice 2011* and the British Standard document *BS8206 Pt2*. The Report assesses the potential impact on: 112 Walm Lane; Westly Court; and 153 Dartmouth Road. Four recognised tests were undertaken: the Vertical Sky Component ("VSC") and Daylight Distribution ("DD") to assess daylight; Annual Probable Sunlight Hours ("APSH") to assess sunlight; and sun on the ground to measure sunlight on external amenity spaces.

Vertical Sky Component

All of the windows at 112 Walm Lane and 153 Dartmouth Road either pass or are improved. At Westly Court, four windows (x2 at ground, x2 at first floor level) fail the initial test, however this is due to a structure above those windows. BRE guidance advises that such obstructions can be removed, therefore once the test is re-run, all windows pass.

Daylight Distribution

52. Where room layouts are known (or estimated) the impact on daylighting distribution can be found by plotting what is known as the 'no sky line' in each of the main rooms. These are the same rooms as used for the VSC test. The no sky line effectively divides the points on the working plane (0.85m high for residential properties and 0.7m high for offices) that cannot see the sky. Therefore, areas beyond the no sky line will receive no direct daylight but will instead be lit from reflected light.
53. Following the construction of a new development, if the no sky line moves so that the area of the existing

room, which does not receive direct skylight, is reduced to less than 0.8 times its former value, this will be noticeable to the average occupant. All rooms within the aforementioned properties pass.

Available Sunlight Hours

54. Habitable rooms in domestic buildings that face within 90 degrees of due south are tested, as are rooms in non-domestic buildings that have a particular requirement for sunlight (there is no requirement for windows that face within 90 degrees of due north to be tested). The recommendations are that applicable windows should receive a minimum of 25 percent of the total annual probable sunshine hours, to include a minimum of 5 percent of that which is available during the winter months between 21st September to the 21st March (the approximate dates of the autumn and spring equinoxes).
55. If this is not possible (or the amount of sunlight is already reduced because of the effect of existing obstructions) then a further reduction in sunlight availability will be noticeable to an occupier if the total number of sunlight hours is below the target 25 percent of the total annual probable sunshine hours, to include a minimum of 5 percent of that which is available during the winter months, and is less than 0.8 times its former value prior to the development.
56. All of the windows at 112 Walm Lane and 153 Dartmouth Road pass. One window at Westly Court would compromise the guidance during the winter, however once the same obstruction encountered with the VSC test above is removed, all windows would pass.

Amenity Space

57. BRE Guidance recommends that at least 50% of the garden should receive 2 hours of sunlight on the 21st of March (Spring equinox). Each of the tested properties is considered to have passed the test, with it being noted that the amenity space at 112 Walm Lane would improve significantly.

Housing

Tenure / Mix / Affordable Housing

58. 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. For the scheme, this should equate to x12 family units and x24 affordable units (x17 being social/affordable and x7 intermediate tenure).
59. The application proposes 1x studio, 13x 1-bed, 22x 2-bed, 11x 3-bed, and 1x 4-bed flats. The number of family units proposed equates to approximately 25% of the total provision, thus meeting with the policy target. In terms of the affordable element, 15 units (31%) are proposed, which equates to 35% by habitable room. The tenure split on the affordable would be 9 units (60%) social/affordable rented and x6 units (40%) shared ownership, although by habitable room the tenure split would meet with the 70/30 policy position. It should be noted that in terms of the intermediate units, these will be offered at London Living Rent rates.
60. A review of the FVA has been undertaken because the offer falls short of the adopted policy position, although it would accord with Policy H6 of the draft London Plan (“Threshold approach to applications”) and the direction of travel with the Council’s Local Plan Review. The Review has identified a surplus within the scheme and whilst there is some dispute over the level of the surplus (sales values being a factor), it is considered that this would best be captured through a post implementation review to capture actual sales values, with the sum secured to be used for affordable housing (family-size units) elsewhere in the Borough. Although the applicant has suggested that a review could take place after the sale of 10 open market housing units, this would be contrary to Mayoral advice on review mechanisms and would also fail to resolve questions over sales values.

Accessible and Adaptable Dwellings

61. 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. This would be secured by an appropriately worded condition.

Highway Safety

62. 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).

Parking

63. The site lies within a controlled parking zone (CPZ) and is limited to parking within designated bays, within the short-stay Pay and Display bays or the car club bays. The proposed public house would not generate a need for off-street parking whilst the proposed 48 residential units would normally be permitted up to 41 spaces. However, given the high PTAL, it is proposed that the development is parking permit restricted, which would comply with standards. Moreover, there are no particular standards for food and drink uses, rendering the existing car park at the rear of the site superfluous to parking requirements.
64. Car-borne visitors to the public house would again be able to make use of nearby pay and display bays on Walm Lane and Station Parade, although the excellent access to public transport means the site is readily accessible to staff and customers without requiring a car. The aforementioned CPZ would prevent overspill parking by staff in residential streets.
65. For the residential units, Policy DMP12 requires that any overspill parking that is generated can be safely accommodated on-street. However, Walm Lane is a busy distributor road and waiting restrictions thus prevent parking during the day along the site frontage. In order to mitigate any adverse impact on parking conditions in the area, a parking permit restriction is recommended (as encouraged in Policy DMP12) to withdraw the right of future residents to on-street parking permits. This has been acknowledged by the applicant and as before, it is recommended that a condition or legal agreement is attached to any planning consent to secure this. Blue badge holders would of course remain exempt from parking restrictions and would be eligible to obtain parking permits.

Cycle Parking

66. The London Plan requires the provision of one secure bicycle parking space for every 1-bed flat and two spaces for larger flats, giving a total requirement of 82 spaces for residents. Three long-stay spaces are also required for the public house, taking the total requirement to 85 long-term spaces. Eighty-four cycle spaces are proposed within three shelters at the rear, which exceeds the minimum requirements and is acceptable. Short-term cycle storage will also be required and it is recommended that eight 'Sheffield' stands be provided within the landscaped area at the front of the site. Details for the proposed cycle storage have not been provided but can be reasonably secured by conditioned, and to also show the additional spaces required.

Servicing

67. In terms of servicing, the public house will again require deliveries of beer barrels, which typically arrive on 10m long drays. Refuse collection for the flats is also required, along with occasional removals vehicles and furniture/white goods deliveries.
68. Servicing is proposed from Walm Lane, within a proposed loading bay. There is currently insufficient space available along the site frontage for the proposed loading bay, due to the presence of a mature street tree and pedestrian refuge. However, a public realm improvement scheme has been designed for Walm Lane in the vicinity of Willesden Green station, which will replace the existing refuge with a zebra crossing, widen the footway fronting the site, raise the carriageway surface onto a long speed table and reduce the speed limit to 20mph. Adequate funding has already been secured and although works were initially programmed for the 2018-19 financial year, their start has been held up by delays in getting approval for works on the adjacent railway bridge structure and is now expected to be undertaken in the summer of 2019. The proposed widening of the footway fronting the site again potentially provides the space for a loading bay and an amended plan (Drawing No.1707-39/PL01A) for a 3.5m x 12m bay has been included with the updated Transport Statement.

Road Safety

69. A Road Safety Audit has been undertaken to consider the layout in more detail. This raised three concerns, relating to: (i) the inter-visibility between pedestrians using the proposed zebra crossing and approaching southbound vehicles; (ii) the demarcation between the bay and the footway; and (iii) the swept path for delivery vehicles using the bay and their ability to manoeuvre into and out of the bay without reversing.
70. Issue (ii) would be addressed through the detailed approval of paving materials as part of the S278 highway works approval process anyway, whilst further tracking has been undertaken to address issue (iii) by demonstrating that 10m rigid lorries can access and leave the lay-by in a forward gear.
71. The primary concern therefore remains issue (i) (visibility to the future zebra crossing), with the Road Safety Audit requiring that this is assessed in detail. The applicant has therefore considered this further. For a 20mph approach (as is proposed once Brent's traffic calming scheme is in place), a minimum visibility splay of 1.5m x 25m is required along the kerblines of the road. However, the applicant has incorrectly drawn the splay to a point 1m into the carriageway, rather than along the kerblines. If drawn correctly, then any vehicle in the loading bay would need to be positioned at the very back of the bay (i.e. 1m from the carriageway edge) so as not to impede visibility.
72. It is therefore important that the bay is designed in such a way as to encourage all delivery lorries to pull up as far back from the carriageway edge as possible. To this end, previous transport comments recommended that if the visibility issue persisted, then a realignment of the kerblines to provide a narrower 3m wide loading bay positioned further back towards the site (thus effectively leaving a build-out on the southern side of the zebra crossing) could be pursued as a means of addressing the concern.
73. As previously mentioned, any final design also needs to ensure that adequate footway width (at least 3m) is retained behind the loading bay and this will require a narrow part of the site frontage to be offered for adoption to accommodate the increased footway width.
74. An agreement under S38/S278 of the Highways Act 1980 will therefore be required to undertake the highway works to form the loading bay and to widen the footway, in accordance with a slightly amended design.
75. As mentioned previously, the bay is also dependent upon the public realm improvement works coming forward. As such, if there is any further significant delay to the undertaking of the public realm works by the Council, it may be necessary to extend the scope of the S278 works accordingly. In any case, the building should not come into use until the loading bay has been completed.

Access

76. Fire access to the rear of the development would again exceed the maximum hose distance of 45m. A strategy for fire access will therefore need to be agreed with the London Fire Service, which is likely to entail provision of a sprinkler system.
77. Pedestrian access is again proposed via a re-landscaped forecourt area, which is also proposed to be used for external seating associated with the public house. Subject to incorporating the visitor cycle parking as discussed above, this is considered acceptable.

Trip Generation

78. The scale of the development remains as previously proposed, therefore estimates of future residential trip generation from the site also remain unchanged (i.e. 3 arrivals/24 departures during the morning peak hour (8-9am) and 14 arrivals/4 departures during the evening peak hour (5-6pm)). Trips to and from the public house are assumed to remain essentially unchanged from the existing site.
79. As previously noted, the absence of off-street parking means that car use can be assumed to be negligible and would be lower than for the existing site with its 35-space car park. The proposal is therefore again likely to have a beneficial impact on the local highway network.
80. For public transport, the development is again estimated to give rise to 18 rail/Underground trips in the morning peak hour and 12 in the evening peak hour, whilst bus trips would total 5 trips and 3 trips

respectively. With 60 buses and 50 Underground trains passing close to the site each hour, these volumes are again not considered large enough to have a noticeable impact on any particular bus or Underground service.

Travel Plan

81. Although the development will be car-free and does not trigger the need for a full Travel Plan under TfL's guidance, the previous Framework Travel Plan has been re-submitted. This aims to increase the share of walking and cycling trips by 5% each, at the expense of public transport trips. A Travel Plan Co-ordinator will be employed to manage the Travel Plan, which will include the provision of information on transport options through a Welcome Pack, noticeboards and promotion of online journey planning resources. Monitoring of the success of the Travel Plan is to be undertaken for five years from first occupation, in accordance with standard practice. No mention is made of nearby Car Clubs though and these should preferably be promoted too through the provision of subsidised membership for new residents. A legal agreement is recommended to secure this for two years.
82. Whilst the Travel Plan measures are welcomed, the securing of a full Travel Plan is not considered entirely necessary, so a simple commitment to employ the measures as set out can be secured through a planning condition, without any need to undertake future monitoring.

Sustainable Design

Carbon Reduction / Energy

83. Chapter five of the London Plan sets out a comprehensive range of policies to underpin London's response to climate change and mitigation, supported by policies within the Core Strategy (CP19) and the DMP (Chapters 6 & 7). The commercial element will be expected to achieve a BREEAM "Excellent" rating and the residential element, 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.
84. The submitted Energy and Sustainability Statement outlines the approach to carbon emission savings and renewable energy. The proposed design approach is to minimise energy consumption through passive design, fabric performance and energy efficiency measures. Consideration has been given to the passive design of the scheme, including the orientation and layout of the building and units, glazing, lighting to be used, and stacking of balconies for shading.
85. The Statement confirms that the residential element should achieve a 36.3% saving, thus exceeding the minimum on site 35% reduction required. However, in accordance with the London Plan (policy 5.2E *Minimising carbon dioxide emissions*) the remaining regulated carbon dioxide emissions, to 100%, are required to be off-set through a cash in lieu contribution (£67,050) to secure delivery of carbon dioxide savings elsewhere. Whilst the Statement discusses this policy position, it does not confirm that the payment would be made, which would be contrary to the aforementioned policy. Such a payment could only be secured through a S106 Agreement while the targeted reduction can be conditioned.
86. With regard to the commercial element, the applicant has not submitted a BREEAM pre-assessment and has again commented that as this element is less than 1000sqm, "BREEAM is not relevant". A rating of "Excellent" is normally sought for non-residential development however the applicants' report states that due to the fact that the area of non-residential development proposed would be considerably below the threshold (1,000sqm) that BREEAM is not relevant. This reflects the approach taken by the Council and is considered to be acceptable.
87. In terms of renewable or low-carbon energy sources, the Statement confirms the feasibility of providing a 10.5kWp PV array on the rear block, with Drawing No. 4747/PA/306 B indicating an array of 53 panels on the roof. Details of the panels together with a maintenance plan, will need to be secured through an appropriately worded condition. Whilst the Statement advises that a communal heating system is not preferred, with individual units being provided with their own boilers, further consideration of this has resulted in an amendment to the submitted plans which now show additional space created within the basement level for the necessary plant to provide a communal heating system. Ducts would vent to the roof and importantly, would not be visible as they would sit behind a small parapet. This strategy is supported.

Flood Risk/Drainage/Water Consumption

88. 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 Councils approach. The site falls within the Flood Zone 1, with the risk of fluvial and surface water flooding considered to be low.
89. The *Foul and Surface Water Strategy* advises that the sustainable drainage hierarchy has been considered but due to site constraints, the drainage strategy will be limited to permeable paving with a geo-cellular attenuation tank located at the front of the site to limit flow into the public sewer to a rate of 25.7l/s. This would be a significant improvement on the existing un-attenuated flow. A condition will be imposed to secure the proposed SuDS measures.
90. In order to minimise any impact on water supply, and as acknowledged within the *Energy and Sustainability Statement*, major developments should be limiting consumption to a target of 105 litres or less per person, per day, although it advises that the indicative specification is 100 litres per person per day. An improvement on the minimum requirement is welcomed and a condition can be reasonably imposed to seek the details of such measures.

Ecology and Biodiversity

Bats

91. 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 proposal involves the demolition of the existing building and the removal of some trees, therefore in support of the application, a *Preliminary Bat Roost Assessment* together with a *Preliminary Ecological Appraisal* has been submitted.
92. The *Bat Roost Assessment* advises that it was not possible to fully inspect all features on the building due to their height and location. In addition, a full inspection of the roof was not possible due to access constraints onto the roof itself. However, no evidence of roosting bats was recorded in areas that could be inspected. The internal assessment of the building identified the presence of features considered to provide potential access points into the buildings or suitable roosting locations within voids. Features identified included crevices beneath clay tiles and exposed beams. No evidence of bats were recorded within the two accessible voids or the internal areas of the flat. However, it was not possible to inspect the remainder of the building internals, including any potential voids beneath the three-storey pitched and hipped roofed segments. As such, the bat roosting status of the building could not be confirmed. Due to the features presented above and having regard to the surrounding habitat, it is considered that 110 Walm Lane has a high potential for roosting bats. It is therefore recommended that emergence/re-entry surveys be undertaken to determine the absence/presence of bats within the building. If a roost is discovered, a licence will have to be applied for from Natural England. The peak season for such surveys is between May and August.
93. In relation to trees, it has been advised that the majority of trees are not mature enough to contain features suitable for roosting bats. The mature Ash tree in the north-east corner of the site did not have any suitable features. The findings of the *Roost Assessment* are only valid for 12 months from the survey date (11/01/2018), therefore if works have not commenced on site within this timeframe, a further survey is required to ascertain whether the trees have developed features that could be used by roosting bats in the interim.
94. *Biodiversity*
95. The adjacent railway line is designated as a wildlife corridor and a Site of Importance for Nature Conservation (grade I), and as such, a Preliminary Ecological Appraisal recommends that a Construction Ecological Management Plan (CEMP) should be compiled for the site. In addition to this, it is recommended that biodiversity enhancement measures should be incorporated into any landscaping plans; that excavations should not be left overnight; that vegetation clearance should be undertaken outside nesting bird season; and that works should not cause snowberry and butterfly-bush to spread. A condition should be imposed to secure the recommendations as part of the CEMP, inclusive of a landscaping strategy.

Trees

96. The submitted *Arboricultural Survey & Impact Assessment* confirms the presence of thirteen trees within (x10) or immediately adjacent (x3) to the site that could be impacted by the proposed development. Four trees are considered to be Category 'B' trees, meaning that they are of a moderate quality with an expected life expectancy of at least 20 years, with the remaining trees given a Category 'C' classification meaning that they are of low quality with a life expectancy of less than 10 years. Trees of particular note (Category 'B') are: 'T3', a 14m tall Ash tree located in the north east corner of the site covered by a Tree Protection Order; an 11m tall Oak tree ('T8') located on the adjoining railway land; and a 10m tall London Plane tree located on the public footway at the front of the site. The remaining Category tree ('T9'), a 12m tall Ash tree is located near to T8 but within the site, will be removed as part of the development proposal as it is impacting upon the Oak tree, however replacement planting is advocated. The tree protection measures proposed will be secured by condition. The landscaping strategy is set out in Appendix D of the *Arboricultural Survey* and will also be secured by condition

Contamination

97. Policy 5.21 of the London Plan ("Contaminated Land") encourages the recycling of brownfield sites, inclusive of those affected by contamination, through remediation. Having regard to the historic uses of the site as a former "textile and dye" works and railway land, potential contaminants remain. To ensure that there is no risk to human health, conditions are recommended to require a site investigation to be undertaken, remediation, and verification.
98. Given the age of the buildings to be demolished it is possible that asbestos may be present. The applicant will 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 be attached to any permission to remind the applicant of this.

Air Quality

99. Policy 7.14 of the London Plan requires boroughs to seek reductions in the level of air pollutants, with developments being 'air quality neutral'. The site falls within an Air Quality Management Area and as such, an Air Quality Assessment has been submitted in support of the application. The methodology employed is considered to be sound.
100. An air quality assessment has been carried out using the ADMS-Roads dispersion model to determine the impact of emissions from road traffic on sensitive receptors. Predicted concentrations have been compared with the air quality objectives. The results of the assessment indicate that annual mean NO₂ concentrations are below the objective in the baseline and future year development scenario. Concentrations of particulate matter (PM₁₀) are also predicted to be below the annual mean objective in the baseline and future year development scenario. Based on the evidence it is also estimated that there will be no exceedances of either short term objective for NO₂ or PM₁₀. Therefore, no mitigation is required as the air quality objectives are predicted to be met. The Report therefore recommends that instead, other measures such as providing secure and covered cycle storage, as has already been integrated into the development plans, should be considered to reduce the emissions arising from the development. In accordance with comments received from Environmental Health, conditions would need to be imposed to secure the details of domestic boilers, a Construction Method Statement, details of Non Road Mobile Machinery.

Noise

101. Road and rail noise are identified as the main sources of external noise, which the submitted *Environmental Noise Assessment* addresses. In relation to noise impact from the public house on the proposed residents, a further *Technical Note* has been provided. The *Noise Assessment* confirms that subject to sufficient noise mitigation, there will not be unacceptable harm on the internal environment from road and rail sources.
102. The *Technical Report*, which was requested because objectors considered that it would be inappropriate to have residential above a public house because of noise, confirms that this is not an uncommon scenario and the requirements set out within *Approved Document E* are a legal requirement to be achieved and verified through testing. Enhanced sound insulation could be conditioned although not

necessary as it is required under other legislation.

Site Waste Management

103. 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.
104. The development proposal involves the demolition of the existing building and substantial excavations to help facilitate the proposed building. The *Energy and Sustainability Statement* advises that "the demolition protocol could be followed where applicable to ensure that all arisings are suitably recycled". Waste will not only be produced from excavation, but from demolition and construction. To ensure that all waste arising from demolition and construction is dealt with appropriately, a construction site waste management plan will be secured by condition.

Conclusions

105. The proposed development is considered to have addressed the issues identified with the scheme currently at Appeal. Whilst less than substantial harm has been identified in the loss of a building which is viewed as making a positive contribution to the character of the Mapesbury Conservation Area, the identified harm is outweighed by the significant public benefits which arise from the scheme. These include: the removal of visible negative public realm features such as signage and poorly designed extensions; direct street-level access; an increase in housing provision and affordable housing provision, the provision of a formal community space/ function room.
106. Whilst design will always be a subjective matter, the removal of the bulky and intrusive front elevation results in a building which appears more coherent in the streetscene and in keeping. Internally, the standard of accommodation of individual units is improved with more regular shaped rooms proposed and units meeting with the Technical Standards; and outlook and amenity space provision is also considered acceptable. No issues are again raised in relation to neighbour impact.
107. The overall design of the public house is now considered to be suitably distinctive from the residential elements. The applicant has reviewed other design options such as retaining the existing building, however as discussed above, a viable scheme would result in a scheme which would completely dominate the existing building, have unacceptable impacts on neighbouring occupiers or unacceptably alter the existing building.
108. The affordable housing offer of 35 % does not meet the 50 % target set out in current Council's adopted policy and there remains some disagreement in relation to the some of the variables and the associated potential surplus generated by the scheme. However, it is considered that this can be resolved through a post implementation review which would use actual sales values and build costs as opposed to hypothetical values. Any money received will contribute towards much needed affordable housing elsewhere in the Borough. It is also noted that the current offer by the applicant of 35% affordable by habitable room would comply with the draft London Plan and with emerging local policy.

S106 DETAILS

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

1. Payment of Council's legal and other professional costs in the preparation and management of the Agreement
2. Notice of Commencement of works
3. The securing of the affordable units
4. Late stage viability review
5. Community Access Plan
6. Training and employment
 - a. Prior to a material start on site, to inform in writing Brent Works of the projected amount of construction jobs, training opportunities and provide a copy of the Schedule of Works.

- b. Prior to a material start, to prepare and submit for the Council's approval an Employment Training Plan for the provision of training, skills and employment initiatives for residents of the Borough relating to the construction phase of the Development and in relation to the operational phase of the Development.
 - c. To offer an interview to any applicant who is a Brent resident and who also meets with the minimum job criteria
 - d. From material start, to provide monthly verification of the number of Brent residents employed or provided training during construction, and if the targets are not being met, to implement measures to achieve them
 - e. To use reasonable endeavours to achieve 1 in 10 of the projected construction jobs to be held by Brent residents and for every 1 in 100 construction jobs to provide training for a previously unemployed Brent resident/school leave for at least 6 months
7. Carbon offsetting
 - a. Contribution of £67,050 towards a local carbon off-setting scheme to achieve a zero carbon development based upon the carbon reduction measures set out in the Energy & Sustainability Statement dated December 2018.
 8. Considerate Constructors Scheme

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 **£890,134.89** * 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): 1217.44 sq. m.

Total amount of floorspace on completion (G): 4815.69 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) Drinking establishments (2004)	493.34		368.62	£40.00	£0.00	£14,973.06	£0.00
(Brent) Dwelling houses	4322.35		3229.63	£200.00	£0.00	£655,924.81	£0.00
(Mayoral) Drinking establishments (2004)	493.34		368.62	£0.00	£60.00	£0.00	£22,459.58
(Mayoral) Dwelling houses	4322.35		3229.63	£0.00	£60.00	£0.00	£196,777.44

BCIS figure for year in which the charging schedule took effect (Ic)	323	323
BCIS figure for year in which the planning permission was granted (Ip)	328	
TOTAL CHARGEABLE AMOUNT	£670,897.87	£219,237.02

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

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

Please Note : CIL liability is calculated at the time at which planning permission first permits development. As

such, the CIL liability specified within this report is based on current levels of indexation and is provided for indicative purposes only. It also does not take account of development that may benefit from relief, such as Affordable Housing.



DECISION NOTICE – APPROVAL

Application No: 18/4701

To: Mr Raistrick
Centro Planning Consultancy
55 St John Street
London
EC1M 4AN

I refer to your application dated **10/12/2018** proposing the following:

Replacement of existing building (containing public house and former members club) with a mixed use development within a part 4 and 5 storey building comprising public house and function room on ground floor (Use Class A4), 48 self-contained flats (14 x 1 bed, 22 x 2 bed, 11 x 3 bed & 1 x 4 bed), green roof and photovoltaics panels, bicycle and refuse storage, amenity space and landscaping (SCHEME B)(Amended Plans - Key changes to roof form, public house facade and internal layout).

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

at **110 Walm Lane, London, NW2 4RS**

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: 11/06/2019

Signature:

A handwritten signature in black ink that reads "Alice Lester".

Alice Lester
Head of Planning, Transport and Licensing

Notes

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

DnStdG

SUMMARY OF REASONS FOR APPROVAL

- 1 The 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 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004

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

4704/PA/001	Site Location Plan
4704/PA/002	Site Photos
4704/PA/010	Existing Site Plan
4704/PA/011	Existing Floor Plan
4704/PA/015	Existing Elevations 1
4704/PA/016	Existing Elevations 2
4704/PA/200B	Proposed Site & Ground Floor Plan
4704/PA/201B	Proposed First Floor Plan
4704/PA/202B	Proposed Second Floor Plan
4704/PA/203B	Proposed Third Floor Plan
4704/PA/204B	Proposed Fourth Floor Plan
4704/PA/205B	Proposed Fifth Floor Plan
4704/PA/206C	Proposed Roof Plan
4704/PA/207C	Proposed Basement Floor Plan
4704/PA/210C	Proposed Floor Plans
4704/PA/220A	Proposed Walm Lane Elevation
4704/PA/221A	Proposed South Elevation
4704/PA/222A	North Elevation C-C
4704/PA/223A	East Elevation D-D
4704/PA/225A	Walm Lane Street Elevation
4704/PA/230A	Proposed Sections
4704/PA/231	Proposed Sections
4704/PA/400	Material Palette
4704/PA/401	Local Precedents and Materiality
4704/PA/410B	Proposed Site & Ground Floor Plan
4704/PA/411	Elevation - Pub Study
4704/PA/501	CGI Views - 1
4704/PA/502	CGI Views - 2
4704/PA/503	CGI Views - 3 Summer
4704/PA/504	CGI Views - 3 Winter
4704/PA/505A	CGI Views - 4
4704/PA/511	CGI Views - 1 (Amended Roof)
4704/PA/512	CGI Views - 2 (Amended Roof)
4704/PA/513	CGI Views - 3 (Amended Roof) Summer
4704/PA/514	CGI Views - 3 (Amended Roof) Winter
4704/PA/515	CGI Views - 4 (Amended Roof)

Air Quality Assessment (January 2018)
 Arboricultural Survey & Impact Assessment (December 2018)
 Daylight/Sunlight Report (December 2018)
 Design & Access Statement (V2) (April 2019)
 Energy and Sustainability Assessment (December 2018)
 Environmental Noise Assessment (November 2018)
 Financial Viability Appraisal (March 2019)
 Foul and Surface Water Drainage Strategy (December 2018)

Heritage Impact Assessment (November 2018)
Planning Statement (December 2018)
Preliminary Bat Roost Assessment (January 2018)
Preliminary Ecological Appraisal (January 2018)
Pub Ceiling Height (Email 03 June 2019)
Statement of Community Involvement (November 2018)
Technical Note Insulation (April 2019)
Transport Statement (December 2018)

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

3 The demolition hereby approved shall not commence before:

- A. a contract for the carrying out of the works of redevelopment of the site has been entered into, and
- B. planning permission has been granted for the redevelopment for which that contract makes provision.

Reason: To ensure the demolition is followed by immediate rebuilding and to ensure the character and appearance of the Conservation Area is not harmed by a vacant site

4 No demolition will take place before the applicant, or his/her agent or successors in title, has secured the implementation of a programme of building recording and salvage. Details are to be submitted to and approved in writing by the Local Planning Authority prior to demolition/development commencing. The recording is to be carried out by a professional archaeological/building recording consultant or organisation in accordance with the approved details. This shall be to Historic England Level 3 specification. Following completion of the on-site recording the report will need to be supplied to the Greater London Historic Environment Record and other relevant parties .

Reason: To ensure that a full record is retained of the building's historical heritage

5 Within 6 months of completion, a suitable display board giving details of the Queensbury (to include images) will be installed on the new building in a public place and displaced so thereafter in perpetuity.

Reason: To provide patrons and visitors an understanding of the existing building's historical heritage.

6 No less than five of the units hereby approved shall be constructed as wheelchair user dwellings (Requirement M4(3) of the Building Regulations) and the remainder (x43 units) shall be built in accordance with Requirement M4(2) of Building Regulations and shall be maintained as such thereafter. Prior to occupation evidence of compliance with Requirement M4(2) across the development shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the needs of all users are met and optional national technical standard will ensure that the development allows for the future adaptability of the home to meet with the needs of future residents over their lifetime in accordance with Policy CP21 of the Core Strategy, DMP1 of the Development Management Document and Policy 3.8 of the London Plan.

7 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), the residential units hereby approved shall at no time be converted from C3 residential to a C4 small HMO, without the express planning permission having first been granted in writing by the Local Planning Authority.

Reason: To ensure that an adequate standard of accommodation is maintained in all of the residential units and having regard to the need to provide appropriate levels of bin/cycle storage and amenity space.

8 Notwithstanding the provisions of the Town and Country Planning (General Permitted

Development) Order 2015, or any amending Order, the ground floor with ancillary basement space, shall only be used for purposes within Use Class A4 as defined by the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification, together with ancillary function/community room.

Reason: To ensure that the use of the site remains consistent with the designation as an Asset of Community Value, and having regard to adopted parking and servicing standards.

- 9 No external plant, fittings, plumbing or pipes other than those shown on the approved drawings shall be fixed to any external element of the buildings unless otherwise approved in writing by the Local Planning Authority in advance of any work being carried out.

Reason: To ensure an acceptable appearance having regard to the harm that would otherwise be caused to the character and appearance of the surrounding Conservation Area and the setting of the grade II listed Willesden Green Station.

- 10 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 London Plan policies 5.3 and 7.14 and Policy CP19 of the Core Strategy

- 11 The public house and ancillary function room hereby approved shall only be open for business between the following hours:

11:30am to 11pm	Monday to Wednesday
11:30am to 11:30pm	Thursday
11:30am to midnight	Fridays and Saturdays
11:30am to 10:30pm	Sundays

All activity associated with the use shall cease within 1 hour of the closing time.

Reason: To safeguard the amenities of the occupiers of adjoining and nearby residential properties, and having regard to the opening hours of the existing premises

- 12 The aims, objectives, measures, monitoring and review mechanism contained within the submitted Framework Residential Travel Plan shall be implemented in full throughout the lifetime of the development.

Reason: In the interest of promoting sustainable travel

- 13 Prior to the commencement of the use, where domestic boilers are installed, the applicant shall provide details 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.

- 14 Unless required by any other condition attached to this permission, the development shall be undertaken in accordance with all of the recommendations contained within Section 7 of the Preliminary Ecological Survey (Middlemarch Environmental) dated 15/01/2018 and those within Section 6 of the Preliminary Bat Roost Assessment (Middlemarch Environmental) dated 15/01/2018.

Reason: To ensure that areas and species of value are appropriately protected and the site is enhanced post development in accordance with CP18 of the Core Strategy, and having regard to the recommendations of the submitted Ecological Assessment

- 15 Prior to any above ground works commencing but excluding demolition, details of materials for all external work, inclusive of sample panels, shall be made available for viewing on site or within another location as agreed, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure an acceptable appearance having regard to the harm that would otherwise be caused to the character and appearance of the surrounding conservation area and the setting of the grade II listed Willesden Green Station.

- 16 Notwithstanding any submitted plan or supporting document, no above ground works shall be undertaken until full details of the following (at scale 1:10, together with sections) has been submitted to and approved in writing by the Local Planning Authority.
- A. Junction of the new roof and the parapets
 - B. Junction of the new roof and side walls
 - C. Downpipes and guttering
 - D. Window joinery

Rooflights shall be flush fitting.

Reason: To ensure an acceptable appearance having regard to the harm that would otherwise be caused to the character and appearance of the surrounding Conservation Area and the setting of the grade II listed Willesden Green Station.

- 17 The developer shall provide details of a scheme of glazing and trickle ventilation that meets or exceeds the recommendation provided in paragraph 4.13 of the Environmental Noise Assessment prepared by Sharps Gaylor, dated 19 November 2018.

Reason: To protect the amenity of residential occupiers.

- 18 A scheme of sound insulation measures shall be submitted to the Local Planning Authority for approval in writing prior to the commencement of above ground works, with the insulation of the separating ceiling and walls between the public house / function room on the ground floor and adjoining residential units being designed to meet the standards of Building Regulations Approved Document E 'Resistance to the passage of sound'. The approved measures shall thereafter be implemented in full.

Reason: To minimise noise transference between the C4 and C3 uses in the interest of amenity

- 19 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 neighbouring occupiers.

- 20 Prior to the commencement of building works, a site investigation shall be carried out by competent persons to determine the nature and extent of any soil contamination present. The investigation shall be carried out in accordance with the principles of BS 10175:2011 + A2:2017 and 'Model Procedures of for the Management of Land Contamination – Contaminated Lane Report 11' (CLR 11). A report shall be submitted to the Local Planning Authority, that includes the results of any research and analysis undertaken as well as an assessment of the risks posed by any identified contamination. It shall include an appraisal of remediation options should any contamination be found that presents an unacceptable risk to any identified receptors. The written report is subject to the approval in writing of the Local Planning Authority.

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

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

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

- 22 Prior to any above ground works commencing but excluding demolition, detailed design and method statements (in consultation with London Underground) for all of the foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent), shall be submitted to and approved in writing by the Local Planning Authority.

The development shall be undertaken in accordance with the approved details only.

Reason: To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with London Plan 2015 Table 6.1

- 23 Within three months of the commencement of above ground superstructure works, details of any external lighting to be provided, inclusive of the design, height, siting, and lux levels shall be submitted to the Local Planning Authority for approval in writing. The submitted details shall also include how the external lighting scheme has been designed to minimise light spillage and its impact on wildlife particularly along the southern boundary of the site. The external lighting shall be provided prior to first occupation and maintained at all times thereafter.

Reason: In the interests of visual amenity, safety, residential amenity and to ensure that light sensitive receptors are not unduly affected

- 24 Prior to development commencing, details to be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include:
- 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) Hours of deliveries / collections;
 - g) Hours of work;
 - 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.

- 25 Prior to any development commencing, inclusive of site clearance, details of a Construction Waste Management Plan shall be submitted to the Local Planning Authority for approval in writing. The Construction Waste Management Plan shall include as a minimum:

- a) Target benchmarks for resource efficiency set in accordance with best practice;
- b) Procedures and commitments to minimize non-hazardous construction waste at design stage. Specify waste minimisation actions relating to at least 3 waste groups and support them by appropriate monitoring of waste;
- c) Procedures for minimising hazardous waste;
- d) Monitoring, measuring and reporting of hazardous and non-hazardous site waste production according to the defined waste groups (according to the waste streams generated by the scope of the works);
- e) Procedures and commitments to sort and divert waste from landfill in accordance with the waste hierarchy (reduce; reuse; recycle; recover) according to the defined waste groups; and
- f) No less than 95% by weight or by volume of non-hazardous construction, excavation and demolition waste generated by the development has been diverted from landfill

Reason: To maximise the amount of waste diverted from landfill consistent with the waste hierarchy and strategic targets set by Policies 5.16, 5.18, 5.19 of the London Plan, CP19 of the Core Strategy, DMP1 of the Development Management Policies.

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.

- 26 Within six months of development commencing, the following details shall be provided to the Local Planning Authority for approval in writing:
- A. Details (including elevational details) for the covered cycle parking for the storage of a minimum of 84no. bicycles as shown on Drawing No. 4747/PA/300
 - B.
 - B. The location of a minimum of 8no. 'Sheffield' stands at the front of the site

The approved bicycle parking shall be provided prior to first occupation or use commences and permanently maintained. The approved bicycle storage shall be kept free from obstruction, and available for the parking of bicycles only.

Reason: To provide secure cycle storage facilities free from obstruction in the interest of promoting sustainable travel for residents and employees.

- 27 A. Notwithstanding the submitted Energy and Sustainability Assessment (December 2018), prior to any above ground works commencing but excluding demolition, a revised Energy Strategy shall be submitted to the Local Planning Authority for approval in writing. The revised Strategy shall demonstrate to the satisfaction of the Local Authority how the approved scheme will meet with adopted Policy, demonstrating a clear adherence to the Energy Hierarchy inclusive of details for the use of renewable/zero carbon technologies and the provision for future connection to a heat network.
- B. Details of the chosen zero / low carbon technologies shall be provided, including the design, size, siting, maintenance strategy/schedule (inclusive of times, frequency and method)

The development shall only be undertaken in accordance with the approved details prior to first occupation or use of the development and permanently maintained thereafter.

Reason: In the interest of sustainable development and to ensure that the Local Planning Authority may be satisfied that CO2 emission reduction targets by renewable energy are met in accordance with adopted Policy.

- 28 Prior to the commencement of above ground works, details of the measures to limit the internal consumption of water to 100 litres or less per head per day has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out strictly in

accordance with the details so approved and maintained as such thereafter.

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 and having regard to the objectives within the submitted Energy and Sustainability Statement.

- 29 Prior to any above ground works commencing but excluding demolition, details of the proposed SuDS measures shall be submitted to the Local Planning Authority for approval in writing. The submitted detail shall include:
- A. Location, design, substrate (extensive substrate base with a minimum depth 80-150mm), vegetation mix and density, and a cross-section of the proposed green roof
 - B. Location, size, storage volumes, cross-sections, long-sections (where appropriate) and specifications of all the source control SuDS measures including rain gardens, raised planters, green roofs, water butts, geocellular storage, and permeable paving;
 - C. Final sizes, storage volumes, invert levels, cross-sections and specifications of all site control SuDS measures including ponds and underground tanks
 - D. Where appropriate, provide calculations to demonstrate that the SuDS provided will function for 1 in 1 year and 1 in 100 year (with the allowance of climate change) events;
 - E. A management plan for future maintenance for all of the drainage features
 - F. Details of how the chosen strategy conforms with the Landscaping Strategy

All SuDS measures shall be implemented in accordance with the approved detail.

Reason: To ensure the sustainable management of water, minimise flood risk, minimise discharge of surface water outside of the curtilage of the property and to ensure the development provides the maximum possible provision towards the creation of habitats and valuable areas for biodiversity in accordance with adopted Policy

- 30 Prior to first occupation/first use of the development approved, a Verification Report demonstrating that the approved drainage / SuDS measures have been fully implemented shall be submitted to the Local Planning Authority for approval in writing. The Verification Report must include
- A. As built drawings of the sustainable drainage systems
 - B. Level surveys of completed works
 - C. Photographs of the completed sustainable drainage systems
 - D. Any relevant certificates from manufacturers/ suppliers of any drainage features
 - E. A confirmation statement of the above signed by a chartered engineer

Reason: To ensure the sustainable management of water, minimise flood risk, minimise discharge of surface water outside of the curtilage of the property and ensure that the drainage system will remain functional throughout the lifetime of the development in accordance with Policy.

- 31 No above ground works, other than site clearance, shall take place until full details of both hard and soft landscape proposals have been submitted to and approved in writing by the Local Planning Authority. Details shall include:
- A. Planting plans;
 - B. Written specifications (including cultivation and other operations associated with plant and grass establishment);
 - C. Schedules of plants and trees, to include native, wildlife friendly species and large canopy trees in appropriate locations (noting species, planting sizes and proposed numbers / densities);
 - D. Implementation timetables;
 - E. Wildlife friendly plants and trees of local or national provenance;

- F. Details of hardsurfacing materials;
- G. Details of any external furniture
- H. Details of how the Landscaping Strategy conforms with the SuDS Strategy.

All hard landscaping shall be provided prior to first occupation and soft landscaping in shall be completed / planted during the first planting season following practical completion of the development hereby approved. The landscaping and tree planting detail shall set out a plan for the continued management and maintenance of the site and any planting which dies, becomes severely damaged or diseased within five years of completion of the development shall be replaced with new planting in accordance with the approved details or an approved alternative and to the satisfaction of the Local Planning Authority.

Reason: To ensure that the ecological value of the site is enhanced post development in line with the Biodiversity Action Plan, and in accordance with DMP8 of the Development Management Policies, CP18 of the Core Strategy, and Policies 5.10, 5.11 and 7.19 the London Plan.

- 32 The site shall be enclosed in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The submitted details must include:
- A. specifications for a trespass-proof fence of a minimum height of 1.8m and set back from the boundary with the railway land by at least 0.5m;
 - B. design and type of fencing between the gardens for the ground floor residential units and the function/community room

The means of enclosure shall be erected in accordance with the approved detail before the development is occupied.

Reason: To ensure a satisfactory appearance and safeguard the privacy, amenity and safety of adjoining occupiers and the public and in the interest of highway and railway operational safety; and to ensure that any potential maintenance can occur wholly within the site boundary and not impact on Network Rail land

- 33 The development, including demolition and site clearance, shall not commence until an updated bat survey has been carried out and a report detailing the results of the survey is to be submitted to and approved in writing by the Local Planning Authority. Should a bat roost be found, no development is to commence until the relevant licence for development works affecting a European protected species has been obtained and a copy submitted to and approved in writing by the Local Planning Authority.

Reason: In accordance with the recommendation contained within the submitted Preliminary Bat Roost Assessment that additional surveys are required if demolition has not occurred within 12 months of the original survey date. Bats can occupy buildings and other suitable habitat within a short time period

- 34 Prior to the commencement of above ground works but excluding demolition, details for the provision of a communal television system/satellite dish have been 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 character and appearance of the Conservation Area and the setting of the grade II listed Willesden Green Station

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 If the development is carried out it will be necessary for a crossing to be formed over the public highway by the Council as Highway Authority. This will be done at the applicant's expense in accordance with Section 184 of the Highways Act 1980. An application for these works should be made to the Council's Head of Highways & Infrastructure via <https://www.brent.gov.uk/services-for-residents/transport-and-streets/vehicle-crossings-and-dropped-kerbs/>, tel 020 8937 5600 or transportation@brent.gov.uk. The grant of planning permission, whether by the Local Planning Authority or on appeal, does not indicate that consent will be given under the Highways Act.
- 5 Brent Council supports the payment of the London Living Wage to all employees within the Borough. The developer, constructor and end occupiers of the building are strongly encouraged to pay the London Living Wage to all employees associated with the construction and end use of development.
- 6 The Council recommends that the maximum standards for fire safety are achieved within the development.
- 7 The applicant is 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.
- 8 The quality of imported soil must be verified by means of in-situ soil sampling and analysis. The Local Authority does not accept soil quality certificates from the soil supplier as proof of soil quality.
- 9 The applicant is advised to contact London Underground Infrastructure Protection in advance of preparation of final design and associated method statements, in particular with regard to: demolition; drainage; excavation; construction methods; tall plant; scaffolding; security; boundary treatment; safety barriers; landscaping and lighting.
- 10 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.

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

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COMMITTEE REPORT

Planning Committee on
Item No
Case Number

19 June, 2019
07
18/4810

SITE INFORMATION

RECEIVED	14 December, 2018
WARD	Stonebridge
PLANNING AREA	Brent Connects Harlesden
LOCATION	Stonebridge Primary School Annexe, Twybridge Way, London, NW10 0ST
PROPOSAL	Demolition of the former day centre and redevelopment of the site to provide an apartment block rising to 5 storeys comprising 13 flats (4 x 1 bedroom and 9 x 2 bedroom), 14 houses rising to 3 storeys (10 x 3 bedroom and 4 x 4 bedroom), and one apartment block rising to 5 storeys comprising 40 studio flats with an element of care (Use Class C3(b)) with associated amenity space and landscaping, the creation of a new loop road, car parking, cycle storage and refuse storage
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_143176</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 "18/4810" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab

SITE MAP



Planning Committee Map

Site address: Stonebridge Primary School Annexe, Twybridge Way, London, NW10 0ST

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This map is indicative only.

PROPOSAL IN DETAIL

Demolition of the former day centre and redevelopment of the site to provide a total of 67 units, involving the erection of an apartment block rising to 5 storeys comprising 13 flats (4 x 1 bedroom and 9 x 2 bedroom), 14 houses rising to 3 storeys (10 x 3 bedroom and 4 x 4 bedroom), and one apartment block rising to 5 storeys comprising 40 studio flats with an element of care (Use Class C3(b)) with associated amenity space and landscaping, the creation of a new loop road, car parking, cycle storage and refuse storage.

EXISTING

The application relates to a corner plot at the junction of Hillside and Twybridge Way, with a total site area of approximately 0.61ha. The site contains the Former Day Care Centre building, currently in use as Stonebridge Primary School annexe. 'The Cottage' is a two-storey, detached building which has been subdivided into 4 units and sits to the north of the Day Care Centre, however this building is to remain and does not form part of the application site.

The surrounding context consists of two-storey residential properties to the west on Twybridge Way, and four-storey flatted blocks and two-storey housing to the east along West End Close. A canal feeder channel runs along the northern site boundary. The feeder is designated as a Site of Borough Importance for Nature Conservation (SBINC) Grade II.

This is not within a Conservation Area, nor does it affect any Listed Building.

AMENDMENTS SINCE SUBMISSION

A revised site plan has been submitted to show the following alterations, subsequent to concerns raised by highways officers:

- (a) the provision of three lay-bys along Twybridge Way in line with recommended dimensions;
- (b) the removal of two lay-bys next to the junction with Hillside, allowing a minimum pedestrian footway of 2m;
- (c) the provision of two disabled parking bays next to the five-storey NAIL apartment block;
- (d) the introduction of an over-run strip on the northern bend of the loop road, to cater for larger vehicles;
- (e) the installation of two raised entry tables and tactile paving on both Twybridge Way junctions;
- (f) the removal of a parking space adjacent to the northern bend of the loop road, allowing a new crossway.

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. Principle of development and provision of new homes, including NAIL accommodation: The proposed development of the site is in accordance with the outline consent in June 2016, the key difference being the uplift in the number of units within the NAIL accommodation from 28 to 40. The re-development of the site for housing, including affordable housing for C3b accommodation in order to meet Brent's housing needs, is acceptable in principle.
2. Affordable Housing: An element of C3b residential accommodation is proposed, this is a result of Brent Council's Adult Social Care and Housing departments New Accommodation for Independent Living (NAIL) scheme to develop Extra Care and supported living accommodation in order to provide alternatives to residential and nursing care homes. Your officers consider that there is an identified need for more of this type of accommodation with the Borough, and its delivery on site would meet a key corporate objective. All 67 units proposed will be affordable, which is a key benefit of the scheme and represents a significant uplift from the previously approved outline scheme.
3. Design and appearance: The scale, height and massing of the proposed NAIL and traditional C3 apartment blocks, as well as the townhouses, is in line with the outline permission in June 2016 and would respect the surrounding context, which includes buildings of 4-5 storeys on Hillside. The proposed architecture and materials would be of a very high quality, with all external materials to be inspected before development commences.

4. Quality of the resulting residential accommodation: The residential accommodation proposed is of sufficiently high quality. The proposed traditional housing offer includes a variety of 1, 2, 3 and 4-bedroom units in the form of family townhouses and apartments within a main block to the south of the site, and would all benefit from dual aspect and good levels of outlook and ventilation. All townhouses have access to a rear garden, and all C3 accommodation within the apartment has access to private and communal amenity space. The NAIL units have access to good levels of communal amenity space, meeting the specific needs of these occupiers.

5. Impact on neighbouring amenity: There would be a loss of light to some windows of surrounding residential properties, however this is very minimal and on balance your officers consider this acceptable given the constraints of the site. The layout and orientation of proposed buildings ensures that there would be no material loss of privacy to adjoining occupiers.

6. Highways and transportation: Sufficient levels of vehicle parking and cycle parking are proposed on site. Highway improvement works are proposed to construct the proposed loop road for the development including footways and parking bays, with minor amendments to include raised tables at the junctions with Twybridge Way and the northern bend in the road and an overrun strip at the southern bend in the road; (ii) to construct parking lay-bys along the Twybridge Road frontage of the site; and (iii) remove all signing, lining and guardrailling associated with the existing school use, together with all associated lighting, signing, lining and drainage and other ancillary and accommodation works and works necessary to statutory undertakers' equipment. Details of these works have been submitted, and are acceptable subject to a section 278 agreement. To mitigate the transportation impacts and to promote sustainable travel a Residential Travel Plan is proposed, this is to be secured by condition.

7. Trees, landscaping and public realm: Some low quality trees are proposed to be removed but they are not considered worthy of retention. The proposal is likely to substantially improve on the existing situation with high quality street tree planting proposed and the wider landscaping strategy. Appropriate conditions are attached to ensure a high quality replacement tree planting, and landscaping scheme, is secured.

8. Environmental impact, sustainability and energy: The measures outlined by the applicant achieve the required improvement on carbon savings within London Plan policy, subject to conditions ensuring the scheme secures the measures outlined, and a carbon offset contribution is made in line with London Plan requirements.

RELEVANT SITE HISTORY

Main Stonebridge School Site and Open Space

16/0077 - **Granted**

Hybrid planning application comprising: Full planning permission for the demolition of the Former Adventure Playground; the construction of a two-storey building providing new nursery, assembly hall, reception and teaching facilities with first floor walkway connecting to the main school building; reconfiguration of Stonebridge Primary School's playground including the provision of two Multi-Use Games Areas and the erection of new perimeter fencing and the creation of 1.2ha of public open space with associated ancillary works ("Phase 1").

AND

Outline planning permission for the erection of an apartment block up to 6-storey's comprising up to 51 residential units (16x 1bed, 25x 2bed and 10x 3bed flats) and 246sqm of commercial floorspace (Use class A3) and car parking at ground floor at Stonebridge Open Space, Hillside, the reconfiguration of Shakespeare Avenue, access to the residential units and up to 22x 3-storey houses (use class C3) at Open Space, Milton Avenue with all matters reserved. ("Phase 2").

17/2912 - **Granted**

Variation of conditions 3 (Building Height of new school building) and 19 (Landscaping) of Deemed (Reg3 Councils own Development) reference 16/0077 dated 7 June, 2016, for Hybrid planning application comprising: Full planning permission for the demolition of the Former Adventure Playground; the construction of a two-storey building providing new nursery, assembly hall, reception and teaching facilities with first floor walkway connecting to the main school building; reconfiguration of Stonebridge Primary School's playground including the provision of two Multi-Use Games Areas and the erection of new perimeter fencing and the creation of 1.2ha of public open space with associated ancillary works ("Phase 1").

18/4943 - Granted

Approval of reserved matters (access, appearance, landscaping, layout and scale) pursuant to condition 1 of Variation of Condition application reference 17/2412 dated 7 September, 2017, relating to Phase 2 of the development (as outlined above).

A number of other applications have been submitted relating to the discharge of conditions of the approved scheme.

Stonebridge Primary School Annexe, Twybridge Way

16/0073 - Granted

Outline planning permission for the demolition of the Former Day Centre and erection of up to 55 units comprising of 15 x houses up to 3-storeys in height (use class C3), one apartment block comprising 5 x 1bed and 7x 2bed flats up to 5-storeys in height (use class C3) and one apartment block comprising 28x 1bed flats up to 5-storeys in height with an element of care (use class C3b) and a new one-way access loop road and on-street parking bays with all matters reserved (as amended).

12/2820 - Granted

Remodelling of the existing Stonebridge Centre, to provide a new educational facility to be used as an extension of the established Stonebridge Primary School. Works include the resurfacing and landscaping of external areas to provide a play areas, the installation of new fencing, new pedestrian gates and new doors to the existing building.

CONSULTATIONS

A total of 337 addresses were consulted on 21/12/2018, in accordance with statutory guidelines and the Council's Statement of Community Involvement. One objection has been received, raising the following issues:

- Further loss of social/ community facilities in place of private dwellings
- Lack of affordable housing within the development, in a location where it is required
- Increased pressures on local public transport and parking
- Increase in population density will result in increased crime and anti-social behaviour
- Proposals will only add to the gentrification of the local area, pushing up local house prices and forcing existing tenants out

Officer comments: The proposals would provide 100% affordable units and therefore objections raised on grounds of lack of this, and problems of gentrification, are not considered to be warranted. Similarly, the proposals would not involve the provision of private dwellings, and in providing homes for those with specific care needs, is considered to have a social and community benefit. Issues of transport/ parking provision and crime together with the loss off community facilities (the school annex) and provision on the main school site will be addressed in more detail within the relevant sections of the report.

Press Notice: 27/12/18

Site Notice: 18/01/19

Statutory/ External Consultees

Canal & Rivers Trust

No objection to the principle of development, however request suitable conditions relating to landscaping, lighting, and construction management given the site's relationship to the adjacent canal feeder.

Police Crime Prevention Design Advisor

No formal comments were received as part of the application, however it is understood that the proposal has been through a number of design improvements as a result of consultation with crime prevention designers prior to submission.

Local Lead Flood Authority

No objections as proposals will not increase any flood risks and by reducing the final discharge from the site, which will provide additional capacity in the existing drainage system. They will require final confirmation from Thames Water that they have adequate capacity in their drainage network.

Transport

Confirmed that the site has a PTAL of 3 (moderate accessibility).

No objections raised, subject to relevant conditions (as largely agreed under the previously approved outline consent) and the submission of the following:-

- (a) a S38/S278 Agreement under the Highways Act 1980 to: (i) construct the proposed loop road for the development including footways and parking bays, with minor amendments to include raised tables at the junctions with Twybridge Way and the northern bend in the road, removal of parking space 10 and a reduction in the size of the bicycle storage area close to the northern bend in the road to facilitate pedestrian access and an overrun strip at the southern bend in the road; (ii) construct 1.8m (minimum) width parking lay-bys with 2m (minimum) width footways to the rear along the Twybridge Road frontage of the site; and (iii) remove all signing, lining and guardrailing associated with the existing school use, together with all associated lighting, signing, lining and drainage and other ancillary and accommodation works and works necessary to statutory undertakers' equipment; and
- (b) submission and approval of a revised Residential Travel Plan with amended targets to be agreed by Brent Council;

Environmental Health

Environmental health supports the application subject to a number of conditions relating to internal noise levels, construction noise and dust and air quality impact. See detailed considerations section of report for further comments on these issues.

Sustainability Officer

No objections raised subject to conditions (see paras. 87-90 of detailed considerations for further details).

Thames Water

No objections subject to informatives.

POLICY CONSIDERATIONS

The following planning policy documents and guidance are considered to be of relevance to the determination of the current application. Planning applications are required to be determined in accordance with the development plan (inclusive of all below documents) unless there are material considerations that would warrant other considerations being reasonably made.

National

National Planning Policy Framework 2018

Regional

The London Plan consolidated with alterations since 2011 (March 2016)

Local

Brent Development Management Policies 2016

DMP 1 – General Development Management Policy
DMP 7 - Brent's Heritage Assets
DMP 8 - Open Space
DMP 9 - Waterside Development
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
DMP 20 - Accommodation with Shared Facilities or additional support

Brent Local Development Framework Core Strategy 2010

CP 1 - Spatial Development Strategy
CP 2 - Population and Housing Growth

CP 5 - Placemaking
CP 6 - Design and Density in Place Shaping
CP 15 - Infrastructure to Support Development
CP 17 - Protecting and Enhancing the Suburban Character of Brent
CP 18 - Protection and Enhancement of Open Space, Sports and Biodiversity
CP19 - Brent Strategic Climate Change Mitigation and Adaptation Measures
CP 21 - A Balanced Housing Stock

Brent Supplementary Planning Guidance Documents

Brent Supplementary Planning Guidance
SPD1 Design Guide for New Development

DETAILED CONSIDERATIONS

Background/ context for re-development of the Day Care Centre

1. A report was considered by Brent Cabinet on 23rd February 2015 which set out the case for redeveloping two sites. The first was a site comprising Stonebridge Primary School in addition to open space along Hillside and Milton Avenue, and the other is the Former Day Care Centre on Twybridge Way, which is the subject of this planning application. The recommendation of this report was approved by Cabinet.
2. In October 2014, a new School Place Planning Strategy was approved, which established the need for a continuing programme of additional school places within the Borough. The plan was updated in November 2015 and identified a need to provide 23 additional primary forms of entry by 2018. The Strategy set out which schools were identified for expansion, and this strategy included Stonebridge Primary School.
3. The current permanent capacity of Stonebridge Primary School is 420. To meet additional demand, from Autumn 2012 the Stonebridge Primary School began accepting pupils in a temporary annexe building at Twybridge Way which has additional capacity of 180. The Former Day Care Centre is currently in use as the Stonebridge Primary School annexe (following planning application 12/2820 being approved).
4. The Twybridge Way site currently contains bulge classes which will be relocated to the expanded main school building at the Stonebridge Primary School (Phase 1), which was approved as part of hybrid planning application 16/0077 and the subsequently approved minor material amendment application 17/2412. The approved school expansion will allow the 180 off-site pupils to be accommodated within the main school site, and the 3-form entry will allow the school to increase its pupil intake from 600 to 630.
5. The approved redevelopment of the Stonebridge Primary School Site will enable the school to accommodate the bulge classes currently accommodated at the Former Day Centre at Twybridge Way, in turn releasing this site for residential development.
6. An outline application was granted permission in June 2016 for the demolition of the day centre and the erection of 14 three-storey townhouses and one 5 storey apartment block fronting Hillside comprising 13 units (Use Class C3), and a further five-storey apartment block fronting Hillside to provide New Accommodation for Independent Living (NAIL) accommodation with an element of care (Class C3b), comprising of 28 x 1bed units (ref. 16/0077).
7. A full application is now submitted to account for the proposed uplift in the number of NAIL units from 28 to 40, and some minor alterations to the unit mix within the traditional housing offer (see paras. 9-10).

Principle of development

Residential mix and affordability

8. The proposed scheme is for a total of 67 residential units, which represents an uplift of 12 units from the 55 which were approved under the outline permission in June 2016. It should be noted that because of this increase, a new full application has been submitted, rather than a reserved matters application subsequent to the previous outline consent.
9. The proposed mix of units, and comparison with the extant outline approval, is set out as follows:

	Studio (NAIL)	1-bed (NAIL)	1-bed (flat)	2-bed (flat)	3-bed (House)	4-bed (house)	Total
Previous outline consent	0	28	5	7	14	1	55
Proposed scheme	40	0	4	9	10	4	67

10. There would remain a total of 27 units of traditional Class C3 housing within the development, which is the same number as approved under the previous outline consent. The only alteration to the overall unit mix sees the number of three-storey family-sized houses reduced from 15 to 14, with a corresponding increase in the number of apartments from 12 to 13. The scheme continues to provide a good overall mix of 1, 2, 3 and 4 bed units, and therefore complies with policy CP21 of Brent's Core Strategy.

11. Significantly, the review of the scheme has also resulted in 100% of the units being provided as affordable rent, and would all be made available at a social/ affordable rent. This is clearly welcomed, and subject to a condition ensuring that all 67 units are retained as affordable rented accommodation in perpetuity, would accord with Policy DP15 of the Local Plan.

Justification for NAIL accommodation

12. The inclusion of C3b residential accommodation is a result of Brent Council's Adult Social Care (ASC) and Housing departments' New Accommodation for Independent Living (NAIL) scheme to develop Extra Care and supported living accommodation in order to provide alternatives to residential and nursing care homes. Extra care housing is based on the idea of independent and self-contained accommodation but with on-site access to care and support services for a range of people with varying needs such as learning disabilities, mild to moderate dementia and physical disabilities. There is an identified need for more of this type of accommodation with the Borough, and its delivery on site would meet a key corporate objective.

13. The scheme has been reviewed since the outline permission granted in June 2016, with the Council's ASC team seeking to support the needs of more vulnerable tenants requiring on-site support, and for residents with dementia. On this basis, an appropriate staff to resident ratio is required to provide a more cost-effective service. This has resulted in a proposed uplift of NAIL units from 28 to 40 within the specified block. This is considered acceptable, and would not compromise the overall quality of the units provided, which would still meet minimum GIA requirements at 39 sqm per flat. This would be restricted to use as C3b residential accommodation through condition.

Layout

14. The site layout is dictated to a large extent by the loop road arrangement and the need to be sensitive to neighbouring residential uses, which accords with the previous outline consent. Once again, the taller five-storey flatted blocks are sited at the southern end of the site, directly fronting onto Hillside. The proposed building heights then step down to the three-storey townhouses on the northern part of the site, to reflect the existing houses along Twybridge Way to the north and west. The blocks along Hillside will retain a generous set back of approximately 6.5m, which is commensurate to the existing building line and the siting of these blocks respond appropriately to the existing streetscape.

15. To the rear of the taller elements is the internal loop road, semi-detached and detached houses are arranged fronting onto this. Two of the houses are proposed to front directly onto Twybridge Way which will reinforce the street frontage along this section of the road. The detached house proposed within the centre of the site directly faces the rear elevation of the frontage blocks, with a separation of 17m provided. Brent's SPD1 usually seeks a separation of 18m between facing elevations, however it is oriented in such a way that it would not provide any direct overlooking from proposed openings into the blocks to the immediate south, nor to any of the adjoining new dwellings. The pattern of development relates well to the local prevailing context, which is characterised by terraced and semi-detached houses further along Twybridge Way.

16. It is also important to note that the existing detached building which has been subdivided into 4 units which fronts onto Twybridge Way, known as 'The Cottage' will be retained within the centre of the site. This has been included on the proposed site plan, but is not within the demise of the application site. The proposed development will involve new townhouses being built to the immediate north, east and south. Separation distances between facing elevations will range from between 12.5m to 23m, across the width of the internal access road. However, again the orientation of the proposed townhouses ensures that direct overlooking

would be kept to a minimum. On balance, this is considered to be an appropriate site layout that achieves suitable separation between existing and proposed buildings within the site.

Scale, height and massing

NAIL accommodation and C3 block

17. The overall scale, height and massing of the proposed development is in accordance with that previously approved under the outline consent in June 2016. The key design rationale is the creation of a linear 'façade' facing onto Hillside to the south of the site, incorporating the part-four, part-five storey C3 apartment block and the five-storey block for NAIL accommodation.

18. As with the previously approved outline scheme, the proposed heights are considered appropriate within the local context. Four-storey blocks are established directly opposite on the south side of Hillside, as well as to the immediate east. Further to the east are examples of development of between 4-6 storeys, and in this context the proposed five-storey block of NAIL accommodation is considered to remain in keeping.

19. The four and five-storey apartment block will be located on the junction of Twybridge Way and Hillside, with the change in height helping to mediate the contrasting context between the taller developments on Hillside, and the three-storey townhouses which step up the natural slope northwards toward the canal feeder. The differentiation in heights also helps to break up the overall massing of this block, which is further aided by the presence of large inset terraces to the south-western corner, and the presence of additional windows to living areas of individual apartments along this elevation.

20. The NAIL accommodation block will sit to the immediate east, and has an 'attic' storey which is set back from the main façade, reducing its visual impact and apparent height when seen from Hillside. Although it has a strong horizontal emphasis, this is articulated by the presence of a deep re-entrant adjacent to the internal lift lobbies to the south elevation. To the north, the staircase is articulated and clad in bronze to break up the continuous façade, and ensuring this would not become visually overbearing.

Three-storey townhouses

21. As outlined above, the proposed townhouses will be located to the north of the site and mediate between the larger apartment blocks on Hillside, and the predominantly two-storey terraced dwellings along Twybridge Way. The townhouses are arranged as semi-detached pairs or detached pitched roof buildings, successfully breaking up their overall scale and massing, particularly to the eastern elevation where the rear elevations of seven of the 14 townhouses face onto properties on Canal Walk.

22. The townhouses are designed to appear as two main storeys with roof accommodation in the form of dormer extensions which would be street-facing, which is an appropriate response to the local context. Again, this also reflects the height of the buildings approved back in June 2016, albeit one additional townhouse is now proposed. However, the overall scale and massing of the proposed townhouses will remain acceptable.

Architecture and materiality

NAIL accommodation and five-storey flatted block

23. A high-quality palette of materials is proposed. The proposed flat and NAIL buildings will predominantly be constructed from brick, which will be warm red/buff in tone with tinted mortar pointing. Copper bronze coloured cladding panels are proposed to break up the facades and add visual interest. At the roof level of the C3 apartment block, a translucent glass balustrade is proposed, enabling the roof to be utilised as communal amenity space.

Three-storey townhouses

24. The townhouses are proposed to be three storeys in height, with the third level of accommodation within the proposed pitched roof. The houses will predominantly be of light buff brick construction, with tinted mortar pointing. The brickwork of the houses is designed to be lighter in tone to contrast with the brickwork used for the flat and NAIL buildings, complementing these buildings rather than seeking to compete with them. The roof is to be constructed from blue/black slate with minimal eaves and verge overhangs.

25. In terms of window fenestration, this would be a simplistic combination of fixed and opening sections, providing as much natural ventilation as possible. Powder coated aluminium and timber sections would be

used, which is considered to ensure a high quality, sustainable finish.

26. Overall, it is considered that the architecture and materials used would be of a high quality, reflecting the local vernacular as much as possible and ensuring the buildings will be robust and sustainable for the needs of future occupiers. A condition will require that material samples are presented to the Council prior to their use within the construction, to ensure that the final appearance is of an exceptional standard and in line with what has been set out in the proposed scheme.

Standard of accommodation

Minimum floorspace standards

27. A schedule of accommodation has been submitted with the application, which demonstrates that all 3- and 4-bedroom dwellinghouses would be 122sqm and 124sqm respectively, thereby meeting the minimum GIA standards set out within the London Plan. All dwellings would be provided with sufficient internal storage space, and would meet all requirements of the Technical Housing Standards.

28. Similarly, the 13 1-bed (2p) and 2-bed (3p) units within the five-storey apartment block would meet the minimum GIA standards, with sufficient provision of internal storage space and all other requirements of the Technical Housing Standards being complied with.

29. The 40 units provided as NAIL accommodation would be provided as studio apartments, with a GIA of either 39sqm or 40sqm, which is acceptable. The units are supported by communal facilities at ground floor, including a 40 sqm multi-purpose room for residents to socialise and relax, as well as a therapy room, central laundry room and storage rooms, which is considered sufficient to provide a good quality of accommodation for future occupiers. Ancillary staff facilities are also provided at ground floor level, and are also considered of sufficient size and quality to meet the needs of this particular use.

Daylight

30. An Average Daylight Factor (ADF) test has been carried out for the new dwellings which identifies that 93% all kitchens and living rooms, and 100% of all bedrooms, across the development will pass relevant BRE standards for good average daylight levels throughout the year. A number of kitchens fall below minimum requirements, which is largely down to being overshadowed by adjacent buildings, and these rooms being set deep into the building, which is not uncommon.

31. An Annual Probable Sunlight Hours (APSH) test has also been carried out for the new dwellings, testing all rooms that have windows within ninety degrees of due south. The test identifies that 92% of all rooms within the development would achieve minimum BRE standards, which is considered to be a very good overall proportion.

32. The BRE guidance recommends that at least half of amenity space within a development receive at least two hours of sunlight on the 21st March. The applicant's overshadowing diagrams confirm that the majority of amenity spaces (approx. 92%) will achieve this which is welcomed, particularly in the highly urban surrounds. Where this is not met, this is largely down to north facing gardens to some of the proposed townhouses.

Cooling and overheating

33. An overheating report has been submitted as part of the Energy Strategy, which includes the results of internal heat level modelling. The Mayor's London Plan seeks to avoid overheating and excessive heat generation within Policy 5.9. The heat modelling identified solar gain as a major factor which would contribute to overheating and potentially uncomfortable living conditions for residents in this development, and particularly for those in the NAIL apartments. In order to mitigate this, MVHR (mechanical ventilation with heat recovery) will be provided during winter months to reduce heating demand, while this will have a 'bypass' mode during summer months, allowing ventilation without heat recovery. The limited heights of the proposed buildings mean that fully openable windows/ balcony doors can provide satisfactory cooling to the dwellings.

34. However, the sensitive nature of the NAIL apartments means that additional cooling via air source heat pumps is proposed, through the underfloor heating network. This is considered reasonable and will ensure additional needs of these occupiers are met.

Layout and Outlook

35. The residential units within the development are considered to be of an excellent standard. Focusing firstly on the three storey townhouses, these will all benefit from a dual aspect and will have access to a private rear garden of 50 sqm. These are accessed directly from the dwelling and from side passageways, accessible from the street. Each of the townhouses also has an area of defensible space, set back from a clearly defined front boundary.

36. Similarly, 100% of units within the proposed five-storey apartment block will be at dual aspect, with those to the south of the block enjoying a triple, and predominantly south/ south-westerly aspect. The two ground floor units provide an active frontage and small rear gardens, with communal refuse and cycle storage also accessed from the loop road. At upper floors, 3 flats are provided per floor, around a centralised stair core and lift. All main habitable rooms (bedrooms and living rooms) will have access to natural ventilation and aspect.

37. With regard to the NAIL accommodation, all 40 apartments would be dual aspect, with intermediate flats having secondary windows onto the main internal circulation lobby. All corner apartments (25% of the total number) would have true dual aspect, i.e. with windows facing onto adjacent facades. All apartments have been designed to have main living areas looking onto streets/ residential footpaths, thereby meeting the needs of residents with onset dementia, who benefit from street/ public interaction as much as possible.

38. The internal layout is simple and legible, with all support and communal facilities arranged along the north side of the building at ground floor level, and individual apartments facing south. The communal dining/ social space is south-east facing, and links directly with the main communal landscaped garden for easy access and enjoyment.

39. The development has secure entrances in locations which are overlooked so as to maintain security, maximising active frontages and ensuring a good level of natural surveillance. The units are all considered to be logically laid out and would have good outlook in line with SPD1 standards. The tightest relationship to neighbouring properties is found to the north and east of the site, where the rear facing windows of townhouses 08 and 09 would be less than 15m of the rear elevation of Nos. 4 and 5 Canal Walk. However, views would only be possible at an angle, rather than the rear elevations directly facing each other, and so very little of these rear window openings would be apparent. Furthermore, the townhouses are designed to have single aspect bedrooms within the loft space, meaning aspect to these rooms would face away from these rear gardens, reducing any overlooking impacts.

40. There are also no directly facing windows within the development, with the only close relationship being between windows to the south-western corner of the apartment block at all levels. In these instances, the openings serving the main living space at ground floor level (Unit P.00.01), as well as the private amenity space to this flat, would be within 7m of the secondary bedroom window to Unit P.00.02. However, any views would be at an oblique angle and would also be largely screened by balustrading and planting at this level (exact details to be secured by condition).

Accessibility

41. As outlined above, all 40 NAIL apartments will be fully wheelchair accessible to meet the particular care requirements of future residents. All communal and support facilities at ground floor level would also be DDA compliant, and the block is served by DDA compliant lifts.

42. The five-storey block of apartments is also served by a lift, with all ground floor terraces and integral balconies on all upper floors directly linked with level access from living areas. All units would be designed to be accessible and adaptable. Similarly, all 14 townhouses would be designed to be accessible and adaptable, meeting the requirements of Building Regulation M4(2).

43. A condition is attached to ensure the units are provided in accordance with the above, prior to occupation of any of the accommodation.

Amenity Space and Play Space

44. Each family house includes over 50 sqm of private amenity space in the form of rear gardens, meeting Brent's amenity space standard requirements.

45. For the corner block of flats, all units include private amenity space in the form of ground floor terraces and upper floor balconies. In addition, communal amenity space is located both at ground and roof top level. At least 20 sqm of amenity space would be provided for each unit within this block, therefore meeting SPD1

requirements. The ground floor communal amenity space would also be located close to the rear gardens and windows of the two flats at this level; it is therefore considered reasonable to attach a condition requiring details of appropriate screening between these spaces to ensure there would be no harm to future resident amenity.

46. For the NAIL building, it was a specific requirement of the LB Brent to not provide flats with balconies, due to these being considered as inappropriate for the targeted residents. Instead, generous communal amenity space is distributed across each floor, together with a communal garden, totalling to 855 sqm. This works out as approx. 21 sqm per unit, which again meets Brent's minimum requirements.

47. Although there is no specific play space provided on this site, this must be seen in context with the generous amounts of private and communal amenity space overall (including large rear gardens to all family sized units). It is also important to note that public open space exists directly opposite the site, with the entrance to Stonebridge Recreation Ground being 20m away on the southern side of Hillside. This is easily accessible for future residents of all units on this site.

48. A new children's playground was also approved as part of the Phase 1 works (see 16/0077). The shortfall in play space is also to be expected given the constraints of the site and the generous provision of private gardens to the family-sized homes.

Impact on neighbouring residential amenity

Daylight and sunlight

49. The applicant has submitted a daylight, sunlight and overshadowing analysis of the impact of the development on surrounding properties, utilising the recommendations set out in the BRE 'Site layout planning for daylight and sunlight - a guide to good practice (2011)' document. The analysis concludes that there will be no material harm to adjoining occupiers as a result of the proposed development. An initial façade assessment identified the following neighbouring properties as in need of a full, detailed analysis in terms of daylight and sunlight impacts:

- 153-157 Hillside (immediately to the south of the site);
- The Cottage, Twybridge Way;
- 1-5 Canal Walk (denoted as 'West End Close Building C' within the report) and 33-40 West End Close (denoted as 'Building B')

50. With regard to daylight impacts, the assessment concludes that there would be a marginal adverse impact on some of the ground floor rear facing windows at Nos. 33-40 West End Close, with the Vertical Sky Component (VSC) reducing by 24% as a result of the proposed development. However, it is noted that the VSC to these windows after development would remain at 29%, which would be deemed acceptable for any new building. The remainder of the windows to this block would be materially unaffected, and therefore on balance it is considered that any daylight loss would be acceptable.

51. In addition, there would be some material loss of daylight experienced to the ground floor windows of The Cottage. It is considered that some loss of daylight has to be expected given where the dwelling sits in context with the site. However, The properties within Cottage benefit from being dual aspect, and it is considered that the layout and orientation of the new development immediately next to it does limit daylight loss to an absolute minimum. Although on window appears to be single aspect and would experience a noticeable loss of daylight, the overall impact on the living conditions of this property would not be excessive. On balance, officer consider that any loss of daylight would be acceptable. It is also important to note that the scheme is in line with the scale and heights of buildings which were approved as part of the previous outline consent in June 2016. Furthermore, the benefits of the application overall would far outweigh the harm to the most affected neighbouring properties, which is considered to be limited overall.

Privacy and outlook

52. The impact on neighbours is a significant consideration, and policy DMP1 seeks to ensure that any impact in terms of loss of privacy and outlook to neighbouring residential occupiers is kept to a level which would not materially harm their amenity.

53. The established buildings to the immediate north are Nos. 12-18 Twybridge Way (evens), which are two-storey residential dwellings. To the immediate east are Nos. 1-13 Twybridge Way (odds), which are also two-storey residential dwellings. To the west are Nos 1-5 Canal Walk (inclusive), and a four-storey residential

block containing Nos. 33-40 West End Close.

54. The overall layout and orientation of the proposed buildings within the site has been designed with separation (and therefore overlooking) distances to surrounding properties in mind. The tightest relationship is found to the east of the site, where the distance between the rear façades of townhouses 08 and 09 and the rear façade of Nos. 4-5 Canal Walk is a minimum of 11 metres. However, the townhouses have been designed so that rear facing windows would not directly face onto openings opposite on Canal Walk, and at second floor level, will create single aspect bedrooms with rear rooflights, thereby ensuring any overlooking is minimised. On balance, this relationship is considered acceptable.

55. It is also acknowledged that separation distances maintained to The Cottage will be below those normally recommended within SPD1. The Cottage appears to contain flats that have with dual aspect layouts and amenity space surrounding the whole building. As detailed above, some loss of amenity has to be expected to this dwelling given its location within the context of the site. However, townhouses 12, 13 and 14 (approx. 5m to the south of the Cottage) have been designed so that they would have no windows directly looking onto the south elevation of the Cottage. While the residential gardens of these dwellings would be in close proximity, officers consider that sufficient boundary screening (controlled by condition) can be introduced to ensure there is no material loss of privacy to the adjoining occupiers. Therefore the proposals siting would not result in an adverse impact on the overall living conditions of the occupiers of the Cottage.

Transport and highways

56. This application follows a previous outline permission (ref: 16/0073) for a similar proposal to redevelop this site, but with a larger block of 40 NAIL flats now proposed and a slightly different mix of residential accommodation. Access and parking arrangements remain essentially unchanged, although these were only provided at outline stage and precise details have been provided at this stage.

Car parking

57. Since previous comments were made on the outline scheme, amended car parking allowances for residential use have come into effect through the adopted DMP 2016. As the site does not have good access to public transport services, the higher residential allowance set out in Appendix 1 applies. However, the proposed provision of 28 parking bays within the site accords with maximum allowance of 40 spaces under Appendix 1.

58. Policy DMP12 also requires that any on-street parking that is generated can be safely accommodated though. In this case, Twybridge Way is not heavily parked, but has a narrow carriageway that cannot accommodate parking on-street along both sides. As a result, parking bays are marked along the wide footways along either side.

59. This application includes the re-provision of the parking bays along the Twybridge Way site frontage within a lay-by, in order to provide additional on-street parking along the site frontage. Revised drawings have been submitted which show these spaces as lay-bays at a minimum 1.8m width set into the existing footway at carriageway level, with a minimum 2m wide kerbed footway to the rear, and 6m in length. This satisfies initial concerns raised by the highways officer.

60. Within the loop road, two disabled parking spaces have been shown, as well as a minibus/ambulance space. A wide 12m long space has been indicated to the front of the care accommodation for ambulances, although it should be noted that it will not be able to be reserved for exclusive use for minibuses/ambulances by the care home if the estate road is to be adopted as public highway. Disabled spaces can be provided along the new street as and when requests for bays are received.

Cycle parking

61. The London Plan requires a secure bicycle parking space for each 1-bed flat and two spaces for larger flats, plus one space per 20 flats and one space per five staff for the care home.

62. Each of the proposed houses is shown with a secure bicycle store for two bikes within its private garden space. A further small external store for four bikes is shown for the care home, whilst an internal storeroom for 22 bikes on a double-height storage rack is proposed within the block of 13 flats. The overall number of spaces, and quality of storage, meets London Plan requirements. A further bicycle storage area for 10 visitor spaces is shown alongside the access road. A condition will be attached to ensure the cycle storage is provided across the site before the development is occupied.

Refuse storage

63. Adequate internal bin storage for the flats and care home is proposed to the front of each block, allowing easy access by refuse vehicles from the proposed loop road. Each of the houses is also shown bin storage areas within their front gardens. Again, this will be secured by condition.

Vehicular access and servicing/deliveries

64. Access through the development is again proposed via a 4.8m wide loop road with parallel and echelon parking bays along its length, meeting Twybridge Way in two locations with 4m kerb radii at the junctions. The proposed width of the road is appropriate for this level of development and the alignment, with two sharp bends, will keep vehicular speeds low. Tracking has been provided for the two bends to demonstrate that refuse vehicles and fire appliances can negotiate the site, which is fine.

65. Highways officers raised concerns with the ability of larger vehicles, such as pantechnicons, to manoeuvre around the southern bend on Twybridge Way. Revised drawings have been received showing an over-run strip on the inside of the loop road, closest to the NAIL units, to aid movement, and officers consider this acceptable. Additionally, plans have been revised to include raised entry tables and tactile paving at the junctions with Twybridge Way.

Pedestrian access

66. Revised drawings have been submitted showing the removal of a parking space nearest the northern bend of the loop road (closest to the Cottage) to allow a continuous footway around the inside of the northern bend in the loop road. A 450mm kerbed margin has also been shown to the third party fence to prevent potential future damage by passing vehicles.

67. The works to construct the new access road and to create the on-street parking lay-bys will need to be carried out via an agreement under Sections 38/278 of the Highways Act 1980 and offered to the Transportation Unit for adoption as public highway, which is to be secured separately. The design will also be subject to a Safety Audit (which may well also pick up on the matter of the protruding fence and its impact on forward visibility and pedestrian routes). The works must also incorporate the removal of all signage and lining associated with the school, including zig-zag markings (with associated sign), guardrailings and advance school warning sign (on lamp column 8 on Twybridge Way).

Wider transport impacts and trip generation

68. A revised Transport Assessment has been submitted to support this amended application. In terms of traffic impact, the additional NAIL accommodation is estimated to add one extra vehicular trip in each peak hour, thereby increasing total vehicular trips for the development to 6 arrivals/8 departures in the morning peak hour (8-9am) and 6 arrivals/7 departures in the evening peak hour (5-6pm).

69. The operation of the Twybridge Way/Hillside junction was assessed in the previous Transport Assessment for the outline scheme and was found to operate well within capacity. The addition of one extra vehicle in each peak hour would not alter that conclusion.

70. As before, the revised Transport Assessment has not provided any assessment of likely future trips to and from the site by non-car modes of transport, but a Framework Residential Travel Plan has again been produced to help to manage travel to and from the site by non-car modes of transport, even though the development in itself falls below TfL's threshold for production of a full Travel Plan.

71. The Travel Plan sets out a large range of measures to provide information, support initiatives and provide incentives to try to influence future residents to make more use of sustainable modes of transport. These include the supply of travel information through Travel Packs, Noticeboards and Personal Travel Planning, promotion of the health benefits of walking and cycling, establishment of a Bicycle Users Group, provision of vouchers towards bicycle or equipment purchase, promotion of public transport services, car sharing and home shopping and management of on-site parking.

72. A Travel Plan Co-ordinator is to be employed for about 70 hours in a year to manage the Travel Plan, with progress towards targets monitored on a biennial basis. The main target will be to reduce the proportion of journeys to and from the site made by car drivers from an initial estimate of 47% down to 35% over the course of five years.

73. However, no basis for the baseline of 47% has been provided and with data from the 2011 Census suggesting that only 31% of journeys to work in the area are made by car, the baseline figure is not considered to be realistic. Revised targets therefore need to be agreed before the Residential Travel Plan can be accepted, which can be reviewed once the first survey is undertaken. Nevertheless, the development is relatively small scale, so once the targets have been agreed, the implementation of the Travel Plan can be simply secured by planning condition.

74. Finally, the previous examination of the road accident history for the area has been updated to the five year period ending December 2017. This did not show any accidents in Twybridge Way, but did show a large cluster of 16 accidents in the vicinity of the junction of Hillside and Twybridge Way and the zebra crossing to the west, including four involving pedestrians, four involving motorcyclists and six rear end shunts. Highways officers recommend that improving highways safety (such as improved lighting, crossings etc) in the area should be a focus for CIL contributions arising from the approved scheme. However, it is important to note that the development of the site for residential purposes would not materially worsen the situation, and the application is acceptable in terms of transportation on this basis, albeit officers note the request of the highways team.

Environmental health considerations

Air Quality

75. An air quality assessment considering the impacts of the proposed redevelopment of the site on air quality has been submitted, and this has been reviewed by Brent's regulatory services team.

76. Following revisions which addressed some concerns about air quality mitigation measures, it is considered that the assessment is acceptable. The report concludes that ground floor flats within the five-storey block would require some mitigation measures installed to ensure that the air quality levels externally do not impact on the future residents. The works include glazing that will ensure a sealed fitted unit, as well as mechanical ventilation system to be installed to ensure that clean air is provided to the flats. A condition is attached to ensure that the mitigation measures are installed prior to occupation of any units.

Noise

77. A noise impact assessment considering the noise impact on the residential units has been submitted as part of the proposal.

78. The report shows that the tested surrounding environment results generally in a low to medium noise level for the proposed townhouses, whereas there would be some higher noise levels with the NAIL and residential apartments. This is due to the presence of road traffic, proximity to the railway line and other localised noise sources, and requires a robust glazing and ventilation scheme in the most affected areas.

79. The findings of the testing necessitate the provision of acoustic design mitigation measures to prevent potential adverse impacts. The acoustic design measures proposed are as follows:

- High performance, sound insulating glazing within all windows.
- Mechanical ventilation systems with high outside to inside sound insulation performance.

80. The report ultimately concludes that planning permission should not be rejected on the grounds of noise and that the measures proposed would improve sound impact to within acceptable levels.

81. Brent's regulatory services team have reviewed the noise impact assessment in detail. Officers recommend a condition requiring the development to achieve the relevant British Standard for sound insulation and noise reduction. A condition is also recommended requiring all plant installed on the development to not exceed 10dB(A) below the background noise level when measured at the nearest noise sensitive premises.

82. These conditions are considered reasonable and the LPA will also impose a condition requiring that the scheme of noise insulation measures within the acoustic/noise report are adhered to throughout the development in achieving the relevant British Standard for sound insulation and noise reduction.

Construction Management

83. A construction management plan has not been provided with the application. Brent's regulatory services

request that a condition requires such a report to be submitted and approved prior to commencement of the development (including demolition).

Contaminated Land

84. A contaminated land ground investigation report has been submitted. The report draws a number of geotechnical engineering conclusions and makes recommendations relating to processes of site excavation, foundation solutions, gas protection and subsurface concrete to mitigate the potential for soil contamination.

85. In reviewing the application, Brent's regulatory services do not object to the methodology or recommendations within the report. A condition will therefore require that the recommendations within the ground investigation are adhered to throughout construction.

Lighting

86. An external lighting report has been submitted with the application and also reviewed by Brent's regulatory services team. There is some concern that levels of illuminance immediately outside the residential properties would be high, at approx. 10 lux. Officers therefore recommend a condition requiring details of the height, type, position, angle and spread of any external lighting to be submitted for approval, prior to any of the units being occupied.

Sustainability and energy

87. A detailed Energy Strategy and Sustainability Statement have been submitted with the application.

88. The proposed regulated development with 'Be Lean', 'Be Clean' and 'Be Green' measures incorporated is confirmed to emit 51,200kg of Carbon Dioxide per annum. This equates to a 35% reduction on the minimum building regulations (2013) as required within the London Plan, although does not achieve the zero carbon goal and as such requires an offset payment. The offset payment shall cover a 30-year period of emissions, with the payment being equivalent to £51 per tonne per annum. This payment will be secured through the Section 106 agreement.

89. The details of the energy efficiency improvements are as follows:

Be Lean (total savings within the dwellings from 'be lean': 9,700kg / 12%) - Using building fabric which significantly improves on the thermal performance of a building regulation compliant building.
- The use of passive design measures including oversailing balconies to reduce solar gains during summer, and increased solar gains during winter.

The use of lighting controls measures is proposed to save energy relating to lighting.

The use of mechanical ventilation with heat recovery.

NAIL communal areas to be naturally ventilated where possible.

Be Clean (total savings within the dwellings from 'be clean': 0kg/ 0%)

- It has been explained that the baseload heat demand is not sufficient to support the installation of a site wide heating system or combined CHP engine
- Provision of gas condensing boilers for heat supply

Be Green (total savings from 'be green': 18,000 kg / 23%)

Review of air source heat pumps, wind turbines and photovoltaics.

Considered that PV panels were most appropriate in the context of this development, although a centralised air source heat pump system is also under consideration for the NAIL units

Anticipated that a total of 200 sqm of PV panels will be installed across the site, all utilising south facing roof spaces to the townhouses and the main flatted block.

90. The council's sustainability officer has been consulted on the proposals and, following revisions and clarification of the presence of mechanical ventilation, as well as the efficiency of the PV panels, is satisfied that the proposals would meet the 35% target for on-site reduction in carbon emissions without the need for a CHP system to be installed.

Trees and landscaping

91. The existing landscape contains four groups of semi-mature and mature Category B and C trees, which are predominantly sited parallel to the canal feeder footpath to the north of the site, and along the Hillside frontage. A further 35 individual trees have been identified by the arboricultural survey submitted with the

application. The proposed development envisages the removal of 31 of the 35 individual trees and the four main groups, with mitigation proposed in the form of a replacement tree planting strategy.

92. No category A trees were identified on the site. In addition to the tree survey, a tree protection plan and arboricultural impact assessment have been submitted. The report makes the following key recommendations:

- Trees T2 and T34 to be retained, with any necessary excavation within the RPAs of these trees to be carried out using hand operated machinery and protocol set out within the agreed protection method statement
- Tree T10 to be retained, with RPA protected using Heras type fencing for the duration of the construction process. All excavation necessary within RPA to be carried out using hand operated machinery. All other machinery to be used outside of the RPA at all times, and all construction materials to be stored outside of the RPA
- Prior to set up, all trees to be removed to be felled and removed in accordance with British Standard BS3998:2010. A further tree pruning specification may be provided to deal with trees conflicting with the proposed development
- The installation of heras type mesh panel to be carried out in accordance with the tree protection plan and as per British Standard BS5837:2012 Figure 3a
- Appropriate ground protection (ie. Trakmat) used locally where appropriate in connection with tracking of a small machine within the RPA of protected trees
- If tree roots discovered during excavation process, roots up to 25mm to be cut back using hand held tools, except where they occur in clumps. Roots of over 25mm diameter, or in clumps, shall be severed only after consulting the qualified arboriculturalist on site, or LPA tree officer
- All new development should be outside of RPA's and where development is proposed within RPA's of trees to be retained it must be constructed in a way that damage of the trees root system or crown be avoided.

93. The arboricultural strategy is in line with what was previously approved in June 2016, and has evolved to include a detailed replacement tree planting strategy. The previous scheme identified trees of considerable amenity value (T30 - Sycamore) located on the south west corner of the site, and T28 and T29, both mature Leyland cypress which would be affected by the building footprint. These would be inappropriate for retention in such close proximity to the proposed building.

94. In view of the site circumstances, it is considered there are only 3-4 trees along the southern boundary worthy of retention, none of which are considered to be of sufficient quality to dictate the layout of development on site. None of the trees on the western boundary, or within the site itself are considered to be of particular merit and the details submitted of replacement tree planting indicate that these would be of a high quality, making a positive contribution in terms of visual amenity to future occupiers of the development and ensuring the amenity of surrounding residents is enhanced.

95. An outline landscape strategy has been developed. The landscape design proposes an integrated soft and hard landscape setting for the residential development. Crucially, a new line of tree planting will take place along Hillside to the south of the site, ensuring a green frontage is maintained and providing important natural screening from noise and air pollution to future occupiers. The new loop road to the centre of the site will also be tree lined, with new trees also proposed to the rear of the townhouses to the north and east of the site.

96. A full landscaping strategy will be requested by condition, including further details of species and precise specifications of tree layout and all areas of hard and soft landscaping, both to public areas and communal amenity space within the development.

Flooding and drainage

97. The site falls within flood zone 1 of the Environment Agency's flood designations (the lowest flood risk). Nonetheless, given the scale of the proposal the applicant has submitted a report addressing flood risks of the development. The report also outlines a drainage strategy for the site which would significantly reduce surface water discharge rates of the site from their existing levels, in line with the requirements of London Plan policy 5.13. The developer will achieve this by providing rainwater storage tanks and suitable sustainable urban drainage (SuDS) measures which will result in a reduction in the existing rate of discharge to the sewage network.

98. The document has been reviewed by Brent's Local Lead Flood Authority and it is confirmed that the approach to flood risk and sustainable drainage for this development is acceptable and in line with Brent and

London Plan standards. A condition will require that the measures as outlined in the flood risk and drainage assessment are adhered to throughout the development.

99. Thames Water has also reviewed the application and have identified, following initial investigations, an inability of the existing surface water infrastructure to accommodate the needs of this development proposal. Therefore, they have recommended a condition requiring further details of a phasing plan, approved by Thames Water, to be agreed before any works commence on site.

100. Thames Water has also provided information relating to the requirements for connecting the development to the public sewer, minimising groundwater discharge during construction, installing fat traps and petrol / oil interceptors. This information will be communicated to the applicant by way of informative. Thames Water confirm that they have no objection to the application in terms of sewerage infrastructure capacity.

Impact on Grade II Site of Importance for Nature Conservation Value (SINC)

101. The existing canal feeder to the north of the site is designated locally as a Grade II SINC, and a wildlife corridor. The feeder connects the River Brent to the Grand Union Canal. The proposed development does not encroach into the designated corridor.

102. The Canal and River Trust (CRT) have been consulted on the application and reviewed relevant documents, in particular with regard to the relationship of the townhouses along the northern boundary of the site which would sit adjacent to the canal feeder. No objections have been raised by the CRT, subject to a condition requiring further details of the proposed hard and soft landscaping scheme along this northern boundary of the site be submitted to and approved in writing in consultation with them. A further condition is attached requiring the approval of all external lighting prior to occupation of the townhouses.

103. Subject to these conditions, it is considered that the proposals would have a neutral impact on the SINC.

Ecology

104. The application includes an ecology report to consider the potential ecological impacts of this development, and in particular its relationship with the canal feeder, which is a Grade II SINC, as referred to above.

105. The report concludes that the canal feeder currently supports nesting birds within the trees and shrubs, and there is also evidence of hedgehogs based on desk studies. In addition, although there was no evidence of roosting bats and badgers within the site, the canal feeder could support such habitats.

106. In order to comply with relevant legislation, the report recommends that removal of the trees and shrub should ideally be undertaken outside of the breeding season (generally thought to be March-August) or a nest search should be undertaken by an ecologist immediately prior to works commencing.

107. The report identifies opportunities to enhance and improve the ecology of the site post development. This enhancement could be achieved through:

- Implementation of a landscape scheme that incorporates both native and wildlife friendly plant species.
- The inclusion of hedgehog passes under any fence lines to allow connectivity between the site and the surrounding area.
- The use of log piles from wood from felled trees to create suitable habitats for hedgehogs, herpetofauna and invertebrates
- The provision of a small water feature to provide suitable habitats for common amphibians, as well as a safe source of water for wildlife
- The installation bird and bat boxes within the future development, which could be integral boxes within the walls of the altered structures.

108. In addition, green and/or biodiverse roofs will be installed where possible on the upper levels of the building. The applicant confirms that the planting scheme will contain native flora and fauna and the final details of the landscaping will be secured by condition.

109. A condition will require that the ecology report recommendations are adhered to throughout development.

Conclusion

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

CIL DETAILS

This application is liable to pay **£1,391,829.46** * 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): 1422 sq. m.

Total amount of floorspace on completion (G): 5417 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	5417		3995	£200.00	£0.00	£1,152,129.46	£0.00
(Mayoral) Dwelling houses	5417		3995	£0.00	£60.00	£0.00	£239,700.00

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)	323	
TOTAL CHARGEABLE AMOUNT	£1,152,129.46	£239,700.00

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

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

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



DECISION NOTICE – APPROVAL

Application No: 18/4810

To: Kerry Radford
JLL
30 Warwick Street
London
W1B 5NH

I refer to your application dated **14/12/2018** proposing the following:

Demolition of the former day centre and redevelopment of the site to provide an apartment block rising to 5 storeys comprising 13 flats (4 x 1 bedroom and 9 x 2 bedroom), 14 houses rising to 3 storeys (10 x 3 bedroom and 4 x 4 bedroom), and one apartment block rising to 5 storeys comprising 40 studio flats with an element of care (Use Class C3(b)) with associated amenity space and landscaping, the creation of a new loop road, car parking, cycle storage and refuse storage

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

at **Stonebridge Primary School Annexe, Twybridge Way, London, NW10 0ST**

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: 11/06/2019

Signature:

A handwritten signature in black ink that reads "Alice Lester".

Alice Lester
Head of Planning, Transport and Licensing

Notes

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

DnStdG

SUMMARY OF REASONS FOR APPROVAL

- 1 The proposed development is in general accordance with policies contained in the:-
 - Revised National Planning Policy Framework 2018 (NPPF)
 - National Planning Practice Guidance (NPPG)
 - London Plan 2016
 - London Borough of Brent Core Strategy 2010
 - London Borough of Brent Development Management Policies 2016
 - Brent 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):

060-TWY-001A;
060-TWY-002A;
060-TWY-003B;
060-TWY-010A;
060-TWY-100A;
060-TWY-101A;
060-TWY-102A;
060-TWY-110A;
060-TWY-111A;
060-TWY-112A;
060-TWY-120A;
060-TWY-121A;
060-TWY-122A;

060-TWY-200A;
060-TWY-201A;
060-TWY-202A;
060-TWY-203A;
060-TWY-204A;
060-TWY-205A;
060-TWY-206A;
060-TWY-210A;
060-TWY-211A;
060-TWY-212A;
060-TWY-213A;
060-TWY-220A;
060-TWY-221A;

060-TWY-300A;
060-TWY-301A;
060-TWY-302A;
060-TWY-303A;
060-TWY-304A;
060-TWY-305A;
060-TWY-310A;
060-TWY-311A;
060-TWY-312A;
060-TWY-313A;

060-TWY-320A;
060-TWY-321A.

Design and access statement (Issue A) dated Nov 2018 from Southstudio;
Planning statement from JLL dated December 2018;
Affordable housing statement from JLL dated December 2018;
Revised air quality assessment from REC Ltd (ref. AQ106522-1r3 Rev 2) dated March 2019;
Arboricultural Impact Assessment, Method Statement and Tree Protection Plan dated 8th Nov 2018;
Daylight and sunlight assessment from Hydrock Consultants Ltd (ref. C04595-HYD-00-XX-REP-007 Issue 3) dated 14th Nov 2018;
Revised energy strategy from Hydrock Consultants Ltd (ref. C04595-HYD-00-XX-REP-0008 Issue 03) dated 18th March 2019;
External lighting strategy from Hydrock Consultants Ltd (ref. C04595-HYD-00-XX-REP-007 Issue 03) dated 6th November 2018;
Flood risk assessment and drainage strategy report from Price and Myers dated Nov 2018;
Noise planning report from Hydrock Consultants Ltd (ref. C04595-ACO-EJ-20181024 Issue 06) dated 6th November 2018;
Preliminary Ecological Appraisal from Middlemarch Environmental (Ref: RT-MME-129605-02 Rev A) dated November 2018;
Statement of Community Involvement from JLL dated December 2018;
Sustainability statement from Hydrock Consultants Ltd (ref. C04595-HYD-00-XX-REP-0005 Issue 02) dated 6th November 2018;
Transport Assessment (ref. 1808-62/TA/02 Rev A) from Transport Planning Associates dated November 2018

- 3 The development hereby approved should be built so that all of the C3 residential dwellings achieve Building Regulations requirement M4(2) – ‘accessible and adaptable dwellings’ and that all 40 of the C3b residential units achieve Building Regulations requirement M4(3) – ‘wheelchair user dwellings’.

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

- 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 Notwithstanding the provisions of the Town & Country Planning (Use Classes Order) 1987, as amended, the 40 units within the hereby permitted shall only be used for the provision of residential accommodation within Use Class C3b and for no other purposes within Class C3 of the schedule to the Order or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification.

Reason: To ensure that the use remains appropriate for the site location and to ensure that the standards applied to the consideration of the approved development are maintained in connection with the completed development so approved and to meet Brent's housing needs.

- 6 All 67 of the residential units (both C3 and C3b accommodation) hereby approved shall be implemented and maintained for the lifetime of the development as 100% affordable rented housing (meaning at a social / affordable rent) and LB Brent will have the right to nominate people to be housed in the C3b residential accommodation, unless otherwise agreed in writing

with the local planning authority.

Reason: To ensure the development is implemented in accordance with the approved details submitted having regard to the weight that was given to this scheme being 100% affordable when reaching a decision and to contribute to meeting Brent's identified housing needs, including meeting LB Brent's statutory housing duties.

- 7 The parking spaces, access road and footways shall be constructed and permanently marked out prior to any occupation of the development as approved by the Local Planning Authority.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic or the conditions of general safety within the site and along the neighbouring highway.

- 8 (a) The applicant shall implement the following highway works (set out on drawing 060-TWY 003B) prior to any occupation of the units hereby approved :

(i) construct the proposed loop road for the development including footways and parking bays, with minor amendments to include raised tables at the junctions with Twybridge Way and the northern bend in the road;

(ii) construct parking lay-bys along the Twybridge Road frontage of the site

(b) Prior to commencement of the development (save for demolition), the applicant shall make appropriate arrangements in writing to enter into an agreement with the Local Highway Authority to provide the following highway works:

(iii) remove all signing, lining and guardrailling associated with the existing school use, together with all associated lighting, signing, lining and drainage and other ancillary and accommodation works and works necessary to statutory undertakers' equipment;

(iv) a review of waiting restrictions and traffic management measures in the vicinity of the school.

None of the units hereby approved shall be occupied (or other timescales to be agreed in writing by the Local Planning Authority) until the above works have been completed to the satisfaction of the Local Highway Authority and have been certified in writing as being substantially complete by or on behalf of the local planning authority.

Reason: In the interests of highway and pedestrian safety.

- 9 The parking spaces (including disabled and ambulance/minibus spaces), cycle storage facilities and visitor cycle stands, and refuse storage shall be installed prior to occupation of the development hereby approved and thereafter retained and maintained for the life of the development and not used other than for purposes ancillary to the occupation of the building hereby approved.

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

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

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

- 11 All tree protection measures as recommended within the submitted BS 5837:2012 Arboricultural Impact Assessment, Method Statement & Tree Protection Plan (dated 18th Nov 2018) shall be

adhered to throughout the construction of the development.

Reason: To protect trees surrounding the site from damage associated with construction processes.

- 12 Prior to the commencement of the development a Construction Method Statement (CMS) shall be submitted to and agreed by the Local Planning Authority outlining measures that will be taken to control dust, noise and other environmental impacts of the development. The CMS shall include details of a dust monitoring plan, to be implemented during construction and demolition works. All agreed actions shall be carried out in full.

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

- 13 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

- 14 Prior to the occupation of the development, all mitigation measures described in the approved Air Quality Impact Assessment (REC air quality assessment (ref AQ 106522-1R3 dated April 2019)) shall be implemented in full.

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

- 15 All recommendations contained within the submitted Ecology study (Middlemarch Environmental - PRELIMINARY ECOLOGICAL APPRAISAL – dated November 2018 – Ref: RT-MME-129605-02 Rev A) shall be adhered to throughout the construction of development.

Reason: To protect and enhance local ecosystems that would otherwise be unduly harmed by the development.

- 16 The development hereby approved shall be carried out in full accordance with the details stipulated in the approved Flood Risk and Drainage Assessment (Price Myers - Flood Risk Assessment and Drainage Strategy Report – November 2018 – ref. 25518).

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

- 17 All dwellings (both C3 and C3b accommodation) 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.

- 18 All mitigation measures set out within the Energy Strategy (Hydrock Consultants Ltd – Energy Strategy - C04595-HYD-00-XX-REP-0008 – Issue No. 3 dated March 2019), including appropriate payment of carbon offset funding, shall be fully implemented and maintained for the lifetime of the Development unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory development which incorporates sustainability measures, and accord with London Plan Policy 5.2.

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

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

- 20 Prior to works above ground level details of appropriate screens between the ground floor flats within the C3 apartment block, and the communal amenity space at this level, shall be submitted to and approved in writing by the Local Planning Authority, and thereafter implemented in accordance with the approved plans.

Reasons: In the interests of the amenities of the adjoining occupiers.

- 21 Details demonstrating that the developer or constructor has joined the Considerate Constructors Scheme shall be submitted to the Local Planning Authority prior to commencement of works on site and the developer or constructor shall thereafter adhere to the requirements of the Scheme for the period of construction for that part of the development.

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

- 22 Prior to commencement of any works on site (including site clearance works and or demolition) a Construction Traffic & Logistics Plan shall be submitted to and approved in writing, and the development shall be implemented fully in accordance with the approved details thereafter, unless otherwise agreed in writing by the Local Planning Authority. The Plan shall provide for:

- (i) the parking of vehicles of site operatives and visitors;
- (ii) Construction traffic routes to the development site;
- (iii) loading and unloading of plant and materials;
- (iv) storage of plant and materials used in constructing the development;
- (v) The operation of the site equipment generating noise and other nuisance causing activities, audible at the site boundaries or in nearby residential properties to 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 as part of the Construction Management Plan);
- (vi) wheel washing facilities and schedule of highway cleaning;
- (vii) measures to control the emission of dust and dirt during construction;
- (viii) a scheme for recycling/disposing of waste resulting from demolition and construction works;
- (ix) Staff car parking facilities; and

(x) Adhere to the Considerate Contractors Scheme.

Reason: To ensure that the environmental impacts of the works are suitably mitigated to protect residential amenity and ensure the development does not have an adverse impact on the highway.

- 23 Within 3 months of first occupation, a revised Residential Travel Plan shall be submitted to and approved in writing, and shall be fully implemented for the lifetime of the Development, or as amended by the agreement of the Local Planning Authority in writing. This Plan shall demonstrate the Travel Plan is of sufficient quality to score a PASS when assessed under Transport for London's ATTrBuTE programme (or any replacement thereof), to incorporate targets for minimising car use, monitoring of those targets and associated measures to meet those targets, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to promote sustainable transport measures where on-street parking and manoeuvring may cause highway safety problems.

- 24 Within six months of commencement of works above ground level, a scheme shall be submitted to and approved in writing by the Local Planning Authority that provides details of all landscaped areas of the development. Such approved landscaping works shall be completed prior to first occupation of the development hereby approved and thereafter maintained.

The submitted scheme shall include details of:

- a) the planting scheme for the site, which shall include species, size and density of plants and trees, sub-surface treatments (or planters / green roof substrate profiles where applicable), details of the extent and type of native planting, any new habitats created on site and the treatment of site boundaries;
- b) walls, fencing and any other means of enclosure, including materials, designs and heights;
- c) treatment of areas of hardstanding and other areas of hard landscaping or furniture, including materials;
- d) a landscaping maintenance strategy, including details of management responsibilities.

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.

- 25 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, in accordance with Brent Policy DMP1.

- 26 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, in accordance with Brent Policy DMP1.

- 27 Prior to the commencement of development hereby approved (save for demolition), full details of the proposed hard and soft landscaping scheme along the northern boundary of the site shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Canal & River Trust.

The landscaping shall be carried out fully in accordance with the approved details thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: To improve the appearance of the site when viewed from the waterside and to enhance the biodiversity of the area.

- 28 Prior to the commencement of the development hereby approved (save for demolition), full details of the proposed external lighting scheme to the northern boundary of the site, along the canal feeder, shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Canal & River Trust. The approved lighting scheme should be implemented in full thereafter prior to first occupation of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of ecology, visual amenity and the waterway setting.

- 29 Within 3 months of practical completion of the development, an Energy Assessment Review shall be submitted to and approved in writing by the Local Planning Authority. This review by an approved independent body shall verify that the development has met or exceeded the following:

(i) Minimum 35% improvement on Part L 2013 Building Regulations Target Emission Rate ("TER") for CO2 emissions;

If the review specifies that the development has failed to meet the above levels, and it has been satisfactorily demonstrated that it has not been possible or feasible to incorporate any of the measures proposed within the Energy Statement and/or the Sustainability Strategy then details of alternative measures or alternative means by which the impacts of the failure to implement the measures shall be submitted to and approved in writing by the Local Planning Authority within 2 months of the review, and implemented in full thereafter in accordance with a timescale agreed with the Local Planning Authority.

Reason: To ensure a satisfactory development which incorporates sustainability measures.

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 that the treatment/finishing of flank walls can be implemented, before work commences, as this may involve the use of adjoining land and should also ensure that all development, including foundations and roof/guttering treatment is carried out entirely within the application property.
- 4 The applicant is advised by the applicant to contact the Head of Highways & Infrastructure to arrange for the highway works to be undertaken. Such works are undertaken by the Council at the applicant's expense.
- 5 The applicant is advised to notify the Council's Highways Service of the intention to commence works prior to commencement. Such notification shall include photographs showing the condition of highway along the site boundaries.

6 Waste Comments

Following initial investigations, Thames Water has identified an inability of the existing surface water infrastructure to accommodate the needs of this development proposal. Thames Water have contacted the developer in an attempt to agree a position for surface water networks but have been unable to do so in the time available and as such Thames Water request that the following condition be added to any planning permission. No properties shall be occupied until confirmation has been provided that either:- all surfacewater 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 - The development may lead to 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. Any necessary reinforcement works will be necessary in order to avoid sewer flooding and/or potential pollution incidents." The developer can request information to support the discharge of this condition by visiting the Thames Water website at thameswater.co.uk/preplanning. Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (telephone 0203 577 9998) prior to the planning application approval.

Thames Water would advise that with regard to Foul Water sewage network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided

Water Comments

If you 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.

The proposed development is located within 15m of our underground water assets and as such we would like the following informative attached to any approval granted. The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.

https://urldefense.proofpoint.com/v2/url?u=https-3A_developers.thameswater.co.uk_Developing-2Da-2Dlarge-2Dsite_Planning-2Dyour-2Ddevelopment_Working-2Dnear-2Dor-2Ddiverting-2Dour-2Dpipes&d=DwlFaQ&c=OMjwGp47Ad5otWI0_lpOg&r=G_hzVvSAkixNxE_J_EiJNJR_FDWFjexJLES8DRQ06gKk&m=AuhBjV5f0khYuhU_ncQVS2t_V1kjMaOEs0xobCc1fM&s=siO9cP5Dy-Dubg8_JA7ciUKp60qteaQH0yN9LNPTuA8&e=. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk

On the basis of information provided, Thames Water would advise that with regard to water network and water treatment infrastructure capacity, we would not have any objection to the above planning application. Thames Water recommends the following informative be attached to this planning permission. 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.

There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.

https://urldefense.proofpoint.com/v2/url?u=https-3A_developers.thameswater.co.uk_Developing-2Da-2Dlarge-2Dsite_Planning-2Dyour-2Ddevelopment_Working-2Dnear-2Dor-2Ddiverting-2Dour-2Dpipes&d=DwIFaQ&c=OMjwGp47Ad5otWI0_lpOg&r=G_hzVvYSAkixNxE_J_EjNJR_FDWFjexJLES8DRQ06qKk&m=AuhBjv5f0khYuhU_ncQVS2t_V1kjMaOEs0xobCc1fM&s=siO9cP5Dy-Dubq8_JA7cIUkP60qteaQH0yN9LNPTuA8&e=

Supplementary Comments

- Foul discharge connection into 150mm sewer on Twybridge Way for 67 dwellings;

Assessment shows the discharge to be within sewer threshold.

- Surface Water; Thames Water does not support surface water to be discharged into the sewer. The site is next to a Watercourse hence all flows should be directed their following London Plan 5.13.

The London Plan - Policy 5.13 Sustainable Drainage' states that a development should utilise sustainable urban drainage systems (SUDS) unless there are practical reasons for not doing so, and should aim to achieve greenfield run-off, 5l/s/ha, rates and ensure that surface water run-off is managed as close to its source as possible in line with the following drainage hierarchy.

1. Rainwater harvesting (including a combination of green and blue roofs).

2. Infiltration techniques and green roofs 3. Rainwater attenuation in open water features for gradual release 4. Rainwater discharged direct to watercourse (unless not appropriate) 5.

Rainwater attenuation above ground (including blue roofs) 6. Rainwater attenuation below

ground 7. Rainwater discharge to a surface water sewer or drain 8. Rainwater discharge to a

combined sewer

- 7 The Council recommends that the maximum standards for fire safety are achieved within the development.
- 8 The applicant/developer is advised that any oversail, encroachment or access to the Brent Feeder requires written consent from the Canal & River Trust, and they should contact the Canal & River Trust regarding this. Please contact their Estates team at bernadette.mcnicholas@canalrivertrust.org.uk for further information.
- 9 The applicant/developer is advised to refer to the current Canal and River Trust 'Code of Practice for Works affecting the Canal and River Trust' to ensure that any necessary consents are obtained, and liaise with the Trust's Third Party Work engineer: <http://canalrivertrust.org.uk/about-us/for-businesses/undertaking-works-on-our-property>.
- 10 Any surface water discharge to the waterway will require prior consent from the Canal and River Trust. Please contact Chris Lee from the Canal and River Trust's Utilities Team at Chris.Lee@canalrivertrust.org.uk
- 11 Brent Council supports the payment of the London Living Wage to all employees within the Borough. The developer, constructor and end occupiers of the building are strongly encouraged to pay the London Living Wage to all employees associated with the construction and end use of development.

Any person wishing to inspect the above papers should contact Neil Quinn, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5349

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

19 June, 2019
08
19/0888

SITE INFORMATION

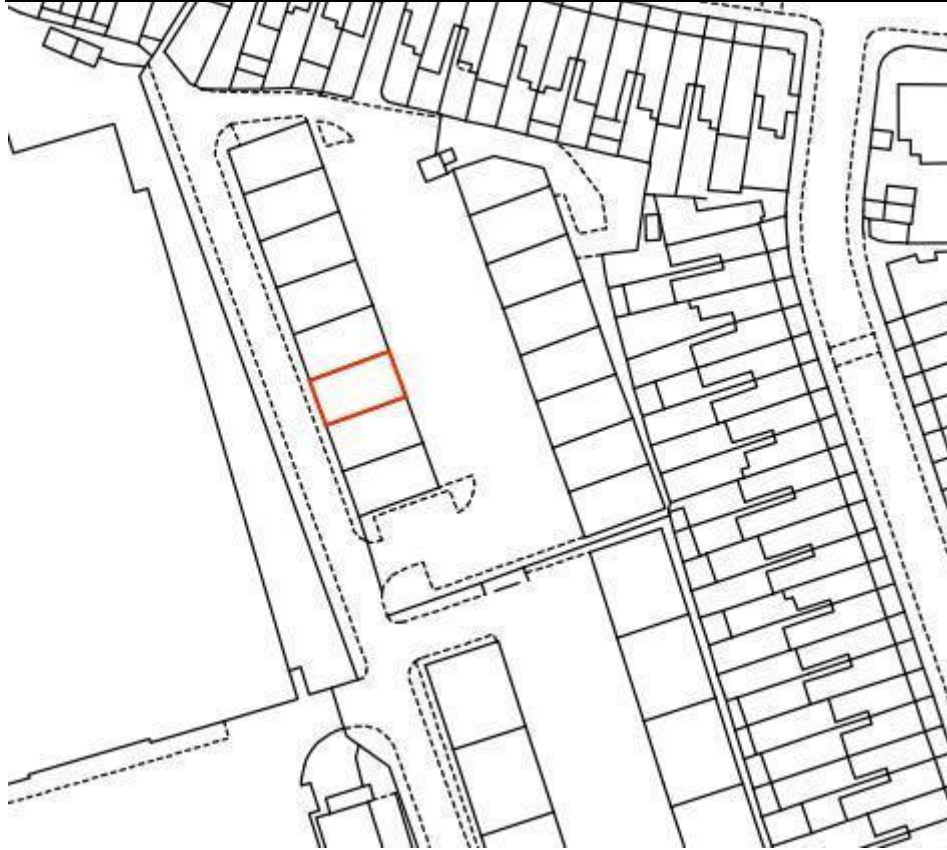
RECEIVED	11 March, 2019
WARD	Dudden Hill
PLANNING AREA	Church End Neighbourhood Forum
LOCATION	3 Cygnus Business Centre, Dalmeyer Road, London, NW10 2XA
PROPOSAL	Change of use from a light industrial use (Use class B1c) to MOT service centre (Use class B2).
PLAN NO'S	1/2; 2/2; 3/3 (submitted 2/5/19)
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_144300</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 "19/0888" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab

RECOMMENDATIONS

Approve

SITE MAP

	Planning Committee Map
Site address: 3 Cygnus Business Centre, Dalmeyer Road, London, NW10 2XA	
© Crown copyright and database rights 2011 Ordnance Survey 100025260	



This map is indicative only.

PROPOSAL IN DETAIL

The current application seeks permission for the change of use from light industrial use (Class B1c) to an MOT service centre (Class B2).

EXISTING

The application site consists of two-storey industrial/office unit located on the eastern side of Cygnus Business Centre, which itself is situated to the east of Dalmeyer Road. Cygnus Business Centre is a designated Locally Significant Industrial site, and is affected by an Article IV direction which prevents the change of use away from Class B uses under prior approval. The unit is not within a Conservation Area, nor does it affect any listed buildings.

SUMMARY OF KEY ISSUES

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

Principle: The site is a designated Locally Significant Industrial Site and as such industrial employment uses such as B1, B2 and B8, or associated Sui Generis uses are both permissible and protected. The change of use from Class B1 to Class B2 is therefore acceptable in principle.

Representations received: 10 objections have been received. The material issues raised relate to the impact on parking and servicing within the business park. Highways Officers have assessed the application and deem the impact to be acceptable.

Character and Appearance: No external alterations are proposed.

Impact on Neighbouring Amenity: The site is located within a business park and is not situated near any residential properties. The opportunity for harm on local residents is negligible.

Parking & Access: The site has two marked bays along the unit frontage which are deemed to provide a suitable area for cars to be stored before and after being attended to.

Environmental Health: Again, due to the site being located within a business park, any environmental concerns relating to noise and disturbances are likely to be typical for a designated Locally Significant Industrial Site.

RELEVANT SITE HISTORY

87/1816: Erection of 16 light industrial units with associated parking and loading areas. **Approved.**

CONSULTATIONS

Individual notification letters were sent to the occupiers of 18 neighbouring properties. Ten objections have been received. The issues raised can be summarised as follows:

1. Harmful impact on parking provision within the industrial estate
 - Highways Officers have been consulted and raise no objections.
2. Environmental health concerns

- Environmental Health Officers have been consulted and raise no objections.

POLICY CONSIDERATIONS

Core Strategy (2010)

CP17: Protecting and Enhancing the Suburban Character
CP20: Strategic Industrial Locations and Significant Industrial Sites

Local Plan (2016)

DMP1: Development Management General Policy
DMP12: Parking
DMP13: Movement of Goods & Vehicles.
DMP14: Employment Sites

Other

SPD 1: Brent Design Guide (2018)

DETAILED CONSIDERATIONS

1.0 Principle

1.1 Core Strategy Policy CP20 and Local Plan Policy DMP14 state the Council will protect Strategic Industrial Locations designated for industrial employment uses characterised by use classes B1, B2 and B8, or Sui Generic uses that are closely related, having regard for the provisions of Preferred Industrial Locations and Industrial Business Parks within the London Plan. The Council will protect Locally Significant Industrial Sites for the same range of uses as SILs.

1.2 Despite the application form stating the site is in use an office (Class B1a) an Officer site visit demonstrated the site to actually appear in use as a light industrial unit (Class B1c). Regardless, the change of use to an MOT service centre (Class B2) would not contradict the requirements of Core Strategy Policy CP20, which allows for Class B2 uses. As such the change of use is deemed acceptable. Permission is sought for a B2 use, with MOT specified as the intended use within that use class. As such, other B2 (industrial) uses could take place should permission be granted. Nevertheless, the area has been designated for such uses and this has been designated within the development plan as a suitable location for industrial uses, subject to the remainder of the material planning considerations.

2.0 Design

2.1 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, scale, materials, detailing and design, and complements the local area. This is supported by SPD1 which offers detailed design guidance.

2.2 No external changes are proposed. The proposal complies.

3.0 Highways

3.1 Local Plan Policy DMP1 states that new development must be satisfactory in terms of means of access for all, parking, manoeuvring, servicing and does not have an adverse impact on the movement network.

Car Parking & Servicing

3.2 Local Plan Policy DMP12 states that development should provide parking consistent with parking standards in Appendix 1 and that additional parking provision should not have negative impacts on existing parking, highways, other forms of movement or the environment.

3.3 Although the planning application describes the unit as being an office (use class B1a), the unit was built as a light-industrial unit (use class B1c) along with the other units in the centre and there is no planning history to suggest that it has been used as an office.

3.4 Either way, the parking standard is the same for both uses and as the site is located to the south of the Dudding Hill railway line, just one space per 800m² is allowed for both the existing and proposed uses. The unit is therefore generally too small to be allowed off-street parking, but it already benefits from two marked spaces on the frontage, so retention of these spaces would be acceptable.

Servicing

3.5 Appendix 2 of the Local Plan states B1 Business use developments should provide service space only for 8m rigid service vehicles, as opposed to maximum sized (i.e.10m) rigid vehicles at each location.

3.6 Both the existing and proposed uses require servicing by 8m rigid vehicles (small recovery trucks in the case of the proposed use). The existing roller shutter door provides suitable servicing facilities.

3.7 For a car servicing and MOT testing centre, provision also needs to be made for cars awaiting attention or collection. In this respect, just one service bay is indicated and as the application form suggests that just one member of staff will work there, it is assumed that one only one bay will be provided at the outset. The unit could comfortably accommodate a second bay if the business expands though. Either way, the two marked parking bays along the unit frontage would provide a suitable area for cars to be stored before and after being attended to.

Neighbour Objections

3.8 Officers acknowledge that there have been a number of objections to the proposal due to the impact of an unlawful MOT centre at Unit 3 and the harm this has caused on parking and access to the neighbouring units.

3.9 Due to this, Highways Officers visited the site on Monday 29th May. Parking within this part of the estate all appeared orderly in general, with vehicles using marked parking spaces and not obstructing the spine road through the centre.

3.10 The business at Unit 4 (which has two workbays) was in operation and staff were attending to a car parked in front of application Unit 3. All four parking spaces in front of Units 3 and 4 were occupied, as were most of the spaces in front of the other units (1-16), but it is impossible to know whether any parking in front of other units was associated with Unit 4. A Euro Car Parts van also made a delivery to Unit 4 during the visit and stopped on the spine road in front of Unit 4, but this did not cause any particular problem.

3.11 Given the site's remoteness from the nearest public highway (High Road), Highways Officers maintain their position of having no objections on highways grounds to the proposal, as it is highly unlikely to result in any overspill parking in High Road or significant extra traffic movements.

3.12 That is not to say that Unit 4 is not causing parking problems, but this is a private matter between them and their neighbours. The other businesses can take action to prevent abuse of their own parking, such as by installing lockable drop-down bollards. It should also be noted that the behaviour of the business at Unit 4 does not automatically mean that Unit 3 would cause similar issues. Moreover, Enforcement action has now been started against the unlawful use of Unit 3.

Cycle and Refuse Provision

3.13 Policy 6.9 of the London Plan requires at least one long stay bicycle parking space per 500 sqm of floorspace and one short stay per 1,000 sqm of floorspace.

3.14 The unit is too small to require any bicycle parking under London Plan standards.

3.15 No details have been provided of refuse storage provisions. However, there is sufficient space within the premises to accommodate likely need.

4.0 Environmental Health

4.1 Local Plan Policy DMP1 states that development is acceptable providing it does not unacceptably increase 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.

4.2 Environmental Health Officers have been consulted and with the site being within an industrial area, are content that provided the hours of use are daytime only and between Monday to Saturday then there are objections to the application. There are houses on Brenthurst Road and Denzil Road however with the existing uses of the units in Cygnus Business Centre and the shelter that the units will provide from the MOT centre to the housing and no significant issues with noise from the site affecting residential are envisaged. As such, given the employment designation of the site and the relationship with the nearest residential uses, it is not considered necessary or reasonable to control operating hours through condition. Should excessive noise disturbance occur, it would be appropriate to deal with this as a statutory nuisance. The proposal complies with Local Plan DMP1.



Application No: 19/0888

To: Mr Al-Hairi
logcreation.co.uk
63 London Road
Wembley
HA9 7ET

I refer to your application dated **09/03/2019** proposing the following:

Change of use from a light industrial use (Use class B1c) to MOT service centre (Use class B2).

and accompanied by plans or documents listed here:

1/2;
2/2; 3/3 (submitted 2/5/19)

at **3 Cygnus Business Centre, Dalmeyer Road, London, NW10 2XA**

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: 11/06/2019

Signature:

A handwritten signature in black ink that reads "Alice Lester".

Alice Lester
Head of Planning, Transport and Licensing

Notes

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

DnStdG

SUMMARY OF REASONS FOR APPROVAL

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

Core Strategy (2010)
Local Plan (2016)
SPD 1: Brent Design Guide (2018)

Relevant policies in the Adopted Development Management Plans are those in the following chapters:-

CP17: Protecting and Enhancing the Suburban Character
CP20: Strategic Industrial Locations and Significant Industrial Sites
DMP1: Development Management General Policy
DMP12: Parking
DMP13: Movement of Goods & Vehicles.
DMP14: Employment Sites

- 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:

1/2;
2/2; 3/3 (submitted 2/5/19)

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

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

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