



## Planning Committee

**Wednesday 16 June 2021 at 6.00 pm**

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

Please note that this meeting will be held as a socially distanced physical meeting with all members of the Committee required to attend in person.

Guidance on the safe delivery of face-to-face meetings is included at the end of the agenda frontsheet.

**Due to current restrictions and limits on the socially distanced venue capacity, any press and public wishing to attend this meeting are encouraged to do so via the live webcast. The link to attend the meeting will be made available [here](#).**

### Membership:

#### Members

Councillors:

Kelcher (Chair)  
Johnson (Vice-Chair)  
S Butt  
Chappell  
Dixon  
Kennelly  
Donnelly-Jackson  
Maurice

#### Substitute Members

Councillors:

Ahmed, Akram, Dar, Ethapemi, Kabir, Lo,  
Sangani and Shahzad

Councillors:

Colwill and Kansagra

**For further information contact:** Craig Player, Governance Officer  
craig.player@brent.gov.uk; 020 8937 2082

For electronic copies of minutes, reports and agendas, and to be alerted when the minutes of this meeting have been published visit:  
**[democracy.brent.gov.uk](https://democracy.brent.gov.uk)**

**The members' virtual briefing will take place at 12.00 pm.**

### **Notes for Members - Declarations of Interest:**

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

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

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

#### **\*Disclosable Pecuniary Interests:**

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

#### **\*\*Personal Interests:**

The business relates to or affects:

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

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

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

or

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

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

# Agenda

Introductions, if appropriate.

Apologies for absence and clarification of alternate members

ITEM	WARD	PAGE
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 meetings		1 - 20
<b>APPLICATIONS FOR DECISION</b>		
3. 20/2788 - St Catherine's Church Hall & St Catherine's Church, Neasden Lane, London	Dudden Hill	25 - 46
4. 20/3965 - Building & land rear of 1 The Tudors	Kensal Green	47 - 64
5. Any Other Urgent Business Notice of items to be raised under this heading must be given in writing to the Head of Executive and Member Services or his representative before the meeting in accordance with Standing Order 60.		

**Date of the next meeting:            Wednesday 21 July 2021**

## **Guidance on the delivery of safe meetings at The Drum, Brent Civic Centre**

- We have revised the capacities and floor plans for event spaces to ensure they are Covid-19 compliant and meet the 2m social distancing guidelines.
- Attendees will need to keep a distance of 2m apart at all times.
- Signage and reminders, including floor markers for social distancing and one-way flow systems are present throughout The Drum and need to be followed.
- Please note the Civic Centre visitor lifts will have reduced capacity to help with social distancing.
- The use of face coverings is encouraged with hand sanitiser dispensers located at the main entrance to The Drum and within each meeting room.
- Those attending meetings are asked to scan the coronavirus NHS QR code for The Drum upon entry. Posters of the QR code are located in front of the main Drum entrance and outside each boardroom.
- Although not required, should anyone attending wish to do book a lateral flow test in advance these are also available at the Civic Centre and can be booked via the following link: <https://www.brent.gov.uk/your-community/coronavirus/covid-19-testing/if-you-dont-have-symptoms/>

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## LONDON BOROUGH OF BRENT

### MINUTES OF THE PLANNING COMMITTEE Monday 24 May 2021 at 6.00 pm

PRESENT: Councillor Kelcher (Chair), Councillor Johnson (Vice-Chair) and Councillors Donnelly-Jackson, Dixon, Chappell, S Butt and Maurice

Apologies were received from Councillor Kennelly.

**1. Declarations of interests**

None.

**2. Minutes of the previous meeting**

None.

**3. 20/2974 - 3 Millennium Business Centre & self storage to rear, Humber Road, London, NW2 6DW**

PROPOSAL:

Outline planning application for proposed new warehouse building located to the rear (matters to be applied: access, appearance, layout and scale).

RECOMMENDATION:

Resolve to grant planning permission subject to prior completion of a legal agreement to secure planning obligations as set out in the report.

That the Head of Planning is delegated authority to issue the planning permission and impose conditions and informatives as set out in the report.

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.

Paige Ireland, Principal Planning Officer, introduced the report, set out the key issues and answered members' questions. The Principal Planning Officer advised

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that the proposal followed an application for a similar form of development in 2019 which was refused for transport related reasons.

In reference to the supplementary report, the Principal Planning Officer drew members' attention to the following points:

- The applicant had submitted a Fire Statement since the publication of the main report. However, as it did not fully meet the submission requirements a Fire Statement prepared by a suitably qualified third party assessor was still needed.
- A local resident had requested that the application be considered in light of the impact of the Low Traffic Neighbourhood Scheme on Humber Road.
- A further query had been raised as to how carbon reduction was being achieved in the development which was addressed in the supplementary report.

Andrew Crossley, objector, then raised several concerns including:

- The basic floor data in the Transport Statement was thought to be 7900 square metres rather than 2900 square metres. As such, the transport impact had not been assessed correctly and the development would lead to increased traffic congestion.
- The development did not represent an extension of an existing business as suggested, but rather a separate business location. There was little consideration of the relationship with neighbouring properties, especially regarding access, layout and fire safety.
- The proposed layout would block the main loading bay of Henfield Storage, the adjacent business. This would result in heavy traffic and congestion at the front of the site and onto the road.

In response to questions from members, Andrew Crossley made the following points:

- Henfield Storage had engaged with the applicants and made its objections clear. However, these conversations had not led to any alterations to the proposed development.
- The warehouse was not heated and as such there was little potential for internal overheating and reliance on air conditioning systems. The offices at

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the front of the site were being refurbished and it was assumed that environmental considerations would be taken into account.

- The proposed development would likely make Henfield Storage unviable and, should the application be granted in its current form, it was unlikely to renew its current lease.
- The proposed parking arrangements would congest the Henfield Storage loading bay and limit pedestrian access. It would also block off the building's current fire exit.

Alison Hopkins, objector, then raised several concerns including:

- The loss of parking spaces on-site would burden local residents, as they had limited access to off-street parking.
- The development did not represent an extension of an existing business as suggested, but rather a separate business location. Any new building on the site should be considered a change of use.
- The car parking on site was already congested and the Transport Statement failed to recognise the existing parking demands.
- It was possible that the applicant intended to allow full-sized articulated lorries to access the warehouse. Humber Road already had issues with HGV traffic avoiding the bus lane on the A5 and Staples Corner to get to the A406. The road was narrow and could not accommodate HGVs.
- The application should be considered in light of the impact of Low Traffic Neighbourhoods (LTNs) on Humber Road. As a result, traffic on the road had increased significantly.

In response to questions from members, Alison Hopkins made the following points:

- Humber Road was used as a rat run to avoid the bus lane on the A5 and Staples Corner to get to the A406. The area prohibited vehicles over 7.5 tonnes except for access and residents felt that the restriction was not being enforced.
- Residents were not in favour of a Controlled Parking Zone (CPZ) because they did not want to pay for parking. Should a CPZ be enforced, residents felt that they would be competing for parking spaces and this would be detrimental to community cohesion.

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Chris Harding, the agent, then addressed the Committee on several matters including:

- Millennium Business Centre had worked with officers to ensure adequate servicing provision for full-sized articulated lorries could be provided on site. However, they did not expect the provision to be needed.
- The application was an outline planning application only and the final development would be governed by further consultation. The outline application acknowledged concerns in terms of traffic and parking and limited the size and number of vehicles on site.
- The owners had already introduced a controlled parking system which had shown to discourage long-term vehicle use and parking. The parking requirement would not be increased by the proposed development.
- Work was underway to reduce the number of tenancies. There were currently 50 tenancies and this number would be reduced to two or three. The proposal would reduce traffic on site and on surrounding roads.

In response to questions from members, Chris Harding made the following point:

- Millennium Business Centre had consulted with both the existing leaseholder and surrounding residents, despite there being no statutory requirement to do so. Furthermore, all those with a legal interest in the property had been notified.

In the ensuing discussion, members raised several issues including traffic, highways and parking, energy and sustainability, air quality, access and fire safety. Officers then clarified a number of key points including:

- As with the previous application, an Air Quality Neutral Assessment had not been undertaken. This was required to be submitted by condition and should include mitigation proposals should it be found that the development was not air quality neutral. In addition, no overheating assessment had been submitted with the application to demonstrate how this would be properly managed and as such this information was also required through condition.
- It was estimated that the proposal would result in an increase in daily arrival and daily departure vehicular trips. While this additional traffic was not considered sufficient to warrant a further investigation of its impact on the local road network, the applicant had agreed to provide a Travel Plan which



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would help to manage the impact on both the local road network and parking provision.

- During the course of the application the applicant had demonstrated that adequate servicing provision for full-size articulated lorries could be provided on-site. However, the applicant had stated that articulated lorries were unlikely to be used.
- It was confirmed that the basic floor data in the Transport Statement was correct, contrary to previous comments by objectors.
- If in use by articulated lorries, the access road would be wide enough to allow a car to pass and therefore the loading bay would not hugely obstruct access or parking.
- Officers had not carried out any review of the impact of the nearby LTNs on Humber Road. However, officers had assessed the impact on those roads closer to the LTNs and traffic had fallen in each one (though it was recognised that this might partly be due to the impact of the pandemic).
- A parking assessment had been undertaken which predicted demand for 37 parking spaces, with other vehicles staying for a short period, and as such the proposed provision was sufficient. A Travel Plan and Car Parking Management Plan would be used to help manage demand in the future.
- The applicant had submitted a Fire Statement since the publication of the agenda. However, as it did not fully meet submission requirements, it was still considered necessary to require the submission of a Fire Statement prepared by a suitably qualified third party assessor via condition.

With no further issues raised and having established that all members had followed the discussions, the Chair thanked all speakers for their contributions and asked members to vote on the recommendation.

DECISION: Deferred to a future meeting subject to the undertaking of a site visit and further information on the impact on local road networking and a draft Travel Plan.

#### **4. 21/0686 - 14 Canterbury Road, London, NW6 5ST**

PROPOSAL:

Development authorised by the High Speed Rail (London-West Midlands) Act 2017 relating to the Canterbury Works Headhouse and Compound, consisting of: the vent shaft headhouse building comprising three principle connected

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headhouse elements (mechanical and electrical plant building, fan room and vent stacks); road vehicle parking within the compound with a hardstanding area; earthworks within the compound area for the headhouse building, including retaining walls and associated hardstanding area; an autotransformer station (location only); fencing (location only) encircling the headhouse building to create a secure compound; and artificial lighting equipment affixed to the headhouse building and within the compound.

### **RECOMMENDATION:**

Resolve to grant planning permission subject to conditions as set out in the report.

That the Head of Planning is delegated authority to issue the planning permission and impose conditions as set out in the report.

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.

Paige Ireland, Principal Planning Officer, introduced the report, set out the key issues and answered members' questions. The Principal Planning Officer advised that, as the proposal was not a planning application, members would need to consider whether the works ought to, or could reasonably be, modified. Members would need to consider: whether the proposal would preserve the local environment or local amenity; prevent or reduce prejudicial effects on road safety or on the free flow of traffic in local area; preserve a site of archaeological or historic interest or a nature conservation; and whether the development ought to, and could reasonably, be carried out elsewhere within the development's permitted limits.

In reference to the supplementary report, the Principal Planning Officer drew members' attention to the following points:

- A further objection had been received since the publication of the main report regarding the potential impacts on surrounding properties.

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- The supplementary report addressed discrepancies in the main report regarding the 30-degree rule when considered in relation to Canterbury Terrace.

Lucy Neal, the agent, then addressed the Committee on several matters including:

- Operational personnel would visit the site infrequently to undertake scheduled maintenance. The site would also be a dedicated intervention point, allowing access down to the Euston Tunnels for the emergency services in the event of an incident occurring.
- During a normal night, only the site entrance would be lit to a dim 5 lux and there would be no light spill. Maintenance events were expected to be infrequent and, if undertaken at night time, would result in a 1-5 lux light spill. In the event of an intruder at night, there would be 1-5 lux light spill to adjacent buildings and in the event of an emergency there would be illuminated to 20 lux and a 1-5 lux light spill to adjacent buildings.
- A daylight and sunlight assessment had been undertaken for Carlton and Canterbury House and found that the proposed development was compliant.
- HS2 and its contractors would design, construct, operate and maintain stationary systems to avoid significant adverse effects of noise and to minimise adverse effects of noise.
- Indicative plans had been provided to demonstrate how the building would be embedded into the landscape by providing soft landscape areas along the site boundaries, providing tree buffers between the HS2 site and its receptors as a visual mitigation and enhancing biodiversity.
- A robust dark grey engineering brick had been chosen as the predominant external material due to the inner London locality. The overall building sought to be a good neighbour by minimising its impact whilst remaining within HS2 functional requirements. This minimising of scale has been achieved by its “sculptural” design.

In response to questions from members, Lucy Neal made the following points:

- The timber clad main headhouse building would fade to a silver grey, blending in with the proposed landscaping. Green walls had been considered in place of timber but was not viable due to ventilation concerns.
- An indicative proposal had been put forward to provide learning opportunities for St Mary’s Catholic Primary School within the triangular

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area to the east of the site. This would likely take the form of a pocket park and was subject to further talks with the school.

- St Mary's Catholic Primary School had been consulted throughout the development process. They had consulted on all aspects of building design and temporary works. There were upcoming meetings with the schools regarding the pocket park and road safety.
- Accesses into the site were acceptable in highways safety terms. St Mary's Catholic Primary School had been consulted on these arrangements and had raised no objections so far.

In the ensuing discussion, members raised several issues including design, scale and appearance. Officers then clarified the following key point:

- The depth of the headhouse had been determined by the HS2 functional requirements for the fan room and the ventilation stacks were the minimum size in both area and height.

With no further issues raised and having established that all members had followed the discussions, the Chair thanked all speakers for their contributions and asked members to vote on the recommendation.

DECISION: Granted planning permission subject to conditions as set out in the report.

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

### 5. Any Other Urgent Business

None.

The meeting closed at 7.40pm.

COUNCILLOR KELCHER  
Chair

## **LONDON BOROUGH OF BRENT**

### **MINUTES OF THE PLANNING COMMITTEE**

**Held as an online virtual meeting on Wednesday 28 April 2021 at 4.00 pm**

PRESENT (in virtual attendance): Councillor Kelcher (Chair), Councillor Johnson (Vice-Chair) and Councillors Maurice, S Butt, Dixon, Chappell, Kennelly

Also present (in virtual attendance): Councillor Georgiou

Apologies: Councillor J Mitchell-Murray

#### **1. Declarations of interests**

None.

APPROACHES:

18/4767 - Access Storage, First Way, Wembley, HA9 0JD

- All members declared that they had received an approach from the Football Association (FA).

#### **2. Minutes of the previous meeting**

RESOLVED:-

that the minutes of the previous meetings held on 29 March 2021 and 7 April 2021 be approved as accurate record of the meetings.

#### **3. 20/3914 - 330 Ealing Road, Wembley, HA0 4LL**

PROPOSAL:

Demolition of the existing buildings and structures, the erection of a building ranging in height up to 28 storeys, incorporating residential units and industrial, community and commercial uses, together with associated landscaping, access arrangements, car and cycle parking, servicing and refuse and recycling.

RECOMMENDATION:

That the Committee resolve to GRANT planning permission subject to referral to the Mayor of London (stage II referral) and the prior completion of a legal agreement to secure the planning obligations as set out in the report.

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That the Head of Planning is delegated authority to negotiate the legal agreement as set out in the report.

That the Head of Planning is delegated authority to issue the planning permission and impose conditions and informatives as set out in the report.

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

That, if by the "expiry date" of this application (subject to any amendments/extensions to the expiry date agreed by both parties) the legal agreement has not been completed, the Head of Planning is delegated authority to refuse planning permission.

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

June Taylor, Principal Planning Officer, introduced the report, set out the key issues and answered members' questions. The Principal Planning Officer advised that a total of 461 residential units would be provided in three blocks. The blocks would be linked at ground and first floor by a single storey building with industrial floorspace in addition to a unit for community use, a café and cycle and bin storage. Vehicle access and residential parking would also be provided within the site.

Chirag Gir, objector, then raised several concerns including:

- The development would be out-of-scale and out of character with existing developments within the vicinity.
- The development would burden neighbouring properties and local infrastructure due to its size and scale.

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- The development would adversely affect highway safety, and the convenience of road users, as there were no plans to mitigate the increased number of cars.

In response to questions from members, Chirag Gir made the following points:

- The development should ensure that adequate parking be provided for new residents, as existing residents feared that new residents would park on residential side streets. Concerns were also raised about the cost of Controlled Parking Zone (CPZ) to residents.
- The height of the blocks was deemed excessive and would change the character of the local area. Concern was also raised over the impact on essential services in what was seen as an already densely area.

Paul Lorber, objector, raised several concerns including:

- The height of the blocks was deemed excessive and beyond the 17-storey limit set out in the previously adopted Alperton Masterplan SPD 2011. Developments in the local area were mostly low-rise and so the proposed development would be out of character.
- Traffic around Bridgewater Road and Ealing Road was congested during peak hours and it was feared that the proposed development would make this worse.
- The car-free nature of the development would lead to new residents, delivery drivers and visitors parking on existing side streets. It was feared that this would force existing residents to use their front gardens or driveways.

Councillor Georgiou, objector and ward member, then addressed the Committee on several matters including:

- The objections of several local residents, which were related to: parking, design, scale and appearance, traffic congestion, local amenity space, associated infrastructure needs, the relationship with neighbouring sites including Alperton Community School, fire safety and the density of the development.

Kate Hale, the applicant, Emiliano Acciarito, the architect and Eve Ladden Timbers, the agent, then addressed the Committee on several matters including:

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- The collaborative nature of the application, which involved engaging with Planning Officers, the Design Review Panel, the local community and neighbourhood groups.
- The development would consist of several workshops and studios situated around a shared open space. This would provide an opportunity to integrate employment use into the scheme and enhance the character of the site. It would also offer the opportunity to host seasonal markets which would be open to the wider public.
- The design and materiality of the development was inspired by the distinctive industrial heritage of the area including Alpertons Station and the area along the Grand Union Canal.
- The development minimised embodied carbon and utilised a ground source heat pump system. New landscaping and resident gardens would enhance the biodiversity of the site.
- The scheme included 40% additional housing, of which 70% would be secured as London Affordable Rent. 52% of these units would be family sized.
- The proposals would generate a substantial CIL contribution for the Council and commit a further £950,000, of which £583,000 was for step-free access at Alpertons Station.

In response to questions from members, Kate Hale, Emiliano Acciarito and Eve Ladden Timbers made the following points:

- Telford Homes had been trading for over 20 years and had developed many homes in and around London – many of which were affordable homes. The company did not have any outstanding cladding issues and fire safety was a key consideration for new developments.
- Telford Homes employed the London Communications Agency to lead on its public engagement. While the pandemic had made engagement difficult, two public engagement events had been undertaken and regular updates had been communicated with residents and ward members.
- The development would provide 40.2% affordable housing by habitable room. The tenure split would be 73% London Affordable Rent and 17% shared ownership units. There would be both three and four-bed London Affordable Rent units provided.
- In accordance with policies which emphasised the importance of wind microclimate created by new developments involving tall buildings, a Wind



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Microclimate Assessment was submitted. A number of locations were identified where conditions would be windier than suitable for the intended use. Mitigation measures were proposed in these locations, including landscaping proposals throughout the site and along street frontages and porous screens on balconies affected.

In the ensuing discussion, members raised several issues including parking, design, scale and appearance, traffic congestion and affordable housing and housing mix. Officers then clarified a number of key points including:

- Alperton did not currently have a comprehensive CPZ. Officers were securing contributions for a CPZ from a number proposed developments within the area, and were confident that the level of contribution would be sufficient.
- The proposal would not harm the setting of Alperton Station. Whilst the Greater London Authority (GLA) considered that less than substantial harm would occur, officers consider that if that view was taken the harm would be considerably outweighed by the benefits of the development.
- The Alperton Masterplan SPD 2011 was no longer an adopted document having been revoked by Cabinet on 14 October 2019. The application had been considered in line with current policies including the London Plan 2021 and Brent's Draft Local Plan 2021 which sought higher housing targets. The height of the building was considered appropriate in the context of other recently consented schemes nearby
- Public transport to the site was considered good, with Alperton station and seven bus services within the locality. New services with bigger capacities were expected to be introduced on the Piccadilly line which serviced Alperton station. Transport for London (TfL) had been consulted with throughout the application and had not raise any objections in regard to public transport provision.
- Each unit would have adequate internal space, complying with or exceeding minimum standards. The three blocks would be positioned to provide adequate levels of privacy for residents. Each unit would have access to a balcony or terrace complying with minimum standards which would be supplemented by a communal podium garden accessible for all residents and roof gardens accessible to residents of that block. Whilst there would be no on-site provision for older children, the site would be within walking distance of One Tree Hill Park and a financial contribution towards enhanced amenity space provision would be secured.

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- Various infrastructure needs to support Alpertons growth had been identified as part of Brents new Local Plan Policy BH1. Officers had secured a number of these after consultation with the applicant, including community floorspace, employment and training opportunities, contribution towards carbon offset, contribution towards play provision at One Tree Hill Park, contribution towards a CPZ, contribution towards step-free access and public realm improvements at Alpertons station, tree planting and highway improvement works.
- Two points of vehicular access to the site are proposed, which would provide a one-way route for vehicular access and access to a shared service yard for the commercial units against the railway line. The one-way route was deemed acceptable in highways terms as it removed the need for traffic to exit onto the heavily trafficked Bridgewater Road. Redundant areas of vehicle crossover would be restored to footways at the developer's expense, and a traffic island may be required on Bridgewater Road to prevent vehicles from turning right into the site.

With no further issues raised and having established that all members had followed the discussions, the Chair thanked all speakers for their contributions and asked members to vote on the recommendation.

Councillor Johnson advised that he would not vote on the recommendation as he had joined the discussion late.

**DECISION:** Granted planning permission subject to Stage 2 referral to the Mayor of London, s106 agreement and conditions and informatives as set out in the main and supplementary reports.

(Voting on the recommendation was as follows: For 5, Against 1)

#### **4. 18/4767 - Access Storage, First Way, Wembley, HA9 0JD**

##### **PROPOSAL:**

Demolition of the existing building and erection of five buildings comprising self-storage space (Use Class B8), office space (Use Class B1) and retail/commercial space (A1/A3), with residential units (Use Class C3) on the upper levels, new landscaping and public realm, ancillary servicing and plant, car and cycle parking, and associated works.

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**RECOMMENDATION:**

That the Committee resolve to GRANT planning permission subject to any direction by the London Mayor pursuant to the Mayor of London Order, any direction by the Secretary of State pursuant to the Consultation Direction and the prior completion of a legal agreement to secure the planning obligations as set out in the report.

That the Head of Planning is delegated authority to issue the planning permission and impose conditions and informatives as set out in the report.

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

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

Neil Quinn, Principal Planning Officer, introduced the report, set out the key issues and answered members' questions. The Principal Planning Officer advised that a number of revisions to the scheme had been received since its submission in 2018. These included the addition of two storeys on all blocks except on the tallest element of Block a1, resulting in additional office space and the addition of three-bedroom family units and the Southern building line along South Way being set back by between 1-2m from edge of site to enable highways improvements to incorporate two-way working along South Way.

In reference to the supplementary report, Neil Quinn drew members' attention to the following point:

- Additional representations had been received from the GLA and FA since the publication of the main report. The representations were addressed in the supplementary report.

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Faaizia Lalji, the applicant, then addressed the Committee on several matters including:

- Access Self Storage was a family owned multi-generational firm which sought to hold its assets long-term. It held assets across hospitality, industrial, office and retail sectors and was working to deliver build to rent accommodation on land it already owned.
- Access Self Storage was committed to excellence in design and believed the development was an attractive addition to the Wembley Park area, as well as being policy compliant.
- As proposed, the development would be a loss-making venture in the short term. The development would use a longer-term investment return timeframe to ensure the delivery of 60 new affordable homes could be included from the outset. A review mechanism was built into the application to allow for additional affordable homes should the financial situation improve.

In response to questions from members, Faaizia Lalji made the following points:

- Although the affordable housing mix was below target, it had been demonstrated by a financial viability appraisal to exceed the maximum amount of affordable housing which could viably be provided on-site. It would also be subject to a late stage review mechanism to be secured within the S106 agreement.
- The proposed height and scale of development was considered acceptable. Whilst the FA had raised concerns in relation to the proximity of the tallest building to Wembley Stadium, these issues had since been addressed.

In the ensuing discussion, members raised several issues including design, layout and height and affordable housing and housing mix. Officers then clarified a number of key points including:

- The addition of two storeys would result in the addition of three-bedroom family units, increasing the overall number of proposed homes from 555 to 600. The affordable housing offer would increase from 10% to 12.4%. There would be a total of 60 affordable units, 36 of which would be three-bed homes at London Living Rent and 24 of which would be one-bed homes at a Discount Market Rate.

## PLANNING COMMITTEE

28 April 2021

- The applicant's revised Financial Viability Appraisal had been reviewed independently for the Council and concluded that the scheme was significantly in deficit. A re-appraisal and further independent review was undertaken in light of the applicant's increased affordable housing offer to 12.4%. Both appraisals found that the offer would exceed the maximum reasonable amount of affordable housing on site. Following review of these results, and the offer presented by the applicant, officers considered that the provision of 60 affordable homes would be a significant benefit of the scheme, particularly as a high proportion of these homes (75%) would be family-sized units, which the borough was in acute need of to meet housing demand.
- The FA had raised concerns regarding the proximity of the tallest block to Wembley Stadium, particularly due to the potential trajectory into the stadium bowl from the highest apartments. The revised proposals had been reviewed by the FA and Metropolitan Police who had confirmed that any concerns of views into the stadium had been resolved.

With no further issues raised and having established that all members had followed the discussions, the Chair thanked all speakers for their contributions and asked members to vote on the recommendation.

DECISION: Granted planning permission subject to Stage 2 referral to the Mayor of London, s106 agreement and conditions and informatives as set out in the main and supplementary reports.

(Voting on the recommendation was as follows: For 4, Against 3)

### 5. **19/3396 - Land next to 1 Gaytor Terrace, Mulgrave Road, London**

#### PROPOSAL:

Erection of 2x two-storey, semi-detached dwellinghouses (2x 3 bed) with converted loft space, erection of fencing, provision of cycle parking, waste storage and amenity space with associated landscaping and front boundary walls/gates.

#### RECOMMENDATION:

That the Committee resolve to GRANT planning permission subject to conditions as set out in the report.

## **PLANNING COMMITTEE**

28 April 2021

That the Head of Planning is delegated authority to issue the planning permission and impose conditions and informatives as set out in the report.

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.

Sarah Dilley, Principal Planning Officer, introduced the report, set out the key issues and answered members' questions. The Principal Planning Officer advised that two previous applications on the site had been refused, the latter of which was for the construction of five two-storey three-bedroom terraced houses and the former for the construction of four two-storey three-bedroom terraced houses.

In reference to the supplementary report, Sarah Dilley drew members' attention to the following point:

- A further representation had been received from a local resident since the publishing of the main report. The representation was addressed in the supplementary report.

In the ensuing discussion, members raised an issue regarding the character and appearance of the development. Officers clarified that the proposal was considered to be of good quality design that had regard to the character of its surroundings and would have an appropriate relationship with the surrounding buildings and streetscene.

With no further issues raised and having established that all members had followed the discussions, the Chair thanked all speakers for their contributions and asked members to vote on the recommendation.

**DECISION:** Granted planning permission subject to conditions and informatives as set out in the report.

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

**PLANNING COMMITTEE**  
28 April 2021

**6. Any Other Urgent Business**

None.

The meeting closed at 6.15pm

COUNCILLOR KELCHER  
Chair

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## APPLICATIONS FOR DECISION

### Introduction

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

### Material planning considerations

4. The Committee is required to consider planning applications against the development plan and other material planning considerations. The development plan policies and material planning considerations that are relevant to the application are discussed within the report for the specific application
5. 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.
6. 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.
7. 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.
8. 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.
9. 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.

10. 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

11. The Community Infrastructure Levy (CIL) is a charge levied on floor space arising from development in order to fund infrastructure that is needed to support development in an area. Brent CIL was formally introduced from 1 July 2013.
12. The Council has an ambitious programme of capital expenditure, and CIL will be used to fund, in part or full, some of these items, which are linked to the Infrastructure Delivery Plan (IDP).
13. Currently the types of infrastructure/specific infrastructure projects which CIL funds can be found in the Regulation 123 List.
14. The Regulation 123 list sets out that the London Borough of Brent intends to fund either in whole or in part the provision, improvement, replacement, operation or maintenance of new and existing:
- 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,
- except unless the need for specific infrastructure contributions is identified in the S106 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. We are also a collecting authority for the Mayor of London's CIL 'Mayoral CIL' which was introduced from 1 April 2012 to help finance Crossrail, the major

new rail link that will connect central London to Reading and Heathrow in the West and Shenfield and Abbey Wood in the East.

16. In February 2019 the Mayor adopted a new charging schedule (MCIL2). MCIL2 came into effect on 1 April 2019 and superseded MCIL1. MCIL2 will be used to fund Crossrail 1 (the Elizabeth Line) and Crossrail 2.
17. For more information:  
Brent CIL: <https://www.brent.gov.uk/services-for-residents/planning-and-building-control/planning-policy/community-infrastructure-levy-cil/>  
Mayoral CIL: <https://www.london.gov.uk/what-we-do/planning/implementing-london-plan/mayoral-community-infrastructure-levy>
18. 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 section 106 agreement. Where these are necessary, it will be explained and specified in the agenda reports

#### **Further information**

19. 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**

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

#### **Recommendation**

21. 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

16 June, 2021  
03  
20/2788

## SITE INFORMATION

RECEIVED	9 September, 2020
WARD	Dudden Hill
PLANNING AREA	
LOCATION	St Catherine's Church Hall & St Catherine's Church, Neasden Lane, London
PROPOSAL	Demolition of fire damaged community centre and erection of a new two storey community centre and church hall building with roof terrace attached to St Catherine's church, creation of new vehicular access, bin store enclosure, alteration to boundary and associated landscaping
PLAN NO'S	See condition 2
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><b><u>When viewing this on an Electronic Device</u></b></p> <p>Please click on the link below to view <b>ALL</b> document associated to case  <a href="https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_&lt;systemke">https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_&lt;systemke</a></p> <p><b><u>When viewing this as an Hard Copy _</u></b></p> <p><b>Please use the following steps</b></p> <ol style="list-style-type: none"> <li>1. Please go to <a href="https://pa.brent.gov.uk">pa.brent.gov.uk</a></li> <li>2. Select Planning and conduct a search tying "20/2788" (i.e. Case Reference) into the search Box</li> <li>3. Click on "View Documents" tab</li> </ol>

## RECOMMENDATIONS

That the Committee resolve to GRANT planning permission subject to:

The completion of a satisfactory Section 106 or other legal agreement to secure:

1. Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance;
2. Notification of material start 28 days prior to commencement;
3. Payment of the carbon off-setting contribution.

That the Head of Planning and Development or other duly authorised persons is delegated authority to agree the exact terms thereof in line with the Heads of Terms listed above;

That the Head of Planning and Development or other duly authorised person is delegated authority to issue the planning permission and impose conditions and informatives to relating to the following matters:

### Conditions

#### *Compliance*

1. 3 years consent
2. Approved plans
3. Car parking, cycle and bin storage to be implemented
4. Number of High Capacity Events
5. Reinstatement of crossovers
6. Compliance with Air Quality Assessment
7. Compliance with Construction Management Plan
8. Arboricultural Method Statement

#### *Post-commencement*

9. Site investigation and remediation
10. Detailed drainage strategy
11. Fire strategy
12. Materials samples
13. Details of PV panels

#### *Pre-occupation*

14. Landscaping scheme
15. Validation of contaminated land remediation measures
16. BREEAM Excellent certification
17. Travel and Parking Management Plan
18. Service and Delivery Plan

### Informatives

1. CIL liability
2. Party wall information
3. Building near boundary information
4. Quality of imported soil
5. Construction hours
6. Drainage features

And that the Head of Planning and Development, or other duly authorised person, 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 they are satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the committee nor that such change(s) could reasonably have led to a

different decision having been reached by the committee.

## SITE MAP

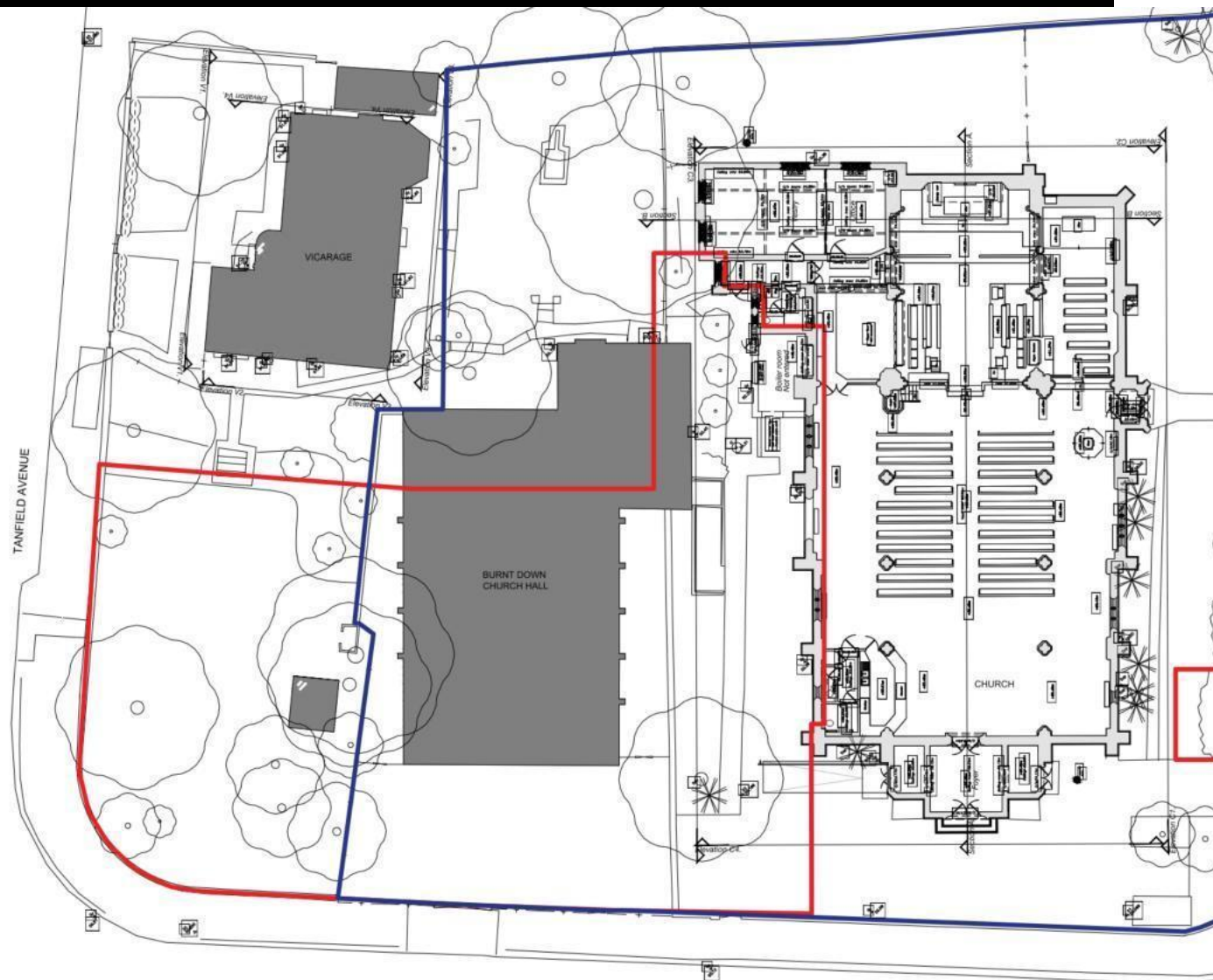


**Brent**

### Planning Committee Map

Site address: St Catherine's Church Hall & St Catherine's Church, Neasden Lane, London

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This map is indicative only.

## PROPOSAL IN DETAIL

Replacement church hall to a larger footprint, comprising a multi-function community centre with a main hall, activity studio, community cafe, nursery, meeting rooms and music room (after the previous hall was destroyed by fire). The upper floor hall space would feature kitchens and toilets. The new space will have floor area of 1089m<sup>2</sup>. The existing vehicular crossover will be reinstated back to footway and a new vehicular crossover is proposed.

## EXISTING

The site, of St Catherine's Church Hall, is located on the corner of Tanfield Avenue, on the Neasden gyratory. The former Church Hall (built in 1928) was severely damaged by fire following an arson attack in 2018. The Hall Trustees have decided to replace the old hall (a single space hall with stage) with a more extensive community centre, which will offer significantly more facilities to the local community.

The church itself is a Local Heritage Asset. The previous hall, on site adjacent to the church was a 2-storey building with a pitched roof, accessed on the south-western boundary (Neasden Lane). To the rear is the two-storey vicarage, with pitched roof and gabled ends. This is accessed from Tanfield Avenue. The hall had a footprint of 342m<sup>2</sup>.

The site is currently split into 3 parts:

- Church with a vehicle access from Dollis Hill Lane leading to a forecourt fronting Neasden Lane which can accommodate approximately 4 car parking spaces.
- Church Hall with an approximately 5m wide vehicle crossover from Neasden Lane with the forecourt presumably covered in grasscrete synthetic grass with an indeterminate number of parking spaces.
- Vicarage with vehicle access from Tanfield Avenue leading to a limited number of car parking spaces.

## SUMMARY OF KEY ISSUES

The key planning issues for Members to consider are set out below. Members will have to balance all of the planning issues and objectives when making a decision on the application, against policy and other material considerations.

**Design, scale and appearance:** The proposal is for a two-storey, contemporary building which would be similar in height to adjacent buildings. The contemporary architectural style and materiality would create a new well designed building on this prominent corner plot. Officers consider that the proposal would not harm the setting of the Locally Listed Building, St Catherine's Church or the Grade II listed building across the Neasden gyratory, The Grange.

**Relationship with neighbouring sites:** The separation distance from the nearest properties would ensure that adjoining sites would be unduly affected in terms of privacy and overlooking, and the impact on daylight and sunlight is not considered to rise significantly above the existing situation.

**Transport:** The development would be 'car-free' although existing disabled use spaces would be retained. The risk of increased on-street parking pressure on local residential streets must be considered. The development has a high local catchment and a number of measures are proposed to restrict the number of car users to the site. The submission of a more robust Travel Plan, Car Parking Management Plan and Healthy Streets assessment would ensure adequate arrangements are in place, particularly for 'high capacity' events. Redundant vehicle crossovers would be restored to footway at the developer's expense.

**Sustainability and energy:** The proposal would utilise air source heat pumps and photovoltaic panels, and is predicted to achieve a 36% reduction in carbon emissions, exceeding the London Plan target of 35% on-site reductions. A contribution to Brent's carbon offsetting fund would be secured by a legal agreement to achieve a zero carbon development. Overheating risk, whole lifecycle emissions and circular economy



principles have been considered in the design.

**Environmental health:** Potential air quality, noise and vibration, and contaminated land concerns have been assessed and the accepted measures would require implementation via condition.

**Trees and biodiversity:** The loss of six trees of low to moderate quality would be compensated for by replacement planting of nine trees at the western end of the site.

**Flood risk and drainage:** The site is in Flood Zone 1 for fluvial flooding and other sources of flood risk have been assessed, with the proposed sustainable drainage strategy significantly reducing run-off rates from the site. The proposals are acceptable to the Local Lead Flood Authority.

## RELEVANT SITE HISTORY

**84/1466:** Use of church hall for playgroup. Granted, 10/10/84.

## CONSULTATIONS

143 nearby properties as well as the Dollis Hill Residents Association were notified of the proposal on 07/12/2020.

Three site notices and a press notice have been published for a minimum of 21 days.

No representations have been received.

## POLICY CONSIDERATIONS

### Policy considerations

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of this application should be in accordance with the development plan unless material considerations indicate otherwise.

The development plan, relevant to this application, is comprised of the:

London Plan 2021  
Brent Core Strategy 2010  
Brent Development Management Policies 2016

Key policies include:

#### London Plan 2021

GG1 Building strong and inclusive communities  
D5: Inclusive design  
D12: Fire safety  
D14: Noise  
S1: Developing London's social infrastructure  
HC1: Heritage conservation and growth  
G5: Urban greening  
G6: Biodiversity and access to nature  
G7: Trees and woodlands  
SI1: Improving air quality  
SI2: Minimising greenhouse gas emissions  
SI13: Sustainable drainage  
T2: Healthy streets  
T3: Transport capacity, connectivity and safeguarding  
T4: Assessing and mitigating transport impacts  
T5: Cycling  
T6: Car parking

T7: Deliveries, servicing and construction

#### Brent Core Strategy 2010

C17: Protecting and Enhancing the Suburban Character of Brent

CP19: Brent Strategic Climate Change Mitigation and Adaptation Measures

CP23: Protection of existing and provision of new community and cultural facilities

#### Brent Development Management Policies 2016

DMP1: Development Management General Policy

DMP7: Brent's Heritage Assets

DMP9a: Managing Flood Risk

DMP9b: On Site Water Management and Surface Water Attenuation

DMP11: Forming an Access on to a Road

DMP12: Parking

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

The Council is at a significant stage in reviewing its Local Plan. The draft Brent Local Plan was subject to examination in public during September and October 2020. The planning Inspectors are still considering the Plan prior to undertaking a final stage of consultation on a set of proposed main modifications before the Plan can be adopted. Therefore, having regard to the tests set out in paragraph 48 of the NPPF it is considered by officers that greater weight can now be applied to policies contained within the draft Brent Local Plan. Relevant policies include:

#### Draft Local Plan (Regulation 19 version)

DMP1: Development management general policy

BD1: Leading the way in good urban design

BSI1: Social infrastructure and community facilities

BHC1: Brent's Heritage Assets

BGI1: Green and blue infrastructure in Brent

BGI2: Trees and woodlands

BSUI2: Air quality

BSUI3 Managing Flood Risk

BSUI4: On-site water management and surface water attenuation

BT1: Sustainable travel choice

BT2: Parking and car free development

BT4: Forming an access on to a road

The following are also relevant material considerations:

The National Planning Policy Framework 2019

Planning Practice Guidance

SPD1 Brent Design Guide 2018

## **DETAILED CONSIDERATIONS**

### **1. Land Use and Principle of Development**

#### Demolition and Proposed Use

1.1. The existing building was built in 1928 and in 2018 was extensively damaged by a fire. This presents an opportunity to create a more useable and contemporary space which would prove more functional and better serve the needs of the local community.

1.2. The site was in use as a community centre. The proposed development would comprise a multi-function community centre with a main hall, activity studio, community cafe, nursery, meeting rooms and music room. Based on this layout and proposed uses the development would fall into Class F2 (Local Community).

1.3. The previous two-storey hall had a floor area of 342sq.m. The replacement development would have a floor area of 1089sq.m. Based on the increased floor area there would be scope for additional uses, however, these would be considered ancillary to the primary community centre use.

### Conclusion

1.4. The demolition of the existing building and redevelopment of the site to provide a more functional community centre is considered acceptable in principle.

## **2. Design, character and appearance, heritage**

### Policy background

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, concentration, siting, layout, scale, type, density, materials, detailing and design and complements the local area. This is supported by the design guidelines set out in SPD1 and SPD2.

2.2. In addition, Local Plan Policy DMP 7 requires proposals affecting heritage assets should sustain and enhance the significance of the heritage asset, its curtilage and setting, respecting and reinforcing the streetscene, frontages, views, vistas, street patterns, building line, siting, design, height, plot and planform and ensure that extensions are not overly dominating.

2.3. Brent's emerging Policy BD1 seeks high quality architectural and urban design, including innovative contemporary design that respects and complements historic character but is also fit for the future. The Brent Design Guide SPD1 provides further advice on general principles of good design.

### Impact on heritage assets

2.4. St Catherine's Church, Neasden, is considered a non-designated heritage asset. It was identified for addition to the Council's local list in 2016. The site is not in a conservation area nor Archaeological Priority Area, but is between The Grove and Neasden House which are both Sites of Archaeological Importance. The Grange, a Grade II listed building, is situated opposite. The submission includes a comprehensive heritage statement and separate archaeological assessment. The site, the location of a former church hall has no special interest.

2.5. The new building would form a large extension to St Catherine's Church. The proposed scheme includes the construction of single storey link to the adjacent the church, with the two-storey part of the building set away from the church. A 'rotunda' hall space is proposed at the Western corner part of the site facing Neasden's main shopping parade.

2.6. The main part of the building would be set back from the front elevation of the church to minimise its impact. The single storey part of the building would connect to the church in a sensitive way, via opening through the central part of the west wall of the church and under the sill of a large window. The window would stay unaltered.

2.7. The proposed front elevation of the extension would be largely glazed to 'enhance the sense of connectivity between interior and exterior spaces [Heritage Statement].' The brick sections of the extension have been designed in a dark brick reflecting decorative elements of the existing church.

2.8. The brick panels on the first floor of the front elevation have been specifically designed to match the colour and design of the two panels found on each side of the main entrance of the church. The rotunda element has been designed to be a landmark feature of Corten steel.

2.9. Its relative small scale and the existing tree buffer ensure the development would not harm the setting of the Grade II listed Grange. Furthermore, the proposal would generally enliven the streetscape and be in keeping with the character and context of the area. The extension is of a scale that is subservient to the existing church and would integrate with it sensitively. The rotunda element would provide a focus to street.

2.10. The proposals would not harm the setting of the non-designated or designated heritages assets. The resulting development would make a good civic gesture to the corner of Tanfield Avenue.

## Height, Architectural approach and Materiality

2.11. The proposed development would be 12.04m at its highest point which is approximately 3.5m taller than the original church hall but still 4.4m shorter than St. Catherine's Church. It is positioned away from the nearest residential properties, on a prominent corner location.

2.12. While respecting the nearby heritage assets the use of extensive glazing and Corten steel for the rotunda element allows for a contemporary design which can act as a landmark in this prominent corner position.

## Conclusion

2.13. The proposed development is considered to represent a sensitive yet contemporary design approach which is suitable for this location and in compliance with relevant policies outlined above.

## **3. Relationship with neighbouring properties**

### Policy background

3.1. In accordance with Brent's Policy DMP1, any development will need to maintain adequate levels of privacy and amenity for existing residential properties, in line with the guidance set out in SPD1. Separation distances of 18m to existing habitable room windows and 9m to private garden boundaries should be maintained. This standard is also applied to ensure that the development does not compromise the redevelopment of adjoining sites, and to individual buildings within large developments.

3.2. To ensure light and outlook to existing properties is not affected, proposed buildings should sit within a 30 degree line of existing habitable room windows and a 45 degree line of existing private rear garden boundaries.

### Assessment of separation distances

3.3. The main impact would be on the vicarage to the rear. However, while the vicarage would be seen, in planning terms, as a self-contained dwelling, it is used in conjunction with the church. As such, the proposal would re-plan the garden of the vicarage, altering the relationship between the church hall and the garden of the vicarage. The existing church hall is adjacent to the two parts of the existing vicarage garden, one situated to the rear of the vicarage and the other to the side. The existing hall is part single, part two-storey in height with a large roof, and the existing church hall does not accord with the 45 degree guidance in relation to that garden. The proposal would re-plan the curtilage of the vicarage, with the rear garden being approximately 15 m deep and the distance between the side wall of the vicarage and the side boundary of the garden being approximately 7 m. The vicarage would retain a large garden. The proposed building would be situated 1 m from the boundary with the garden of the vicarage. To the rear of the vicarage, it would be one storey high (4.18 m). To the side of the vicarage garden, it would predominantly be two-storeys high (9.6 m).

3.4. While this does not accord with the 45 degree guidance, weight is given to the relationship between the existing hall and the existing vicarage garden. As discussed above, this is situated adjacent to the boundary and is partly single and partly two-storeys in height. It also should be noted that the majority of the garden would comply with the guidance. As such, the relationship between the hall and the vicarage garden is considered to be appropriate. The proposed building accords with the 30 degree guidance set out within SPD1.

3.5. Privacy impacts are mitigated via obscure glazing to the rear at first floor level which would prevent any views over the neighbouring property. The nearest property beyond that is along Tanfield Avenue and approximately 20 metres away. A 1.8m high evergreen wall is proposed to one side of the first floor terrace and this is considered sufficient to prevent these types of impacts. In any case, at this distance there is not considered to be a significant increase in overlooking or noise disturbance.

3.6. To the opposite corner of Tanfield Avenue, there are no residential properties. There is a one-storey commercial (retail) building in this direction would not experience any significant impact from the proposal.

## Conclusion

3.7. Overall there are not considered to be any significant neighbour amenity issues with the proposal.

## **4. Transportation considerations**

### Policy background

4.1. London Plan Policy T6 seeks to restrict car parking in line with existing and future public transport accessibility and connectivity, and maximum parking allowances for leisure uses are set out in Policy T6.4. Brent's current maximum parking allowances are given in Policy DMP12 and Appendix 1 of the Development Management Policies, whilst Appendix 2 provides servicing standards and Policy DMP11 provides criteria for new road accesses. Brent's emerging Policy BT2 sets out new parking allowances to align with those of the London Plan.

4.2. Cycle parking spaces must be provided in compliance with London Plan Policy T5 in a secure weatherproof location and in accordance with design guidance set out in the London Cycling Design Standards. Bin storage should allow for collection within a 10m carrying distance, and more detailed guidance on bin storage requirements is given in the Waste Planning Guide.

4.3. London Plan Policy T2 expects new development proposals to follow a Healthy Streets Approach and Policy T4 requires Transport Assessments to be submitted.

### Existing site

4.4. This site is located on Neasden Lane (a London Distributor Road), adjoining the gyratory system at the junction of Dudden Hill Lane, Dollis Hill Lane, Neasden Lane North and Tanfield Avenue. It also fronts Tanfield Avenue and Dollis Hill Lane (two local distributor roads and bus routes).

4.5. Tanfield Avenue has a zebra crossing close to the junction with the gyratory, but there is generally poor pedestrian permeability across the gyratory. There are waiting and loading restrictions on the gyratory by way of double yellow lines and single yellow blips, whilst the only parking restrictions on Tanfield Avenue and Dollis Hill Lane are at the junctions, bus stops and the zebra crossing.

4.6. Tanfield Avenue and Dollis Hill Lane are the only streets in the immediate vicinity not in a CPZ, with surrounding street having CPZ's in operation from 8.30am-6.30pm Mon-Fri. Tanfield Avenue has been identified as a heavily parked street, whilst Dollis Hill Lane in the vicinity has a parking occupancy of 79.4%. The area has a good PTAL rating of 4.

4.7. This proposal is for a replacement 2-storey church hall to replace a smaller facility that was damaged by fire last year, but with a floor area approximately three times greater. It is proposed to comprise a main hall, activity studio, café, nursery, meeting rooms and music room. A similar range of clubs and activities are proposed to be accommodated as before, but with improved facilities and the potential for increased attendances.

4.8. It is noted that the nursery use has remained on site, operating from the adjoining church and it is not proposed to attract increased pupils. Other activities are also expected to resume as before, but the larger building would allow more scope for these to operate concurrently, as well as for improved facilities (toilets, kitchen etc.) to be provided.

### Parking provision

4.9. The maximum car parking allowance is based upon a ratio of 1:10 of peak visitor trip generation, if justified through a Transport Assessment. The trip generation in table 5.2 of the Transport Statement suggests up to 80 people on site at any time, but weddings and funeral visitors could lead to higher visitor numbers.

4.10. The Transport Management Plan provided states a maximum capacity of 150 users. With no off street parking provided, pressure for parking falls on the surrounding residential streets. The documents states a "planning your journey" request will be made to those who hire the hall to discourage car travel. It is suggested that the venue is advertised as a car-free hire venue as parking on the nearby residential streets would be a nuisance to residents, particularly as Tanfield Avenue is already deemed heavily parked. The

document states that they have previously had agreements with The Grange, for parking, and this will be used if the event requires parking. Crossing from The Grange to the church would also be via the footbridge, which could prove inaccessible for some visitors. Whilst this is welcomed, it is possible that parking that is outside of the application site may not be able to be relied on for the life of the building if it is outside of the ownership of the applicant, and the potential for overspill parking must be considered.

4.11. A car parking management plan is therefore recommended to be secured through condition for the site to ensure that parking for large events can be managed on the site and in the local area. The document must cover the types of large events it seeks to hold and ensure eventualities such as the main wedding car and catering delivery, for the wedding, can be accommodated within the site.

4.12. The community hall is proposed to be car-free though, which is welcomed in principle. However, risk of overspill parking from this site would also need to be mitigated using the use of a Travel Plan, discussed below. Neasden Lane is a London distributor road and Tanfield Ave and Dollis Hill Lane are both local distributor roads with no CPZ's. However, it should also be noted that the site is in close proximity to the Neasden town centre, where some parking is available.

#### Access arrangements

4.13. The applicant is proposing the hall to be car-free. A vehicular crossover (via Tanfield Avenue) to the vicarage will be retained, as well as a vehicular crossover (via Dollis Hill Lane) to the church.

4.14. For the hall, the existing crossover from Neasden Lane will be reinstated back to footway and a new crossover from Neasden Lane provided, even though no off-street parking is proposed for the hall. This is intended to facilitate a one-way route through the site between the new access and the Dollis Hill Lane access.

4.15. The retention of a vehicle access from Neasden Lane (on the busy gyratory) would provide a one-way route through the site, given the limited turning space in the existing church car park. However, it is essential that the route only allows vehicles to enter at the Neasden Lane access and that the access is also not gated to incoming vehicles. Use must also be restricted to operational (i.e. delivery vehicles) and visitors accessing disabled parking only, to ensure the access remains only very lightly used. A condition is recommended regarding the means by which the one way system will be implemented.

#### Cycle parking provision

4.16. A survey carried out amongst regular users of the hall in October 2020 found that 47% of those surveyed travelled by car (27% driving alone and 20% car sharing), with the remainder walking, cycling or taking the bus.

4.17. Twelve cycle spaces will be provided and this is welcomed, with the survey finding 20% of visitors travelling by bicycle.

#### Servicing and waste storage

4.18. The Transport Statement confirms that deliveries will occur within the new forecourt, accessed via Neasden Lane. The forecourt is not marked out with any drop off / pick up zones for the nursery or delivery zones for the rest of the building and this should be included along with the disabled parking spaces.

4.19. The Transport Statement also states that larger delivery vehicles will have to park on the surrounding residential streets for delivery. This is not ideal and it is recommended that the Service and Delivery Plan (to be secured through condition) will encourage servicing by vehicles which are able to access the site rather than service from the street.

#### Travel Plan

4.20. The Travel Plan survey identified that 53% of respondents travel less than 15 minutes to the site, so the facility is considered to have a predominantly local catchment. This should make it easier to promote sustainable modes of travel to the site.

4.21. The objectives in the Travel Plan therefore include increasing travel by sustainable modes. SMART targets will be set and surveys will be carried out within 3 months of opening and in years 1, 3 and 5 of the Travel Plan period. This is all welcomed.

4.22. Targets set out in the travel plan show an increase in active travel mode share to 48% (by year 5) and a reduction in single occupancy car trips to 17% (by year 5). However, given the large increase in floor area, it is considered that the targets should be more ambitious than set out. With a car-free site, the aim should be have 0% travelling by car alone by year 5 and no more than 20% driving as car sharers, with the targets for sustainable travel increased accordingly. Those that do drive must park considerably, such as in the Neasden town centre car park or in on-street pay and display bays.

4.23. As most travel is undertaken by visitors, proposed measures focus on promoting sustainable travel through information leaflets, noticeboards and participation in events, as well as promoting car sharing.

4.24. It is stated that 'high attendance' events would be held only 3-4 times a year which is not considered excessive. In any case, this will need to be reflected in the travel plan with additional measures identified, along with a car parking management plan. The number of these events should be controlled by condition in order to allow for an assessment of the mitigation measures once the development is in use.

## Conclusion

4.25. The proposed community hall would be significantly increased in size compared to the previous hall, so whilst it is recognised that the hall replaces a pre-existing facility on the site, the proposal does still have the potential to increase traffic and parking around the site. The lack of off-street parking requires mitigation through a high quality Travel Plan and Car Parking Management Plan. A plan has been submitted, but it is considered that the final travel plan should have more ambitious targets and it is recommended that a revised travel plan is secured through condition.

## **5. Sustainability and energy**

### Policy background

5.1. Major developments are expected to achieve zero carbon standards including a 35% reduction on the Building Regulations 2013 Target Emission Rates achieved on-site, in accordance with London Plan Policy SI2. Any shortfall in achieving the target emissions standards is to be compensated for by a financial contribution to the Council's Carbon Offsetting Fund, based on the notional price per tonne of carbon of £95, or through off-site measures to be agreed with the Council.

5.2. Brent's Core Strategy Policy CP19 also requires any proposal for commercial floorspace of over 1,000sqm to demonstrate that it achieves BREEAM Excellent standards.

### Carbon emissions and BREEAM performance

5.3. An Energy Strategy has been submitted, setting out how these standards are to be achieved. This predicts a carbon emissions saving of 36%. It aims to achieve this by using an efficient building construction and high efficiency gas boilers, ventilation and lighting. Additionally it would utilise air source heat pumps and photovoltaic panels.

5.4. The residual carbon emissions would be offset by a financial contribution to Brent's carbon offsetting fund, to achieve a net zero carbon development in accordance with policy.

5.5. A BREEAM Pre-assessment has been submitted demonstrating that a 73.42% score could be achieved, exceeding the 70% required to achieve BREEAM Excellent status. Confirmation that these standards have been achieved would be secured by condition once construction is completed.

5.6. Overall, the scheme is considered to deliver a high standard of compliance with the relevant policies.

### Urban greening

5.7. London Plan Policy G5 requires major developments to contribute to urban greening, defines a generic Urban Greening Factor and sets a target score of 0.3 for non-domestic developments. Brent's draft Local Plan Policy BGI1 supports this approach but does not propose a borough-specific Urban Greening Factor, therefore the generic Factor is used to assess developments in Brent.

5.8. Due to the increase in floor area and the physical constraints of the site, there would be a

reduction in soft landscaping. The landscaping plan proposes 9 small trees along the south-west edge of the site. A detailed landscaping plan will be required by condition to ensure that greening measures are optimised throughout the site.

## **6. Trees and biodiversity**

6.1. Trees are a material planning consideration, and also contribute to the biodiversity value of the site by providing potential habitats for birds, bats and other wildlife. Brent's emerging Policy BGI2 requires major developments to retain trees on site and where this is not possible to provide compensation through replacement tree planting or a financial contribution to tree planting off site.

6.2. A Tree Report and Arboricultural Impact Assessment was submitted. This identified 9 trees that could be affected by the proposals, including 8 of moderate quality and 1 of low quality. 6 trees toward the western end of the site would need to be removed, 5 of which are of moderate quality and 1 which is of low quality. The remaining trees are outside the development site and protective fencing would prevent damage to them during construction. A site supervision schedule would be required by condition.

6.3. The landscaping plan proposes 9 small trees along the south-west edge of the site. Due to the increased building footprint there would be a loss in overall soft landscaping. A detailed landscaping plan will be required by condition to ensure the proposal landscaping is maximised and of high quality.

6.4. The site does not have any ecological designations. The Arboricultural Statement notes the protection afforded to bats and nesting birds. Overall, based on the existing buildings on site and number of trees being affected, there are no significant ecological concerns.

## **7. Environmental health considerations**

### Air Quality

7.1. The proposed site is within an Air Quality Management Area and therefore the applicant is required to carry out an air quality impact assessment that should consider the potential emissions to the area associated with the development as well as the potential impact on receptors to the development.

7.2. The applicant has submitted an Air Pollution Services air quality assessment. This assessment is accepted and the measures suggested to ensure that the development is air quality positive should be implemented and can be required by condition.

### Construction Noise and Dust

7.3. The development is within an Air Quality Management Area and 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.

7.4. The applicant has submitted a Construction Dust Management Plan and Environmental Health officers agree with the measures set out within this plan. A condition would require that these measures are put into place.

### Contaminated Land

7.5. The site to be redeveloped and the surrounding area has been fire damaged. Environmental Health officers have been consulted and concluded that a full assess of land contamination should be undertaken following the demolition of the existing building.

7.6. The site investigation and any remediation measures would be secured by condition.

## **8. Flood risk and drainage**

8.1. London Plan Policy SI12 requires current and expected flood risk from all sources to be managed in a sustainable and cost-effective way, while Policy SI13 and Brent's Policy DMP9b require sustainable drainage measures to achieve greenfield run-off rates and ensure surface water runoff is managed as close to source as possible.



8.2. The site is within a Flood Zone 1 for fluvial flooding and has been identified as being within a critical drainage area.

8.3. A Drainage Strategy has been submitted and provides details of existing and proposed drainage. A cellular attenuation tank is proposed with a maximum storage volume of 62.4 cubic metres.

8.4. The Local Lead Flood Authority have been consulted and have no objection to the proposals, subject to demonstration that discharge rates would be bettered following the implementation of proposed SuDS.

8.5. An informative is also required, clarifying that SuDS within the site would not be maintained by the Council and would need to be managed privately at the developer's expense.

## 9. Fire safety

9.1. Although fire safety compliance is covered by the Building Regulations, London Plan Policy D12 emphasises the need for it to be considered at the earliest stages of design of new developments and requires a fire strategy to be submitted for all major developments.

9.2. A preliminary fire statement has been provided to support the proposal. Policy D12 requires the submission of a fire statement for all Major applications, prepared by a suitably qualified professional. It is recommended that a condition is attached requiring the submission and approval of a Fire Statement in line with London Plan policy D12 (B) prior to any development taking place on site.

## 10. Equalities

10.1. 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).

## 11. Conclusion

11.1. Following the above discussion, officers consider that taking the development plan as a whole, the proposal is considered to accord with the development plan, and having regard to all material planning considerations, should be approved subject to conditions.

## CIL DETAILS

This application is liable to pay **£24,446.83** \* 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): 342 sq. m.

Total amount of floorspace on completion (G): 1089 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) Non-residen institutions	1089	342	405	£0.00	£0.00	£0.00	£0.00
(Mayoral) Non-residen institutions	1089	342	405	£0.00	£60.00	£0.00	£24,446.83

BCIS figure for year in which the charging schedule took effect (Ic)	224	331
BCIS figure for year in which the planning permission was granted (Ip)	333	
<b>TOTAL CHARGEABLE AMOUNT</b>	£0.00	£24,446.83

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

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

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

## DRAFT DECISION NOTICE



# Brent

## DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

## DECISION NOTICE – APPROVAL

Application No: 20/2788

To: Ms Weal  
Carden and Godfrey architects  
33 Clerkenwell close  
Farringdon  
London  
EC1R 0AU

I refer to your application dated **09/09/2020** proposing the following:

Demolition of fire damaged community centre and erection of a new two storey community centre and church hall building with roof terrace attached to St Catherine's church, creation of new vehicular access, bin store enclosure, alteration to boundary and associated landscaping

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

at **St Catherine's Church Hall & St Catherine's Church, Neasden Lane, London**

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: 08/06/2021

Signature:

**Gerry Ansell**  
Head of Planning and Development Services

### Notes

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

DnStdG

**SUMMARY OF REASONS FOR APPROVAL**

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

London Plan 2021  
 Brent Core Strategy 2010  
 Brent Development Management Policies 2016

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

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

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

7020/P00 Rev.A  
 7020/P01 Rev.D  
 7020/P03 Rev.D  
 7020/P04 Rev.C  
 7020/P05 Rev.C  
 7020/P10  
 7020/P11 Rev.B  
 7020/P21 Rev.A  
 7020/P22 Rev.A  
 7020/P31 Rev.B  
 7020/P32 Rev.B  
 7020/P33 Rev.A  
 7020/P34  
 7020/P35  
 7020/P36

1101 Rev.P1 (Drainage strategy)

Air Quality Assessment [Air Pollution Services, 22 March 2021]  
 Air Quality Neutral Report [Air Pollution Services, 28 September 2020]  
 Arboricultural Method Statement [Arbtech, 08 October 2020]  
 Archaeological Impact Assessment [Wessex Archaeology, October 2020]  
 BREEAM 2018 Pre-Assessment [mes Building solutions, October 2020]  
 Construction Dust Management Plan [Air Pollution Services, March 2021]  
 Energy Strategy Revision: 1.0 [baileygomm, 27 October 2020]  
 Heritage Statement & Design and Access [Carden & Godfrey Architects, September 2020, Rev.A]  
 Planning Statement [hgh consulting, 30th October 2020]  
 Preliminary Fire Strategy [Carden & Godfrey Architects, June 2021]  
 Servicing & Refuse Management Plan [Carden & Godfrey Architects, November 2020]  
 Sustainability Statement [mes Building solutions, October 2020]  
 Transport Management Plan [provided by applicant, 26 May 2021]  
 Transport Statement [ttp consulting, November 2020]  
 Travel Plan [ttp consulting, November 2020]

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

- 3 The car parking spaces, cycle storage and bin storage facilities as shown on the approved plans

or as otherwise approved in writing by the local planning authority shall be installed prior to use of the development and thereafter retained and maintained for the life of the development and not used other than for purposes ancillary to the use of the Church and Church Hall. The car parking spaces shall be marked out with hatching in accordance with requirements for disabled parking spaces.

Reason: To ensure the free and safe flow of traffic and pedestrians on the highway, and in the interest of sustainable transport

- 4 No more than 6 high capacity events (defined as those with 100 or more attendees, excluding staff hosting the event) shall be held at the community centre in any calendar year unless details are submitted to and approved in writing by the Local Planning Authority demonstrating that a higher capacity threshold or large number of events will be unlikely to result in conditions prejudicial to highway flow and safety, and the number of high capacity events shall thereafter shall not exceed the approved number or capacity.

Reason: In the interest of highway flow and safety.

- 5 The use of the development hereby approved shall not commence unless the following highways works have first been carried out at the developers expense;

- the reinstatement of the existing crossover back to footway;
- with all associated changes to line marking and associated Traffic Regulation Order costs.

The development shall not be occupied until all associated highway works have been completed to the satisfaction of the Local Highway Authority.

Reason: To ensure the safety and free flow of the surrounding highway network

- 6 Unless alternative details are first agreed in writing by the Local Planning Authority, the recommendations set out in the approved Air Quality Assessment ref.P1052\_A\_2 (Air Pollution Services, March 2021) shall be fully implemented for the development.

Reason: To reduce disturbance to users of the Church site and nearby residents.

- 7 Unless alternative details are first agreed in writing by the Local Planning Authority, the recommendations set out in the approved Construction Dust Management Plan ref.P1052\_3 (Air Pollution Services, March 2021) shall be fully implemented during the construction of the development.

Reason: To reduce disturbance to users of the Church site and nearby residents

- 8 Unless alternative details are first agreed in writing by the Local Planning Authority, the recommendations set out in the approved Arboricultural Method Statement [Arbtech, 08 October 2020] shall be fully implemented for the development.

Reason: To ensure adequate protection for retained trees in the vicinity of the site.

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

- 10 Prior to the commencement of construction works (excluding demolition, site clearance and the laying of foundations), a full drainage layout demonstrating connection to the surface water main system and a betterment in discharge rates shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in full accordance with the approved details.

Reason: To ensure adequate drainage of the site, in accordance with Policy DMP9b and London Plan Policy SI13.

- 11 Prior to the commencement of construction works (excluding demolition, site clearance and the laying of foundations), a Fire Strategy prepared by a suitably qualified third party assessor in accordance with the requirements of London Plan Policy D12B shall be submitted to and approved in writing by the Council. The development shall be carried out in accordance with any recommendations made within the approved Fire Strategy.

Reason: To ensure that the risk of fire is appropriately addressed in the proposed development, in accordance with London Plan Policy D12.

- 12 Prior to the commencement of construction works (excluding demolition, site clearance and the laying of foundations), details of materials for all external work, including samples where relevant to be made available for viewing on site (or in a location as agreed), 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.

- 13 Prior to topping of the development providing photovoltaic panels, further details of the proposed photovoltaic panel array, demonstrating that this delivers as a minimum the reduction in carbon emissions identified in the pre-material start Energy Assessment, shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in full accordance with the approved details.

Reason: To ensure carbon emissions are reduced in accordance with London Plan Policy SI2.

- 14 Within 6 months of works commencing on site, and notwithstanding the approved plans, a detailed landscaping scheme shall be submitted to and approved in writing by the local planning authority through the submission of an application for approval of details reserved by condition. The scheme shall include detailed proposals for the following aspects:

- Hard landscaped areas including materials
- A planting scheme including species, locations and densities, including the planting of at least 9 new trees

The approved landscaping scheme shall be completed prior to the first use of the development hereby approved and thereafter maintained, unless an alternative programme is first agreed in writing by the Local Planning Authority.

Any trees and shrubs planted in accordance with the landscaping scheme and any plants or trees 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, provides functional spaces and to maximise biodiversity benefits.

- 15 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

- 16 Prior to first occupation or use of the development hereby approved, and notwithstanding Condition 2, a revised BREEAM Assessment and Post Construction Certificate, demonstrating compliance with the BREEAM Certification Process for non-domestic buildings and the achievement of a BREEAM Excellent rating, shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure the development is constructed in accordance with sustainable design and construction principles, in accordance with Core Strategy Policy CP19.

- 17 Prior to first use of the development, a comprehensive Travel and Parking Management Plan shall be submitted and approved in writing by the local planning authority. The Travel and Parking Management Plan shall include:

- Improved SMART targets with the aim of having 0% travelling by car alone by year 5 and no more than 20% driving as car sharers, with the targets for sustainable travel increased accordingly.
- Healthy Streets Assessment.
- Details of the measures to manage one-way vehicular access into and out of the site through the existing and proposed vehicular accesses.
- Details of how parking for larger events will be managed within the site and local area. This should include the types of events to be held, mitigation measures proposed, local parking options and vehicular tracking of vehicles required for functions (wedding cars, hearse, catering delivery etc).

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

Reason: In the interest of highway safety and to demonstrate a commitment to sustainable transport modes.

- 18 Prior to first use of the development hereby approved, a Service and Delivery Plan shall be submitted to and approved in writing by the Local Planning Authority. The Service and Delivery Plan shall demonstrate how servicing to the premises will be managed, including measures to prevent or discourage service vehicles from visiting the site that are not able to service from within the site itself, and measures to ensure that any service vehicles that do arrive at the site which are unable to service from within the site do not service from Neasden Lane. The approved plan shall be implemented for the life of the development.

Reason: In the interest of highway flow and safety.

## 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](http://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](http://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 In relation to the conditions requiring the submission of details pertaining to land contamination, the developer is reminded that the quality of imported soil must be verified by means of in-situ soil sampling and analysis. We do not accept soil quality certificates from the soil supplier as proof of soil quality.
- 5 Under the Control of Pollution Act 1974, noisy construction works are regulated as follows:  
  
Monday to Fridays - permitted between 08:00 to 18:00  
Saturday - permitted between 08:00 to 13:00  
At no time on Sundays or Bank Holidays  
  
For work outside these hours, the Control of Pollution Act 1974 allows the council to set times during which works can be carried out and the methods of work to be used. Contractors may apply for prior approval for works undertaken outside of normal working hours. They should email the noise team at [ens.noiseteam@brent.gov.uk](mailto:ens.noiseteam@brent.gov.uk) to obtain a section 61 application form. Please note that the council has 28 days to process such applications.
- 6 The Council will not be responsible for maintaining any drainage features provided within the site. A management and maintenance regime for these features will need to be prepared and to be implemented for the lifetime of the development at the developer's expense.



Any person wishing to inspect the above papers should contact Sukhjeevan Bains, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5223

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## COMMITTEE REPORT

Planning Committee on  
Item No  
Case Number

16 June, 2021  
04  
20/3965

## SITE INFORMATION

RECEIVED	2 December, 2020
WARD	Kensal Green
PLANNING AREA	Harlesden Neighbourhood Forum
LOCATION	Building and land rear of 1 The Tudors, Harlesden Road, London
PROPOSAL	<p>Variation of condition 3 and 4 (development built in accordance with approved plans) and 9 and 10 (widening of driveway), to allow minor material amendments as follows:</p> <ul style="list-style-type: none"> <li>-the building to be narrowed by 300mm on the west-north-west to east-south-east plane;</li> <li>-change of pedestrian access into house from ramped access at front, at lower ground floor level, to stepped access to ground floor at garden side of building;</li> <li>-amendment to driveway width and refuse collection arrangements.</li> </ul> <p>to planning permission 19/1545, granted 3<sup>rd</sup> July 2019, for Demolition of existing shed and construction of a two bedroom, two storey dwellinghouse consisting of a part-basement ground floor and first floor, with associated landscaping, parking, and refuse/cycle storage.</p>
PLAN NO'S	See condition 2
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><b><u>When viewing this on an Electronic Device</u></b></p> <p>Please click on the link below to view <b>ALL</b> document associated to case  <a href="https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_&lt;systemke">https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_&lt;systemke</a></p> <p><b><u>When viewing this as an Hard Copy .</u></b></p> <p><b>Please use the following steps</b></p> <ol style="list-style-type: none"> <li>1. Please go to <a href="https://pa.brent.gov.uk">pa.brent.gov.uk</a></li> <li>2. Select Planning and conduct a search tying "20/3965" (i.e. Case Reference) into the search Box</li> <li>3. Click on "View Documents" tab</li> </ol>

## RECOMMENDATIONS

That the Committee resolve to GRANT the Minor Material Amendment, and that the Head of Planning is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

Conditions- these are as per the parent permission.

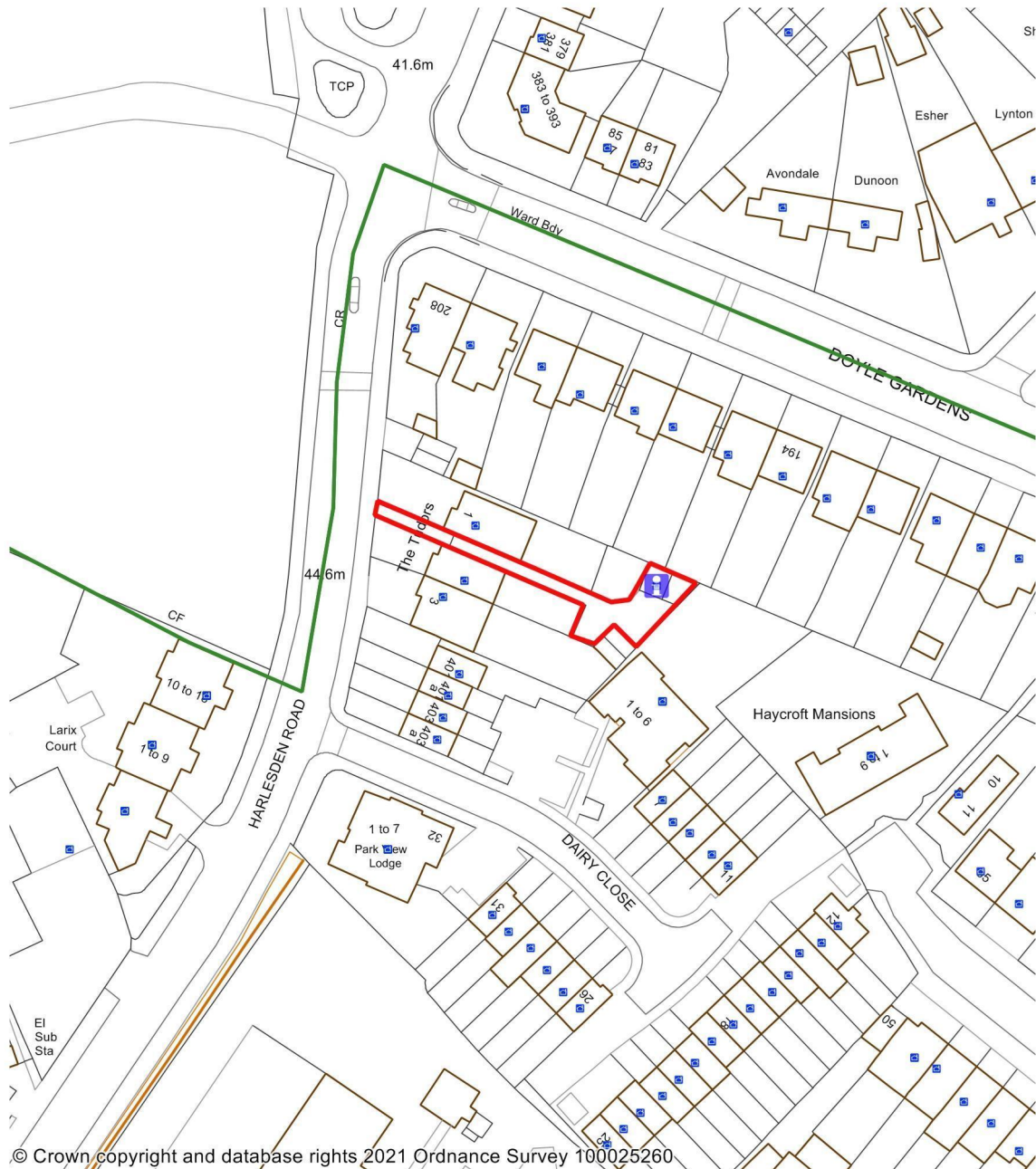
1. Time Limit to Commence
2. Approved Plans
3. Cycle parking and bins to be in place before occupancy
4. Landscaping- submission condition
5. Withdrawal of permitted development rights- extensions
6. Withdrawal of permitted development rights: use as HMO
7. Materials- submission condition
8. Ground contamination- investigation
9. Ground contamination- remediation (as required following investigation) and verification

Informatives

1. Code of Construction Good Practice
2. CIL liable informative
3. Building near boundary informative
4. Party Wall Act informative  
(Standard basement informatives follow):
5. Structural integrity
6. Noise
7. Licenses
8. Highways
9. Vibration
10. Air quality
11. Trees
12. Reminder to applicants of outstanding pre-commencement conditions
13. Reminder to conform with times in/out for bins.

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

## SITE MAP



This map is indicative only.

## PROPOSAL IN DETAIL

The proposal would, as described in the title, involve the following changes:

- the building to be narrowed by 300mm on the west-north-west to east-south-east plane;
- change of pedestrian access into house from ramped access at front, at lower ground floor level, to stepped access to ground floor at garden side of building; and

an amendment to the driveway width and refuse collection arrangements.

## EXISTING

The site is on the west side of Harlesden Road, to the rear of 1 The Tudors. It is accessed via a service road between 1 & 2 The Tudors, which is marked as a communal drive and has three garages at the end of it. This is understood to be a private road and is currently gated off.

The surrounding area is characterised predominately by two-storey, semi-detached and detached 1930s houses in good condition, on spacious plots. The rear gardens are characterised mostly by shrubs and trees and contribute to the open character of the gardens to the rear.

The proposed site is 133m<sup>2</sup> in area, is not in a conservation area and is not listed. There are not known to be any environmental constraints.

## AMENDMENTS SINCE SUBMISSION

Additional information / amendments were requested by case officer and received 17/3/21. These consisted of:

- a waste management plan
- a front elevation
- a diagram at larger scale showing the relative widths of the passage between the two houses on either side of the drive, and the entrance to the drive.

A diagram showing turning paths into the drive was also supplied, although not requested.

## SUMMARY OF KEY ISSUES

1. Whether the narrowing of the driveway at its entrance and placing of bins at the collection point as shown according to the management plan supplied, for waste collection days only, is acceptable in the overall context of the proposal.

2. The narrowing of the building and the changing of access to the house itself from a ramp to steps have not been contentious issues, however these should also be considered.

## RELEVANT SITE HISTORY

08/1652: Erection of a two-storey, two-bedroom, detached house in the rear garden of the dwellinghouse. Refused, 18/7/08

08/2834: Demolition of an existing garage and workshop and erection of a two-storey, two-bedroom, detached dwellinghouse in the rear garden of the existing dwellinghouse. Refused, 1/12/08

19/1545: Demolition of existing shed and construction of a two bedroom, two storey dwellinghouse consisting of a part-basement ground floor and first floor, with associated landscaping, parking, and refuse/cycle storage. Granted, 3/7/19.

20/1675: Variation of conditions 3 and 4, development built in accordance with approved drawings and conditions 9 and 10 (driveway) to allow:

- Narrowed building (by 300mm);
- Removal of lower ground floor access and associated structures;
- New main access to building at ground floor level and revised floor layout;
- Narrowed site access;

of Full Planning Permission reference 19/1545 dated 3 July, 2019, for Demolition of existing shed and construction of a two bedroom, two storey dwellinghouse consisting of a part-basement ground floor and first floor, with associated landscaping, parking, and refuse/cycle storage. Case withdrawn.

## CONSULTATIONS

27 letters of consultation were sent to the occupiers of neighbouring and nearby properties. The Harlesden Neighbourhood Forum was also consulted.

Eight objections were received, covering the following matters. Three of these related only to the principle of the original consent.

The table below summarises the objections and where material to this assessment, in which part of the report they are discussed.

Nature of objection	Comments- and where discussed
The drive with bins as located would not be wide enough to allow all but narrow cars to pass	The amendment deals with access and refuse arrangements- discussed in Highways /Servicing – section 4.
The plans have reduced the living accommodation within the scheme	The amendment deals with a 300mm narrowing of the house- discussed in Standard of Accommodation – section 3.2
The removal of the ramp means that the house would fail to meet accessibility standards for disabled occupants	The amendment would remove the ramp arrangements- discussed in Standard of Accommodation – see 3.3
Cars would have to swing onto opposite side of road if driving towards school which would create a hazard	The amendment deals with access and refuse arrangements- discussed in Highways /Servicing – see 4.4 to 4.9
The bins would not be sufficient size for a 2-bedroom house.	The amendment deals with access and refuse arrangements- discussed in Highways /Servicing – see 4.3
The house would cause noise, loss of light, and increase of crime due to the access to the new house (impact on / towards Doyle Gardens)	This objection relates to the original permission. The principle of development is already established and no changes are taking place that would affect impacts from these matters.
Construction traffic would block access and cause other issues during construction	This objection relates to the original permission. The principle of development is already established and no changes are taking place that would affect impacts from these matters.
New house would exacerbate crime issues	This objection relates to the original permission. The principle of development is already established and there is no evidence that the proposal would have any significant impact on crime.
The building would constitute a loss of privacy (towards Doyle Gardens)	This objection relates to the original permission. The principle of development is already established and no changes are taking place that would affect impacts from these matters. The approved scheme is not considered to have an adverse impact on the privacy

	of the neighbouring occupiers.
Loss of trees	This objection relates to the original permission. The principle of development is already established and no changes are taking place that would affect impacts from these matters.

## POLICY CONSIDERATIONS

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of this application should be in accordance with the development plan unless material considerations indicate otherwise.

The development plan is comprised of the:

London Plan 2021

Brent Core Strategy 2010

Brent Development Management Policies 2016

Key policies include:

### London Plan 2021:

D4: Delivering good design  
D6: Housing quality and standards  
H1: Increasing housing supply  
H2: Small sites  
T5: Cycling  
T6: Car parking  
T6.1: Residential parking

### Brent Core Strategy

- CP17 Protecting and Enhancing the Suburban Character of Brent

### Brent Development Management Policies

- DMP 1 Development Management General Policy
- DMP12 Parking
- DMP18 Dwelling size and residential outbuildings
- DMP19 Residential Amenity Space

The council is currently reviewing its Local Plan. Formal consultation on the draft Brent Local Plan was carried out under Regulation 19 of the Town and Country Planning Act (Local Planning) (England) Regulations 2012 between 24 October and 5 December 2019. At its meeting on 19 February 2020 Full Council approved the draft Plan for submission to the Secretary of State for examination. The plan has undergone examination and is in the final stages of amendments. Therefore, having regard to the tests set out in paragraph 48 of the NPPF it is considered by Officers that greater weight can now be applied to policies contained within the draft Brent Local Plan.



Key policies include:

DMP1 Development Management General Policy  
BD1 Leading the way in good design  
BD3 Basement Development  
BH11 Conversion of Family Sized Dwellings  
BH4 Small sites and small housing developments in Brent  
BH12 Residential outbuildings  
BH13 Residential Amenity Space  
BT1 Sustainable Travel Choice  
BT2 Parking & Car Free Development  
BSUI2 Air Quality  
BSUI3 Managing Flood Risk  
BSUI4 Onsite water management and surface water attenuation

#### Other Relevant Policy Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Technical housing standards – nationally described space standards (2015)
- LB Brent Waste Planning Guide SPG
- SPD1- Brent Design Guide

London Cycling Design Standards

## **DETAILED CONSIDERATIONS**

1. The principle of development has already been approved within the original consent, which is 19/1545.

### 2. Impact on Character and Appearance of the Area

2.1. As a result of the amendment, the ramp to the entrance of the property would be replaced with stairs to the lower terrace and the entrance would be on the north-western elevation at lower level. The gate to the ground level frontage would be moved along the fence to be nearer to the stairs to lower level. Neither of these changes would have a significant effect on the original design or be detrimental to it.

2.2. The changes to the refuse collection arrangements do not have a significant character/design impact. Likewise, the change to the building size of reduction 30cm, will not noticeably alter the design visually.

2.3. Overall the amendments are considered acceptable with regards to visual design impact.

### 3. Neighbouring Residential Amenity

3.1. The principle of development is already established in 19/1545, where all aspects of neighbour amenity were examined in detail with regards to Brent policy and guidance. This is an assessment of the proposed amendments to that permission.

3.2. There are no changes within these amendments that significantly affect the massing of the proposed building, or fenestration above ground floor level.

3.3. The moving of the position of the front door would not affect neighbour amenity.

3.4. The reduction in the size of the building would not materially change the level of impact to neighbouring properties.

3.5. Overall, the amendments are considered acceptable with regards to neighbour amenity.

#### 4. Standard of Accommodation.

4.1. Access for emergency services, maintenance services and tradesmen, deliveries and visitors will be provided through a number of access means. This includes an intercom system with keypad linked to each of the residents within the mews. A Fireman's key switch would allow access for emergency vehicles. A key protected manual release is incorporated in the case of a power cut.

4.2. The total gross internal area would reduce from 88.7m<sup>2</sup> to 84m<sup>2</sup>. The minimum under national and London Plan standard for a dwelling over 2 floors and with two bedrooms, for four people, is 79m<sup>2</sup>, so the house continues to meet standards. Layout remains acceptable.

4.3. As there is one dwelling, it is not required to be a 'lifetime homes' dwelling. However it appears adaptable for alteration were this to be required in the future.

4.4. Overall it is considered that the standard of accommodation would still be acceptable using the amended plans.

#### 5. Highways and Servicing

5.1. It is noted that objections received relate to the space that would be available, at the entrance to the driveway, on the days each week when the bins are in place.

5.2. Condition 9 (duplicated in 10) required that a slice of land owned by adjoining property no. 2 The Tudors was used to augment the pavement-side width to the driveway. The driveway would have been realigned using this slice of land prior to commencement of construction. This has proven to not be possible. The reason for the condition was that originally it was considered that the additional space would be required for the temporary storage of full size 240l bins on collection days. Using smaller bins was not considered at that time.

5.3. Waste team were consulted on the use of 140l bins. 60l per bedroom is considered a normal requirement for waste, bearing in mind also that the borough seeks to provide sufficient waste capacity, not excessive, in order to incentivise waste minimisation. For a two-bedroom property, the revised capacity accords with the Brent waste planning guidance and is considered to be sufficient.

5.4. The storage space is considered acceptable. In the unlikely occurrence that the bins be in the way when a car arrives or leaves, it would be possible to step out of the car for a moment, and move them, as many householders do with a similar situation when they return home and find their bins are on their driveway. It should be noted that it is likely to be the occupier driving into the access route, so the arrangement would not affect the neighbouring occupiers.

5.5. However, leaving this aside, the width between the two houses, 1 and 2 The Tudors, is itself 2.15m, or less considering the presence of drainpipes, which reduce it to 2.05m.

5.6. With the 140l bins in their collection place, a gap of 2.05m would remain at kerbside. This amendment would therefore result in no more of a width restriction at the point of entry, than is already present- and unlikely to ever change- between the two solid walls of the existing houses.

5.7. Therefore, officers consider that any car that is planning to / able to traverse down this path, is equally able to travel through the initial part of the driveway, with care, when bins are present.

5.8. Tracking diagrams have been considered from both objectors and applicant. If carrying out

normal safe driving, i.e. checking surrounding traffic, indicating, slowing down, waiting if necessary for a moment, there is no reason why the driveway cannot be entered safely.

5.9. Bin collections are on Wednesdays; every other week is recycling and food waste, and the general waste is collected alone, on alternate weeks, opposite weeks to the recycling and food bins. Therefore the maximum bins that would ever be present is one 140l bin and one 20l food bin, providing the occupiers follow waste department guidance and place bins out for collection only for the requisite times.

5.10. Therefore, officers consider that any car that is planning to / able to traverse down this path, is equally able to travel through the initial part of the driveway, with care, when bins are present.

5.11. Cycle parking and fire hydrant would not change as a result of the amendments and these remain acceptable.

5.12. Overall it is considered that the variation of condition is acceptable with regards to Highways and Servicing.

#### Equalities statement

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).

#### **6. Conclusion.**

It is considered that the scheme continues to comply with the development plan, and that the proposed amendments do not represent a fundamental alteration of the consent. It is recommended that planning permission is granted.

## DRAFT DECISION NOTICE



# Brent

## DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

## DECISION NOTICE – APPROVAL

Application No: 20/3965

To: Mr Kyte  
Enabling Projects  
Enabling Projects Ltd  
40 Sandringham Road  
NW11 9DP

I refer to your application dated **02/12/2020** proposing the following:

Variation of condition 3 and 4 (development built in accordance with approved plans) and 9 and 10 (widening of driveway), to allow minor material amendments as follows:

- the building to be narrowed by 300mm on the west-north-west to east-south-east plane;
- change of pedestrian access into house from ramped access at front, at lower ground floor level, to stepped access to ground floor at garden side of building;
- amendment to driveway width and refuse collection arrangements.

to planning permission 19/1545, granted 3<sup>rd</sup> July 2019, for Demolition of existing shed and construction of a two bedroom, two storey dwellinghouse consisting of a part-basement ground floor and first floor, with associated landscaping, parking, and refuse/cycle storage.

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

at **Building and land rear of 1 The Tudors, Harlesden Road, London**

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: 08/06/2021

Signature:

**Gerry Ansell**  
Head of Planning and Development Services

### Notes

1. Your attention is drawn to Schedule A of this notice which sets out the rights of applicants who are aggrieved by the decisions of the Local Planning Authority.

2. This decision does not purport to convey any approval or consent which may be required under the Building Regulations or under any enactment other than the Town and Country Planning Act 1990.

DnStdG

**SUMMARY OF REASONS FOR APPROVAL**

- 1 The amended proposal is in general conformity with the relevant policies from the development plan for the area which comprises London Plan 2021, Brent Core Strategy 2010, Brent Development Management Policies 2016 and relevant guidance (SPD1)- Brent Design Guide.

- 1 The development to which this permission relates must be begun not later than the expiration of three years beginning from 3rd July 2019.

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 replacement approved drawings and documents:

Received 4/1/21:

6361/7.10.20/01C: Existing site plan  
 6361/7.10.20/03C Existing ground floor/roof plan  
 6361/7.10.20/05C: Proposed 1st floor/roof plans  
 6361/7.10.20/06C: Proposed elevations  
 6361/7.10.20/07C: Proposed sections  
 6361/7.10.20/09C: Proposed materials

Received 19/1/21:

6361\_18.1.21\_08D: Amended driveway plan

Received 19/2/21:

6361/17.2.21/04D: Proposed ground floor plan

Received 22/2/21:

6361/17.2.21/02D: Proposed site plan

For the avoidance of doubt, the existing scheme remains an option for development.

In either case, the following approved documents, not being amended, remain approved for either scheme, and the development must comply with them in either case:

Tree Protection Plan ref MWA TLP001

Aboricultural Assessment (MWA, October 2018)

Location plan

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

- 3 The refuse and recycling facilities and cycle parking facilities as approved shall be provided in full prior to occupation of the development and shall thereafter be permanently retained and maintained.

Reason: In order that the local planning authority may be satisfied with the provisions for refuse storage and cycle parking and in the interests of safeguarding the amenities of occupiers and the area in general.

- 4 The areas so designated within the site shall be landscaped, to include two suitable replacement trees, and details of all surfacing and planting, in accordance with a scheme to be

submitted to and approved in writing by the Local Planning Authority before above ground works commence on-site. The landscape works must be completed during the first available planting season following completion of the development hereby approved. Any planting that is part of the approved scheme that within a period of five years after planting is removed, dies or becomes seriously damaged or diseased, shall be replaced in the next planting season and all planting shall be replaced in the same positions with others of a similar size and species, unless the Local Planning Authority first gives written consent to any variation.

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

- 5 No further extensions or buildings shall be constructed within the curtilage of the dwellinghouse subject of this application, notwithstanding the provisions of Classes A, B, D & E of Part 1 Schedule 2 of the Town & Country Planning (General Permitted Development) Order 2015, as amended, (or any order revoking and re-enacting that Order with or without modification) unless a formal planning application is first submitted to and approved by the Local Planning Authority.

Reason: In view of the restricted nature and layout of the site for further development and occupation and to prevent over-development of the site and undue loss of amenity to adjoining occupiers.

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

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

- 7 Details of materials for all external work, i.e., wall materials, paving materials, roof tiles, window and door frames, to consist of high quality colour PDF including RAL colours and /or product code or details, keyed to elevational drawing, shall be submitted to and approved in writing by the Local Planning Authority before any above-ground work is commenced. The work shall be carried out in accordance with the approved details.

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

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

*Please note: The quality of imported soil must be verified by means of in-situ soil sampling and analysis. We do not accept soil quality certificates from the soil supplier as proof of soil quality.*

- 9 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

*Please note: The quality of imported soil must be verified by means of in-situ soil sampling and analysis. We do not accept soil quality certificates from the soil supplier as proof of soil quality.*

## INFORMATIVES

- 1 The applicants are reminded of the requirements of the Code of Construction Good Practice, which requires that no activities shall be carried out and no commercial vehicles may arrive, depart, be loaded or unloaded within the general site, except between the hours of 0800 and 1800 Mondays to Fridays, 0800 and 1300 Saturdays and at no time on Sundays or Bank Holidays, in order to comply with the Environmental Protection Act 1990 with regards to noise and nuisance. Please see <https://www.ccscheme.org.uk/ccs-ltd/code-of-considerate-practice-2/>
- 2 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a revised 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](http://www.brent.gov.uk/CIL).
- 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 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](http://www.communities.gov.uk)
- 5 **STRUCTURAL INTEGRITY**  
The applicant is advised that Building Regulations control these works and compliance is required when converting an existing basement to habitable use, excavating a new basement or extending an existing basement. Building Regulations control matters such as structure, fire safety, ventilation, drainage, waterproofing, insulation, sound proofing, heating systems and access.

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

- 6 **NOISE**  
The applicant is advised that noise and vibration is controlled by the Control of Pollution Act 1974 and statutory nuisance provisions contained within the Environmental Protection Act 1990 and the British Standard Codes of practice 5228:1997 Parts 1 to 4. Key issues relating to noise from construction sites include: (i) prior consent may be sought from the Council relating to noise from construction activities (s.61 of COPA 1974); (ii) if no prior consent is sought, the Authority may serve a notice on the site/works, setting conditions of permitted work (s.60 of COPA 1974); (iii) an action in statutory nuisance can be brought by a member of the public even if the works are being carried out in accordance with a prior approval or notice (s.82 of the EPA 1990). In particular, the normal hours of work shall be between the following hours:

Monday to Friday - 08.00 to 18.30  
Saturdays – 08.00 to 13.00



Sundays and Bank Holidays – No noisy works at all

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

7 LICENCES

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

8 HIGHWAYS

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

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

[www.brent.gov.uk/services-for-residents/parking/suspending-a-parking-bay-and-dispensations](http://www.brent.gov.uk/services-for-residents/parking/suspending-a-parking-bay-and-dispensations)

9 VIBRATION

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

10 AIR QUALITY

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

11 Trees can be easily damaged during construction activities which may involve direct damage

to the above ground parts of the tree being hit by excavators or having materials stacked against them etc. The area most often overlooked is the tree's root system, responsible for anchoring the tree in the ground as well as providing water and nutrients to keep the tree in a healthy state. Construction activity compacts the soil making it very hard for the tree to attain moisture and oxygen, leading to the tree falling into decline. The digging of foundations and inadvertent cutting of roots can also have the same negative impact.

The mixing of cement and spillage of any construction related products will also have a detrimental effect on tree health.

We recommend that a protective fence is erected as far from the trunks of the trees as possible. No construction activity including the storage of materials should take place within these areas throughout the duration of construction. See the TREE PROTECTION PLAN which is a mandatory approved document.

Under normal circumstances fencing would be erected a distance equal to a radius  $12 \times$  the diameter of the tree stem when measured at 1.5 metres above ground level. In the case of your Magnolia that may have two stems of 100mm diameter  $= 200\text{mm} \times 12 =$  root protection area of 2.4 metres.

- 12 The applicants are reminded that there are outstanding pre-commencement conditions on the permission at the time of issue of this amendment, notably site survey for contamination (two) and materials (one).
- 13 All occupiers or purchasers must be made aware by the applicants that the bins should only be present at the collection point from the night before the allotted collection day, and must be returned to their storage place in the property as soon as possible after collection on the day of collection. The bins must not be left at the kerbside, on the driveway, or on the pavement, other than at these times.

Any person wishing to inspect the above papers should contact Michele Katzler, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5231

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