



Planning Committee

Wednesday 21 July 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

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

Notes for Members - Declarations of Interest:

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

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

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

***Disclosable Pecuniary Interests:**

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

****Personal Interests:**

The business relates to or affects:

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

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

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

or

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

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

Agenda

Introductions, if appropriate.

Apologies for absence and clarification of alternate members

ITEM	WARD	PAGE
1. Declarations of interests Members are invited to declare at this stage of the meeting, the nature and existence of any relevant disclosable pecuniary, personal or prejudicial interests in the items on this agenda and to specify the item(s) to which they relate.		
2. Minutes of the previous meeting		1 - 8
APPLICATIONS FOR DECISION		
3. 20/1310 - 33A, 33-35 and St George Hotel, 43-51 Wembley Hill Road, Wembley, HA9	Tokington	13 - 44
4. 21/0470 - 249-289 Cricklewood Broadway and 32-56 and 60-74 Hassop Road, London, NW2 6NX	Mapesbury	45 - 90
5. 21/0579 - 51-55 High Road, London, NW10 2SU	Willesden Green	91 - 104
6. Any Other Urgent Business Notice of items to be raised under this heading must be given in writing to the Head of Executive and Member Services or his representative before the meeting in accordance with Standing Order 60.		

Date of the next meeting: Wednesday 11 August 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 Wednesday 16 June 2021 at 6.00 pm

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

1. **Declarations of interests**

None.

2. **Minutes of the previous meetings**

RESOLVED:-

that the minutes of the previous meetings held on 28 April 2021 and 24 May 2021 be approved as accurate record of the meetings.

3. **20/3965 - Building & land rear of 1 The Tudors**

PROPOSAL:

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 3rd July 2019, for Demolition of existing shed and construction of a two bedroom, two storey dwelling house consisting of a part-basement ground floor and first floor, with associated landscaping, parking, and refuse/cycle storage.

RECOMMENDATION:

Resolve to grant the Minor Material Amendment.

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

PLANNING COMMITTEE

16 June 2021

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.

Damien Manhertz, Planning Team Leader South, introduced the report, set out the key issues and answered members' questions.

The Planning Team Leader South advised that, since the publication of the agenda, an email had been received outlining a number of concerns in relation to the application regarding disabled access, amenity space, landscaping, bin storage and refuse collection, all of which had been addressed in the report. He then advised that a further email had been received from Councillor Chan, ward member for Kensall Green, advising that he objected to the application in its current form and supported the objections made by local residents.

Charlie Hill, objector, then raised several concerns including:

- The removal of the ramp would mean that the house would fail to meet accessibility standards for disabled occupants.
- The driveway, with the bins located as proposed, would not be wide enough to allow all but narrow cars to pass.
- There would be a further loss of landscaping, including a loss of trees.

In response to questions from members, Charlie Hill made the following points:

- The original permission was not acceptable. The driveway, with the bins located as originally proposed, would not be wide enough to allow cars to pass safely and there would be a loss of trees and a loss of privacy for neighbouring properties.
- The proposal would have an adverse impact on the privacy and security of neighbouring properties due to the increased access to Doyle Gardens.

PLANNING COMMITTEE

16 June 2021

Paul Lyu then raised several concerns including:

- The use of theoretical data to imply that vehicular access was possible with refuse bins placed in the alleyway was incorrect. A needed far greater clearances to pass through the alleyway without damage.
- Bins would be placed out the night prior to collection and as such block access overnight and would often be returned incorrectly leading to prolonged blocked access.

In response to questions from members, Paul Lyu made the following points:

- The occupiers of 2 The Tudors had access rights to their property. The occupiers used their garage on a daily basis, and the alleyway also provided access to a driveway in its back garden. The proposal would make access difficult.
- Refuse bins were currently collected from front gardens and driveways. This had proved to be an acceptable arrangement.

Peter Kyte, the agent, then addressed the Committee on several matters including:

- The changing of the main entrance would result in the removal of a proposed ramp, which would declutter the architecture and improve the design.
- The available width in the alleyway was 2.05m. Such a width had previously been accepted and consented by the local authority for vehicular access into the site.
- Future residents would place refuse bins at the site entrance on collection day, with the resultant width available for cars to pass also being 2.05m.
- The dimensions of a typical family car (BMW Series 1 and 2) have been provided in relation to the alleyway, which proved it could pass between the waste bins at the site access and the downpipes further into the site.

In response to questions from members, Peter Kyte made the following points:

- The changed pedestrian access into the house from ramped access at the front, at lower ground floor level, to stepped access to ground floor at garden side of building would not affect neighbour amenity. Any minor amendments to allow for disabled access would be relatively easy.

PLANNING COMMITTEE

16 June 2021

In the ensuing discussion, members raised several issues including highways and servicing and neighbour residential amenity. Officers then clarified a number of key points including:

- Unless the narrowing of the driveway at the entrance and placing of refuse bins at the collection point, for waste collection days only, was deemed acceptable in the overall context of the proposal, works would not be permitted to begin.
- While it was possible to condition the development to be car free, vehicles could still use the alleyway to access neighbouring properties. Parking provision was not deemed to be an issue as the development was in a Controlled Parking Zone (CPZ) and there was adequate on-street parking nearby. Overall, the variation of condition was considered acceptable with regards to highways and servicing.
- If the refuse bins were to be placed at the front of the development, it would block the access for those using the pavement on the days of the week when the bins were in place.
- It was accepted that the refuse bins may not be returned to the same position on collection day, and that the bins may be out for more than one day. However, the arrangement was common practice in the locality and was deemed safe.
- Access for emergency services would be provided through a number of access means. These included an intercom system with a keypad linked to each occupier. A fireman's key switch would allow access for emergency vehicles, and a key protected manual release would be incorporated in the case of a power cut.
- It was considered that any car that was planning to traverse down the alleyway would be equally able to travel through the initial part of the alleyway, with care, when refuse bins were present. It was accepted that larger vehicles would not be able to access the driveway through the alleyway.

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.

PLANNING COMMITTEE

16 June 2021

DECISION: Refused planning permission contrary to the officers' recommendations due to concerns over the space that would be available at the entrance of the driveway on the days of the week bin collections take place.

(Voting on the recommendation was as follows: For 3, Against 5)

4. 20/2788 - 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.

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 and Development or other duly authorised persons is delegated authority to agree the exact terms thereof in line with the Heads of Terms as set out in the report.

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 as set out in the report.

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.

Damien Manhertz, Planning Team Leader South, introduced the report, set out the key issues and answered members' questions. The Planning Team Leader South

PLANNING COMMITTEE

16 June 2021

clarified that an Arboriculture Method Statement would be required by condition to ensure trees were either retained or compensated for through replacement tree planting or financial contribution to tree planting off site. A detailed landscaping plan would also be required by condition to ensure the proposed landscaping was maximised and of high quality. The Planning Team Leader South also confirmed that twelve cycle spaces would be provided which was welcomed in light of the survey carried out amongst regular users of the hall which found 20% of visitors travel by bicycle.

Rob Harrison, the applicant, then addressed the Committee on several matters including:

- The old Church Hall was often fully booked and the Community Café space within the church was approaching full usage by the time of the Church Hall fire in 2018.
- In early 2019 a community consultation day was held, during which it was made apparent that users wanted a facility with a range of different spaces available. These included a grand hall, meeting rooms, a café and a garden area.
- Those that were involved in the community consultation day were invited back to give their thoughts on the basic plans for the community centre. They felt their voice had been heard and the proposal was what they were looking for.
- The proposed business model was to take on a balance of income generating bookings that would cover the running costs of the building so that other facilities could be made available to the local community at low or zero cost.

In response to questions from members, Rob Harrison made the following points:

- The possibility of holding events of up to 150 people was welcomed. Such events would likely be concerts or theatre performances. Historically the hall had been used for small-scale community activities.
- A gas heating system was proposed after consultation with relevant professionals. The applicant was committed to ensuring the development was as sustainable and energy efficient as possible.

In the ensuing discussion, members raised several issues including trees and biodiversity, parking provision, transport, fire safety, environmental health and the

PLANNING COMMITTEE

16 June 2021

relationship with neighbouring sites. Officers then clarified a number of key points including:

- An Arboriculture Method Statement would be required by condition to ensure trees were either retained or compensated for through replacement tree planting or financial contribution to tree planting off site. It also noted the protection afforded to bats and nesting birds as required by legislation.
- The Transport Management Plan provided stated a maximum capacity of 150 users. With no off-street parking provided, pressure falls on the surrounding residential areas. A car parking management plan was 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 Travel Plan survey identified that 53% of respondents travel less than 15 minutes to the site, so the facility was considered to have a predominantly local catchment. This would make it easier to promote sustainable modes of travel to the site. The site was well connected by public transport, and local public transport infrastructure was set to be improved as part of the Neasden Growth Area Masterplan.
- A preliminary fire statement had been provided to support the proposal. It was recommended that a condition be attached requiring the submission and approval of a fire statement prior to any development taking place on site.
- Overall there were not considered to be any significant neighbour amenity issues with the proposal. Residential properties were relatively far away, and the existing site had been in use for a number of years without any issues.

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 the prior completion of a S106 legal agreement and the conditions and informatives as set out in the report.

(Voting on the recommendation was as follows: For 8)

5. Any Other Urgent Business

None.

PLANNING COMMITTEE

16 June 2021

The meeting closed at 7.40 pm

COUNCILLOR KELCHER
Chair

APPLICATIONS FOR DECISION

Introduction

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

Material planning considerations

4. The Committee is required to consider planning applications against the development plan and other material planning considerations. 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

21 July, 2021
03
20/1310

SITE INFORMATION

RECEIVED	1 May, 2020
WARD	Tokyngton
PLANNING AREA	
LOCATION	33A, 33-35 and St George Hotel, 43-51 Wembley Hill Road, Wembley, HA9
PROPOSAL	Demolition of former AIB building and erection of a part 5, part 6 storey building with a 2 storey basement level for use as hotel and retail unit and additional storey extension to St. George's Hotel
PLAN NO'S	Refer to condition 2
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case <a href="https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_<systemke">https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_<systemke</p> <p><u>When viewing this as an Hard Copy _</u></p> <p>Please use the following steps</p> <ol style="list-style-type: none"> 1. Please go to pa.brent.gov.uk 2. Select Planning and conduct a search tying "20/1310" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab

RECOMMENDATIONS

That the Committee resolve to GRANT planning permission subject to completion of a legal agreement to secure the following planning obligations:

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. Carbon Off-setting: Pre-construction: submission of revised Energy Assessment to achieve zero carbon with a minimum of 35% carbon reduction on site reduction with any remaining shortfall in carbon zero to be secured through a financial contribution to Brent's carbon offsetting scheme. Post-completion: submission of revised Assessment, final financial contribution.
4. Surveys of television and radio reception in surrounding area, and any mitigation works agreed
5. Submission of a Coach Management Plan.
 - The Coach Management Plan shall include details of the management arrangements and mechanisms used to prevent coaches arriving on site
 - Any potential coaches arriving on site shall load and unload within stadium coach parking areas.
 - Details of shuttle bus service collecting guests from the coach car park
 - Details of how the hotel would inform coach bookings of the mechanisms used to prevent coaches arriving on site.
6. Submission of a Travel Plan

Conditions

Compliance

1. 3 years consent
2. Approved Drawings
3. Hotel Use
4. Commercial Use
5. Accessibility Management Plan
6. SuDS and Drainage Statement
7. Non-Road Mobile Machinery
8. Approved Parking and Cycle Storage
9. Considerate Constructors Scheme

Pre-commencement

10. Construction Method Statement
11. Fire Safety Strategy
12. Construction Logistics Plan

Post-commencement

14. Land Contamination study
15. Materials

Pre-occupation or use

16. PV Panels
17. Delivery and Servicing Plan


18. Roof Plant Details
19. BRE Certificate
20. Car Park Management Plan

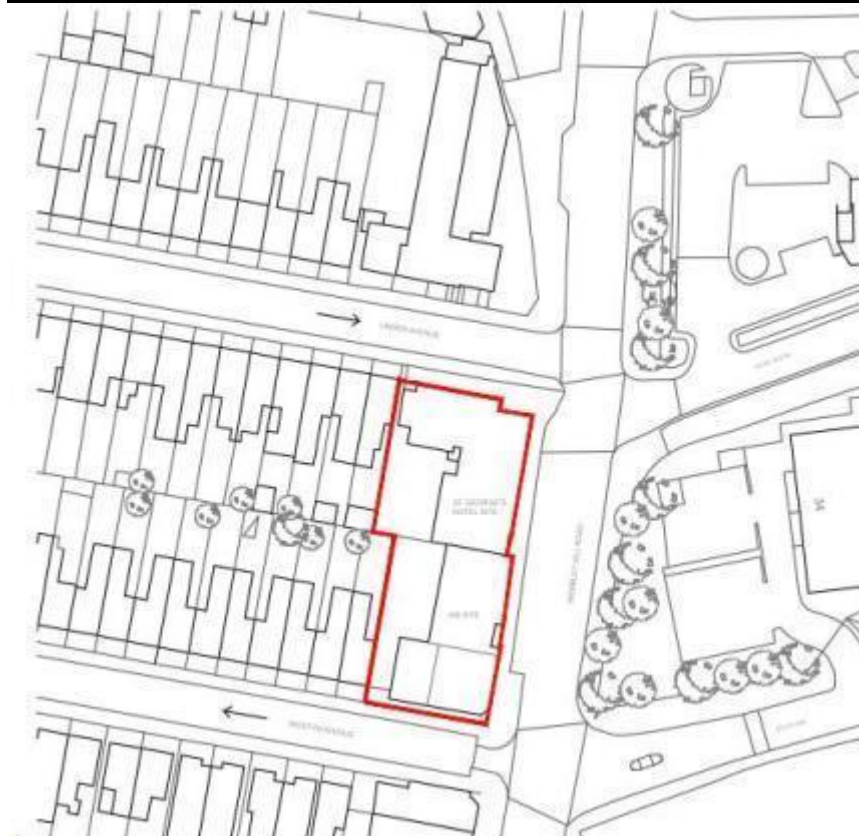
Informatives

1. CIL
2. Construction Works
3. Party Wall Act 1996
4. London Living Wage
5. Fire Safety
6. Asbestos
7. Soil Sampling
8. Thames Water
9. Groundwater Risk Management Permit

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

SITE MAP

	Planning Committee Map Site address: 33A, 33-35 and St George Hotel, 43-51 Wembley Hill Road, Wembley, HA9 © Crown copyright and database rights 2011 Ordnance Survey 100025260
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This map is indicative only.

PROPOSAL IN DETAIL

The proposal is seeking to demolish the two storey building occupying the southern portion of the site and replace it with a new part five and part six storey development, to be built as an extension to St George's Hotel. Two lower basement levels would be introduced. The proposal would facilitate the expansion of the existing hotel and a new retail unit would be included on the ground floor, which measures approximately 100sqm. The new building would connect to existing hotel at each floor level resulting in a new stair and lift core introduced to the new block accessing all storeys and basement levels. An additional storey would be included to the existing St. George's Hotel building. The proposal would provide an additional 63 hotel rooms, providing a total of 112 rooms to the upgraded hotel.

A retail unit would be included at the ground floor of the proposed building. The majority of the ground floor would support a reception and lounge area for the hotel. A new front entrance would be included along this part of the development. Both basement levels would facilitate leisure facilities and hotel plant areas.

The rear service yard would include ten parking spaces which would comprise of four residential disabled spaces, three disabled hotel spaces and three hotel spaces. An allocated service bay would also be provided to the rear of the site.

EXISTING

The application site is situated on Wembley Hill Road between Linden Avenue and Mostyn Avenue. St George's Hotel is positioned along the northern portion of the site and the southern part of the site contains a two storey building which adjoins to the existing hotel. The southern premises is vacant and was previously occupied by Allied Irish Bank. The rear of both buildings is utilised for parking and delivery purposes. The area is predominantly mixed use with larger scale buildings located to the east and traditional two storey dwellings located to the west.

Crown House occupies the north western portion of the site which occupies nine residential units. Crown House is integrated with main building of St. George's Hotel.

The site is located within the Wembley Growth Area and within the Wembley Town Centre boundary. The southern part of the site also sits within the secondary shopping frontage of the town centre.

AMENDMENTS SINCE SUBMISSION

Amendments were received during the course of the application on 17/05/2021 and 24/06/2021

- The ground floor plan has been updated to include refuse facilities, cycle parking and service bay.
- The amendments included the re-arrangement of the parking to the rear of the service area.
- Rear elevation updated to reflect the rear access changes
- A revised Transport Statement, Employee Travel Plan and Delivery + Service Plan was provided during the course of the application taken into consideration comments provided by the Transport Officer.
- A revised Basement Impact Assessment was submitted 08/06/2021.

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.

Consultation: Two objections were received from individual addresses and a petition was received on behalf of seven properties on Mostyn Avenue and the Wembley Hill Residents Association.

Principle of Development: The proposal would result in the intensification of the existing hotel on site. Such intensification would be acceptable given that the hotel use is within Wembley Growth Area which would benefit the area and meet the policy requirements of the London Plan regarding the promotion of tourism within the city as a whole. Emerging Policy BE9 also encourages hotels in the Wembley Major Town Centre. The introduction of a retail unit along this designated secondary shopping frontage would also be acceptable in policy terms.

Design and Appearance: The overall design approach of the proposed building would be acceptable, and the height and massing would be in keeping with the local context. The proposal would allow for an appropriate transition and relationship factoring into account the traditional two storey dwellings to the east of the site. The proposal would not have a negative impact on the protected views to Wembley Stadium. Each elevation would incorporate high quality finishes with a contemporary design, which would reflect the new developments further north and east of the application site. Overall, the design would be considered to be of a high standard. Given scale and siting of the proposed development, the Wembley High Street Conservation Area and Wembley Arena (a Grade II Listed Building) would not be harmed.

Relationship with Neighbouring Properties: The applicant's daylight and sunlight analysis confirms that whilst there would be some loss of light and overshadowing to neighbouring gardens that fall short of BRE targets, such a shortfall would be considered acceptable within the urban context of the site and its location within the Wembley Growth Area. The proposal would also fail the 45 degree line set out in Brent's Supplementary Planning Guidance 1 in relation to 1 Linden Avenue. The proposal has incorporated unique design mechanisms to the rear elevation to ensure no significant harmful overlooking would occur to the neighbouring property directly west of the application site.

Transport Considerations: The submission demonstrates that the proposal is unlikely to have a significant impact on local streets given the high level of public transport accessibility of the site. Any potential coaches arriving to the site would utilise the coach parking areas surrounding the Stadium. The submission of a coach management plan would be secured as part of the Section 106 obligations, to prevent coaches arriving on site or park within the vicinity of the site to drop off guests. A service bay would be provided to the rear of the site for both the hotel and retail uses. The level of parking to the rear would be considered sufficient for the hotel and retail use, given that the site is ideally situated next to good public transport links.

Sustainability and Energy: The measures proposed by the applicant achieve the required improvements in terms of achieving a BREEAM rating of 'Excellent'. A post completion certificate would be secured as a condition. The Energy Strategy demonstrates A 'Lean, Clean, Green' has been adopted and the development achieves a 35.6% reduction in CO₂ emissions beyond the Building Regulations Part L (2013) 'baseline' allowing a small design and construction tolerance over the mandated 35% reduction required. The remaining shortfall to achieve zero carbon would be secured as a carbon off-set payment. This would be secured within the Section 106 Agreement. Based on the current energy assessment this is estimated to be in the region of £228,855.

Environmental Considerations: A number of conditions would be secured regarding the potential of environmental health impacts, in particular construction management, to be fully considered and mitigated prior to commencement of the development.

Flood Risk and Drainage: The site is located within a Flood Zone 1 area and therefore would have little risk of flooding. A Drainage and SuDS Strategy Statement was submitted with the application demonstrating that the proposal would not result in high levels of surface water run off. The development would therefore reduce flood risk on site and elsewhere.

Trees and Landscaping: There are no protected trees or notable trees on site or within the vicinity of the application site that would be harmed by the proposed development.

MONITORING

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

Floorspace Breakdown

Primary Use	Existing	Retained	Lost	New	Net Gain (sqm)
Assembly and leisure	0		0	0	

Businesses / research and development	0	0	0
Businesses and light industry	0	0	0
Businesses and offices	0	0	0
Drinking establishments (2004)	0	0	0
Financial and professional services	845.2	845.2	-845.2
General industrial	0	0	0
Hot food take away (2004)	0	0	0
Hotels	0	0	3071.2
Non-residential institutions	0	0	0
Residential institutions	0	0	0
Restaurants and cafes	0	0	0
Shops	0	0	100
Storage and distribution	0	0	0

Monitoring Residential Breakdown

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
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RELEVANT SITE HISTORY

12/0387 - Erection of two additional storeys on top of existing building to create 8 self contained flats and the re-cladding of the whole building and subject to a Deed of Agreement dated 26.06.2013 under Section 106 of the Town and Country Planning Act 1990, as amended – **Granted, 28/06/2013.**

13/1218 - Change of use of the exiting office space within the building to a hotel with ground floor A3 restaurant and the erection of two additional storeys on top of existing building and the re-cladding of the whole existing building to create a 47 bed hotel (Including revised daylight/sunlight report) – **Granted, 14/10/2013.**

CONSULTATIONS

Public Consultation

240 properties were consulted during the course of the application on the 19/05/2020.

A site notice was posted on the 12/06/2020.

The application was advertised in the press on the 28/05/2020.

Two objections were received from individual addresses and a petition was received on behalf of seven properties on Mostyn Avenue and the Wembley Hill Residents Association.

Summary of objections:

Objection	Response
The proposal would result in noise disturbance and general pollution.	The application site is located within the designated town centre, an area which is identified as being appropriate for hotels. Proposed hotel use is unlikely to result in significant high pollution levels given that the proposal is seeking to promote public transport and would be built in accordance with an energy strategy to reduce carbon emissions. The application has also been accompanied by an air quality neutral impact assessment, demonstrating that the

	<p>scheme is air quality neutral. A noise report has been submitted with the application which identifies that proposed extraction equipment on the roof would not have a detrimental impact on the neighbouring property directly west of the application site. The Environmental Health Officer reviewed the noise assessment submitted with the application and identified that the results adequately demonstrates compliance with noise criteria.</p>
<p>The introduction of a new six storey building is out of keeping with nearby residential dwellings.</p>	<p>Refer to paragraphs 13-37</p>
<p>The proposed height would appear obtrusive and overbearing.</p>	<p>Refer to paragraphs: 13-20</p>
<p>The proposed parking and delivery arrangements are not adequate</p>	<p>Refer to paragraphs: 74-80</p>
<p>The demolition of the existing building will cause serious health and safety issues for the local residents, neighbours, as being an old building the amount of dust and pollution can be detrimental effect on health.</p>	<p>A planning condition has been included requesting a Construction Method Statement prior to the commencement of works to illustrate how noise and dust emissions would be minimised to protect the impact on local air quality and the amenity of neighbouring properties.</p>
<p>Vibrations would harm nearby residents.</p>	<p>A condition would be secured in relation to a construction management plan to minimise the impact on neighbouring properties from construction works.</p>
<p>The proposal would result in overlooking and loss of privacy.</p>	<p>Refer to paragraphs: 38-44</p>
<p>The current streets surrounding the site would not have the capacity for parking.</p>	<p>Refer to paragraph 72-75 + 81</p>
<p>Traffic congestion due to road works to the local area</p>	<p>This is not related to the consideration of this planning application.</p>
<p>Construction works taking place on a number of sites within proximity to this site, with construction lorries/deliveries blocking the roads and being polluting from diesel smells</p>	<p>Conditions are recommended in relation to a construction method statement and construction logistics plan to minimise the impact of construction works upon neighbouring occupiers.</p>
<p>Construction worker vans and residents from the hotel parking on local streets, so there is no spaces for residents to park despite having a permit for the CPZs</p>	<p>If vehicles are parked within the CPZ without a permit, the matter needs to be reported to parking enforcement. The construction logistics plans will secure measures to encourage contractors to use alternative modes of transport to private</p>

	vehicles.
Noise associated with nearby construction works	Noise from construction works is controlled under environmental health legislation.
Loss of light and sunlight to neighbouring properties	Please refer to paragraphs 45-57.
Noise assessment only focuses on guests of hotels and not the nearby residential properties – existing residents forced to have their windows closed due to the noise.	The noise assessment has considered the impact of noise sources such as plant and other equipment in relation to neighbouring occupiers. Please refer to paragraph 94.
Construction works associated with nearby development resulting in cracks in neighbouring properties due to vibrations associated with digging foundations	Cracks in properties is not a planning consideration. This is considered under building control regulations and the Party Wall Act.
Concerns regarding the potential of asbestos.	An informative would be included to any consent reminding the applicant's duties under the Control of Asbestos Regulations and must ensure that a qualified asbestos contractor is employed to carry out an asbestos survey and where necessary remove all asbestos and asbestos-containing materials and arrange for the appropriate disposal of such materials.
There has been a number of complaints to the council for antisocial and noise pollution in existing building.	It is noted that noise complaints have been previously made at the site in 2017. Anti-social behaviour falls outside of planning control and must be reported the Council's Environmental Noise Team.
The proposal would result in a loss of light to the neighbouring properties.	Refer to paragraphs 45-57.
TV picture being affected.	A TV reception survey and the implementation of any mitigation measures will be secured within the Section 106 Agreement.
The Hotel has resulted in anti-social behaviour due to outdoor structures facilitating late night drinking	No previous permission has been granted for such an area. Nevertheless, recent Government legislation has allowed for temporary outdoors structures to support the hospitality industry without the need for planning permission. The current planning application does not include any structures within the rear service yard.
The proposed construction phase would result in congestion on the local road networks.	A Construction Logistics Plan has been recommended as a condition prior to the commencement of the development, to minimise the impact of construction traffic upon the local area.

The new developments will not benefit local community as they are not affordable so people are forced to move out of the area	This application does not propose new housing.
The level of consultation was not satisfactory.	246 neighbour letters were sent out. A press notice and site notice was also put up during the course of the application. As such the consultation was conducted in accordance with The Town and Country Planning (Development Management Procedure) (England) Order 2015.
Fire escape installed next to neighbouring property without permission resulting in people trespassing into garden	The fire escape stairs located along the west of the existing building has been approved via application 15/5229.

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 and the Wembley Area Action Plan 2015.

Key policies include:

London Plan 2021

SD6 Town Centres and High Streets

D3 Optimising site capacity through the design-led approach

D4 Delivering Good Design

D5 Inclusive Design

D9 Tall Buildings

D10 Basement Development

D12 Fire Safety

E10 Visitor Infrastructure

G5 Urban Greening

S11 Improving Air Quality

S12 Minimising Greenhouse Gas Emissions

S13 Energy Infrastructure

S14 Managing heat risk

S15 Water infrastructure

S17 Reducing Waste and Supporting the Circular Economy

S113 Sustainable Drainage

T1 Strategic approach to transport

T2 Healthy Streets

T3 Transport capacity, connectivity and safeguarding

T4 Assessing and Mitigating Transport Impacts

T5 Cycling

T6 Car Parking

T6.3 Retail Parking

T6.4 Hotel and Leisure Uses Parking

T6.5 Non-Residential Disabled Persons Parking

T7 Deliveries, Servicing and Construction

Brent Core Strategy (2010)

CP1 Spatial Development Strategy

CP7 Wembley Growth Area

CP16 Town Centres and Sequential Approach to Development

CP19 Brent Strategic Climate Change Mitigation and Adaptation Measures

Brent Development Management Policies (2016)

DMP1 Development Management General Policy

DMP 2 Supporting Strong Centres

DMP 6 Visitor Accommodation and Attractions

DMP7 Brent' Heritage Assets

DMP9b On site Water Management and Surface Water Attenuation

DMP13: Movement of Goods and Materials

Wembley Area Action Plan 2015

WEM 5 Tall Buildings

WEM6 Protection of Stadium

WEM8 Securing Design Quality

WEM15 Car Parking Standards

WEM16 Walking and Cycling

WEM24 New retail Development

WEM30 Decentralised Energy

WEM32 Urban Greening

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

Emerging Policy Context

The Council is at an advanced stage in reviewing its Local Plan. The draft Brent Local Plan was subject to examination in public during September and October 2020. Planning Inspectors appointed on behalf of the Secretary of State have considered the draft Plan and have requested that the Council undertake consultation on a number of Main Modifications which is taking place between 8 July and 19 August 2021. Therefore, having regard to the tests set out in paragraph 48 of the NPPF, it is considered that greater weight can now be applied to policies contained within the draft Brent Local Plan.

The draft Local Plan carries significant weight in the assessment of planning applications given the progress through the statutory plan-making processes.

Key policies include:

Brent's draft Local Plan

Key policies include:

DMP1 Development Management General Policy

BP1 Central

BCGA1 Wembley Growth Area

BD1 Leading the Way in Good Design

BD2 Tall Buildings in Brent

BD3 Basement Development

BE4 Supporting Strong Centre Diversity of Uses

BE7 Shop Front Design and Forecourt

BE9 Visitor Accommodation and Attractions

BHC1 Brent's Heritage Assets

BHC2 National Stadium Wembley

BGI2 Trees and Woodlands

BSUI1 Creating a Resilient and Efficient Brent

BSUI2 Air Quality

BSUI4 On-Site Water Management and Surface Water Attenuation

BT1 Sustainable Travel Choice

BT2 Parking and Car Free Development

BT3 Freight and Servicing, Provision and Protection of Freight Facilities

The following are also relevant material considerations: _

The National Planning Policy Framework (revised 2019)

Brent's Design Guide – Supplementary Planning Document 1 2018

Brent's Basement Supplementary Planning Document 2017

DETAILED CONSIDERATIONS

Principle of Development

Demolition of existing building

1. The existing building occupying the southern portion of the site that is to be demolished was previously occupied by Allied Irish Bank but is believed to have been vacant since 2015. The loss of the existing building is acceptable as it does not contain a listed building or is sited within a conservation area (designated heritage assets) or contain a locally listed building (non-designated heritage asset).

Hotel Use

2. Policy E10 of the London Plan stipulates that London's visitor economy and associated employment should be strengthened by enhancing and extending its attractions, inclusive access, legibility, visitor experience and management and supporting infrastructure, particularly to parts of outer London well-connected by public transport. The Mayor wants to spread economic and regeneration to promote tourism across the whole of the city, including outside central London. The London Plan supports the enhancement and extension of London's attractions particularly to town centres and well-connected parts of outer London.
3. The site is situated within the Wembley Growth Area and CP7 stipulates that the area will drive the economic regeneration of Brent and will become a high quality, urban, connected and sustainable city quarter generating 10,000 new jobs across a range of sectors including retail, offices, the new Brent civic centre, conference facilities, hotels, sports, leisure, tourism and visitor attractions, creative and cultural industries and education facilities reflecting its designation as a Strategic Cultural Area for London.
4. DMP6 states that visitor accommodation and attractions will be encouraged in Wembley Strategic Cultural Area and in town centres in accordance with the sequential approach, and permitted when not compromising the supply of land for new homes on allocated housing sites and the Council's ability to meet its housing targets. Policy BE9 of draft Local Plan highlights that future hotel provision will be encouraged in Wembley. The policy further highlights that the proposed hotel use must not compromise the supply of land for new homes on allocated housing sites and the council's ability to meet its housing targets.
5. The site is not allocated for new homes and as such the proposed hotel expansion would not compromise the Local Planning Authority's ability to meet its housing targets. The draft Local Plan has identified numerous sites throughout the Borough for additional residential developments while taken into consideration the projected housing targets. The proposed expansion of the hotel use would serve Wembley Stadium and the SSE Wembley Arena which would benefit the function of events at both these convention areas and therefore providing wider benefits to the local economy. In addition to this the site is served well by public transport links which can provide hotel users easy access to central areas of London which would further benefit the city as a whole and support the key objectives of policy E10 of the London Plan. As a result the expansion of the existing hotel is considered acceptable in principle and would be a key enhancement to drive tourism within the area which is a key consideration and objective in the Wembley Area Action Plan.
6. The proposed ground floor of the hotel use would incorporate good active frontage facing Wembley Hill Road and this would benefit the local area. Overall there is no principle objection to the intensification of the hotel use on site and the expansion of St George's Hotel is supported.

Proposed Retail Use

7. The site is designated as a secondary shopping frontage. DMP2 of the Development Management Policies outlines that non-A1 or A2 uses will be permitted within town centres where:
 - a. it would not reduce the proportion of frontage in A1 and A2 use to less than 65% of the primary frontage; or
 - b. if vacancy rates exceed 10% of primary frontage it would not reduce the proportion of frontage in A1 and A2 use to less than 50%; and
 - c. the proposal provides, or maintains, an active frontage.

This is further emphasised within Policy BE4 of the Draft Local Plan. Policy WEM24 of the Wembley Area

Action Plan (WAAP) outlines that new retail development should be directed towards town centre areas.

8. The site is not within a primary frontage and therefore parts (a) and (b) of DMP2 are not relevant. The proposal would include a retail unit that would occupy the southern portion of the site providing additional retail space to the area and would be considered an appropriate location along this secondary shopping frontage of Wembley Town Centre. The proposed retail use would provide additional active frontage to the elevations facing Wembley Hill Road and Mostyn Avenue.
9. Overall, the proposed ground floor retail use is supported in principle and would be considered to be appropriately compliant with the key strategic policies both adopted and emerging.

Design, Character and Impact on the Street Scene

10. The NPPF emphasises that good design involves responding to local character and history and reflecting the identity of local surroundings and materials, while not discouraging appropriate innovation, and Policy DMP1 of the Development Management Policies 2016 requires the scale, type and design of development to complement the locality.
11. Policy BD1 of the Local Plan states that all new development must be of the highest architectural and urban design quality. In delivering high quality design, development proposals will be expected to show how they positively address all the relevant criteria within London Plan design policies and the Brent Design Guide SPD1.
12. The areas to west of the site is characterised by traditional suburban two storey terrace properties. While the areas further east of the site comprises of higher and denser built form which consists of a varied range of uses. Nonetheless the application site differs given the predominately residential and suburban character of the properties to the west of the site, acting as a transition between the lower scale suburban housing and the taller developments within the comprehensive character zone identified within the Wembley Area Action Plan.

Height

13. The site is situated on the fringe of Wembley Growth Area and under Policy WEM 5 of the WAAP the site is inappropriate for tall buildings. Policy WEM5 states a tall building is classified as a building 30m in height. Therefore the proposed development would not be classified as a tall building while taken into consideration policy WEM5.
14. Policy BD2 of draft Local Plan identifies a tall building that is more than 6 metres above the general prevailing heights of the surrounding area or more than 30 metres in height. However, the 6 m designation is likely to be removed following changes to the London Plan prior to its adoption. Tall buildings are directed to the locations shown on the policies map in Tall Building Zones, intensification corridors, town centres and site allocations.
15. The proposed new build south of the site would be six storeys in height directly adjacent to the existing hotel and would drop to five storeys further to the south. This addition would contain a maximum height of approximately 20m measured from the front elevation. An additional storey would be added to the existing hotel building that would be 3.6m in height. The proposed replacement building to the south would be approximately 7.5m greater in height when compared to the height of the existing building located along this portion of the site.
16. The introduction of new part five storey and six storey development at the site is considered acceptable. The proposed building would resemble the height of the main hotel building and as such the new build to the south would not appear out of context. In addition to this the site directly north (Cottrel House site) has been recently re-developed and now facilities a part ten storey building. A stepped approach would be introduced to the rear elevation and this is demonstrated on the proposed south elevation drawing. The stepped approach to the rear elevation would start at three stories, rise to four, five and eventually six stories towards a westerly direction. The gradual change in height would allow for an appropriate transition between lower scale built form to the west and the dense developments further east of the site.
17. The proposed three storey element to the rear would be sited approximately 8m from the side elevation of No. 1 Mostyn Avenue. This relationship would allow for a significant separation distance with this traditional two storey residential property. As such the development would appear as an acceptable transitional change in height given the stepped design approach allowing for an appropriate relationship

with the two storey properties to the west.

18. It is noted that additional plant features would be incorporated to the new hotel extension, with a total of 4 plants and lift over-run. These minor additions would contain a maximum height of approximately 1.7m and would be located in the central locations of the roof plan. The extension to the existing hotel would also contain AC/condenser units and a new stair case overrun. These additional add-ons to the roof would vary between 2.2m and 1.7m in height, resulting in no visual impacts from the street scene and surrounding areas. The proposed PV panels would also project slightly off the roof to ensure these are angled to the south however this not considered to result in significant harm when viewed from the surrounding area.
19. The additional storey to the exiting hotel building occupying the site would be set back from the front elevation and northern side elevation of the main hotel building. The height of the existing building with the additional storey remains under 30m high, and therefore would not be classed as a tall building as defined within the WAAP. The proposed development would not appear out of context given the scale of the developments to east and north of the site. This feature would appear as a subservient and minor addition to the existing hotel building, that would not be prominent from street scene.
20. Overall, the proposed height of the new building would complement the surrounding area and act as an appropriate relationship with the established built form to the west of the application site and the high rise developments further east. It would comply with policy DMP1 and emerging policy BD1.

Impact on Wembley Stadium Arch

21. Policy WEM6 outlines the importance of protecting views of Wembley Stadium given that it is a significant building within Wembley. Policy BHC2 of the Draft Local Plan further emphasises the importance of development not having detrimental impact on specific views as identified with the Policies Map. Policy WEM6 further identifies protected short, middle and long distances views of the National Stadium.
22. Based on the location of the site views 2. Elmwood Park, Sudbury and 3. Horsenden Hill, Perivale are relevant. The Design and Access Statement submitted with the application contains a view impact assessment. The evaluation highlights that the development would not have a negative impact on stadium views in this location while considering the overall mass and height of the scheme. The appraisal reveals that the proposed works would not have any adverse impact on the existing protected views of the stadium from the near or far vantage points given the siting of the development in relation to the view corridors and the stadium itself, while considering the nature of the local topography to the west. The key views have been taken into consideration and demonstrating no significant harm. The assessment has also illustrated no impact from local viewpoints from Linden Avenue and Mostyn Avenue.
23. Overall it has been demonstrated that the proposed development would not have detrimental impact on the important viewpoints to Wembley Stadium and would comply with the existing and emerging policies regarding the protected viewpoints.

Relationship with nearby Heritage Assets

24. Wembley High Street Conservation Area is located further north west of the site which is sited approximately 260m from the application site. In addition to this, Wembley Arena (a Grade II Listed Building) is sited further north east of the site and is situated approximately 341m from this building.
25. Policies DMP1 and DMP7 of the Development Management Policies 2016 identify the importance of considering the significance of heritage assets and their settings. Policy BP1 of the Draft Local Plan highlights the importance of conserving the Wembley Arena. Policy BHC1 of the Draft Local Plan also outlines the significance of sustaining and enhancing heritage assets in the Borough.
26. The proposed development would not harm the setting of Wembley Arena given the significant separation distance between application site and this listed building. Wembley Area is also currently not visible from the site given the established built form south and south west of this heritage asset. As such the development would not have a negative impact on the Grade II Listed Building.
27. As identified above, Wembley High Street Conservation is situated a significant distance from the application site. The applicant has provided a viewpoint from the Conservation Area and it demonstrates that the proposal would not appear harmful to the Conservation Area. Overall given the relationship

achieved with the heritage assets associated with wider area, the development would not have detrimental impact on them.

Layout

28. The proposed front building would mirror that of the existing hotel. The southern elevation would extend beyond the front elevation of No.1 Mostyn Avenue by approximately 2.6m, however this minor projection would not be considered to negatively impede on the established building line of the properties along Mostyn Avenue. Furthermore the existing building occupying this portion of the site allows for a similar relationship.
29. The proposal would result in a new front entrance at the ground floor element of the new build and the existing rear entrance would be maintained. Three blue badge spaces would be provided to the rear service area for use of guests of the hotel. The expanded element would support a new reception and lounge area while the existing bar and dining area would be retained.
30. The main entrance to the retail unit would face Wembley Hill Road. Refuse and cycle storage would be provided to the rear which is considered the most appropriate area for cyclists.
31. The proposed lower ground floor levels would include leisure facilities and separate hotel plant areas, gym facility with additional treatment rooms. These areas are intended to be used for hotel use only. A reception area and waiting area would added to the -1 level. A new stair and lift core will be introduced accessing all storeys and basement levels. Each upper floor would contain access to the existing hotel building. The proposed first and second floors would each include 15 new rooms each. The third floor would have 13 rooms and 7 rooms would be added on the fourth floor. The extension to the existing hotel would facilitate 10 new rooms with two stair cores and lift as per the existing floors below. Each floor would have a central corridor with new rooms facing the rear and front elevations.
32. The overall layout of the proposed development is acceptable and would sufficiently support the proposed uses.

Architecture and Materially

33. SPD1 states that the use of durable and attractive materials is essential in order to create development that is appealing, robust and sustainable and fits in with local character.
34. The Design and Access Statement submitted with the application provides details of the proposed materials that would be incorporated. The proposal would use brick-clad grid structure with sub-divided in-fill panels. A vertical stretcher bond brickwork would be used across the grid to help accentuate the verticality of the scheme. Officers have agreed with the agent that Herringbone bond brickwork would best suit the development when factoring into consideration the existing hotel building. This brick would be grey in appearance. The extension to the existing hotel would also include the same materials.
35. A metal mesh privacy screen would be added to the rear elevation which would appear as discrete elements that blend with the proposed materials of the development as a whole. The brick pattern would consist of diagonal and vertical components along with proposed window designs adding variety to each elevation. This style and design methodology would result in a good quality contemporary development that would enhance the street scene.
36. The ground floor would include high toughened laminated glazing and windows would include projecting aluminium frames. The proposed ground floor would include large panel glazing providing good active frontage along Wembley Hill Road which would further benefit the area. This approach would also wrap around to the elevation facing Mostyn Avenue providing additional merit to this street.
37. Overall the principle of the proposed materials is considered acceptable however a condition has been recommended requesting precise details of the materials.

Impact on Neighbouring Properties

Separation Distance and Privacy

38. 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 between

directly facing windows and 9m to boundaries should be maintained.

39. No. 1 Mostyn Avenue adjoins the rear boundary of the application site. The rear elevation of the first and second floor elements to the west/rear elevation would be approximately 8m from the flank elevation of this neighbouring property. The main side elevation of this neighbouring property does not contain any side windows. It is noted the two storey projection to the rear of this property contains two upper floor windows however this portion of the property is set in from the boundary by approximately 1.9m and therefore would allow for a separation distance of approximately 10.9m from the three storey element of the proposed development. The additional upper floor levels would be set further away from this neighbouring property due to the stepped design approach.
40. SPD1 outlines that distances of 9m to the boundary with a private residential garden can be acceptable in relation to the consideration of overlooking and privacy. It also highlights that high quality design and solutions can sometimes mitigate impacts and allow for efficient use of land. The rear elevation would include privacy screens to ensure outlook is focused away from the neighbouring rear garden of No. 1 Mostyn Avenue and directed to a less sensitive part of the application site. These screens will be carefully fabricated utilising metal mesh screens with varying perforations restricting views to the south while allowing light to still enter the rooms. Therefore on this occasion the 8m distance for the first and second floors is considered acceptable given the design solutions that would be used to ensure harmful overlooking is mitigated appropriately. The distance is in excess of 9 m for the floors above. Overall the distance with the boundary would be acceptable given the proposed relationship that would be achieved between both buildings.
41. The property to the south of the site (No. 31 Wembley Hill Road) comprises of a commercial unit on the ground floor and the property has no upper floor residential units along the northern elevation. In addition to this the proposed works to the south of the site would be positioned a significant distance approximately 20m from No's 2 and 4 Mostyn Avenue. Furthermore the development would be situated approximately 20m from the Mahatma Gandhi House re-development which is considered a substantial distance achieving an appropriate relationship.
42. The proposed additional extension that would be located along the north western portion of the main hotel building would be set in from the northern side elevation by approximately 3.7m. The existing relationship between the side elevation of the hotel and No. 1 Linden would not alter. The extension would wrap around the southern part of the hotel roof. This element would be flush with the rear elevation and would be positioned approximately 10m from the rear boundary directly west which would comply with the 9m requirement. The northern elevation of this extension would be situated approximately 7.8m from the Cottrel House development which is satisfactory given the existing relationship between both buildings.
43. The rear elevation would contain fenestration facing the neighbouring properties. The applicant has considered the importance of respecting this relationship. The previous application on site Ref: 13/1218 included angled windows to the rear façade whereby overlooking is less sensitive given the overall orientation of the site. As identified previously the rear elevation of the new building would consist of privacy screens acting as a second layer to the rear elevation which would provide angled and restricted views towards the south of the site. This concept would therefore prevent overlooking to the neighbouring residential properties.
44. The distance between the roof extension and No. 1 Linden Avenue would not alter when compared to the existing relationship on site and as a result the level of overlooking would not alter between the existing hotel and the rear garden of this neighbouring property. This element of the development would also incorporate the privacy screening further reducing any potential overlooking. Overall the scheme would not result in any harmful overlooking to the residential properties within the vicinity of the application site.

Overbearing Appearance

45. SPD1 sets out that new developments should normally sit within a line drawn at 30 degrees from the nearest rear habitable room window of adjoining development (measured at 2m high from internal floor level) and sit within a line drawn at 45 degrees from the neighbouring private rear garden area (measured at 2m above garden level).
46. Drawing Number: 1347/04/001B reveals that the works to the south would not infringe with the 45 degree angle taken from the boundary treatment of No. 1 Mostyn Avenue. As identified previously this

neighbouring property contains no flank windows.

47. The existing hotel building would project above the 45 degree angle taken from the boundary with No. 1 Linden Avenue. The previous extensions that were approved under application 12/0387 and 13/1218 also projected above the 45 degree line.. The proposed additional storey would result in an additional height of 3.6 m above the existing building. The additional storey above Crown House would increase the degree of impact on the amenities of the occupants of No. 1 Linden Avenue beyond that envisaged within SPD 1 when viewed from their rear garden in terms of overbearing appearance and sense of enclosure. However, the impact must be balanced against the benefits of the scheme. The proposal would contribute towards providing visitor facilities within the Growth Area meeting the objectives of both local and regional policy. Furthermore, consideration of daylight and sunlight for No. 1 Linden Avenue has been carried out and discussed within the remarks section below. In summary, the daylight and sunlight report concluded that VSC levels for windows would remain within BRE guidelines, there would be a minor reduction in winter sunlight to one affected window, and the proposal would not result in any increased overshadowing to the garden. Daylight and sunlight is discussed below in more detail. Overall, the benefits of the scheme are therefore considered to outweigh the harm identified from breaching the 45 degree line.

Daylight and Sunlight

48. In terms of impacts on daylight and sunlight to neighbouring properties, BRE Guidelines recommend two measures for daylight. Firstly, the Vertical Sky Component (VSC) assesses the proportion of visible sky and is measured from the centre of the main window. If this exceeds 27% or is at least 0.8 times its former value, residents are unlikely to notice a difference in the level of daylight. The No Sky Contour or Daylight Distribution assesses the area of the room at desk height from which the sky can be seen. The BRE guidance sets a target of 0.8 times its former value.
49. In terms of VSC, the daylight and sunlight report identifies the following windows will fall short of BRE guidelines:
50. Two non habitable room windows to Nos. 2 and 4 Mostyn Avenue,
51. One non habitable room window to No. 6 Mostyn Avenue
- Five habitable room windows and two non habitable room window to No. 1 Mostyn Avenue
 - Two habitable room windows in Cottrell House
 - Nine habitable room windows in Mahatma Gandhi House
52. This represents twenty one windows out of 385 windows that fall short of BRE guidelines. In the majority of cases, the shortfall is minor (between 0.6 to 0.79 times the existing value), and where the breach is more significant, the window in question already experience low levels of VSC so even a small reduction results in a significant percentage change i.e. windows 307 and 308 in Mahatma Gandhi House reducing from 1.6% to 0.45 (0.25 times the former value).
53. The analysis submitted has undertaken the Daylight Distribution test where room layouts are known. All rooms assessed for daylight distribution pass the Daylight Distribution test, with the exception of two rooms at Cottrell House and three rooms at Mahatma Gandhi House. Windows 237 and 238 of Cottrell House would serve bedroom windows and the slight shortfall is satisfactory given that these rooms do not serve living rooms and dining rooms. Window 240 would just fall short however this change is not considered to be harmful given the level of light already entering this window. Furthermore, the rooms served by windows 305, 307 & 308 at Mahatma Gandhi House would surpass the BRE criteria when tested in line with BRE guidance without the overhangs in place.
54. All windows that face within 90 degrees of due south have been tested for direct sunlight. All windows pass both the total annual sunlight hours test, and the winter sunlight hours test with the exception of a two non-habitable room windows at 1 Mostyn Avenue, one habitable room window in relation to winter sunlight at No. 1 Linden Avenue, six windows at Cottrell House and 12 windows in Mahatma Gandhi House. However, windows 240 and 318 to 320 at Cottrell House and Mahatma Gandhi House would surpass the BRE criteria without the overhangs in place. The results further reveal that the development would not harm any main living rooms of 1 Mostyn Avenue. It is noted that windows 53 to

56 at 1 Mostyn Avenue achieve before/after ratios of 0.74, and the affected window at No. 1 Linden Avenue is reduced to 0.78 times its former value, and this would be a minor shortfall of the target of 0.8 stipulated in the BRE guide.

55. Windows 226 at Cottrell House would see a change of approximately 0.67 loss in sunlight however this window would achieve APSH results of 36% and 8% in the winter which would surpass the BRE targets of 25% and 5% in the winter. Furthermore windows 236, 307,308, 324 & 331 would pass BRE requirements as the annual reduction would not be greater than 4%.
56. The report submitted with the application also contains an overshadowing test. BRE guide recommends that at least 50% of the area of each amenity space listed above should receive at least two hours of sunlight on 21 March. If as a result of new development an existing garden or amenity area does not meet the above, and the area which can receive two hours of sunlight on 21 March is less than 0.8 times its former value. Nos. 1 and 3 Mostyn Avenue would see a change of 0.78 and 0.76 respectively however this is not significantly short of the 0.8 stated within the BRE guide.
57. Overall given urban context of the area and dense nature of development in the area the proposed development would allow for an appropriate relationship with the neighbouring properties within the vicinity of the application site. The NPPF outlines that local authorities should take a positive approach to applications for alternative uses which is currently developed but not allocated for a specific purpose and applications for alternative uses on the land should be supported, where the proposed use would contribute to meeting an unmet need for development in the area. There is some expectation for the development not to fully comply with the daylight and sunlight guidance given that the site is located within the Wembley Growth Area whereby additional height is expected when considering the surrounding context of traditional two storey dwellings to the west of the site .

Basement

58. London Plan Policy D9 Basements requires the council to establish a policy to address the negative impacts of large-scale basement development below existing buildings.
59. Policy BD3 of the draft Local Plan highlights basement development should incorporate sustainable design targets which are integral part of the proposal including its construction and operation. The policy further stipulates that a basement development should be no wider than the original building, extend further than the existing front elevation and extend by 3m from the rear.
60. Brent's Basement SPD highlights that basement development should be sub-ordinate in scale to the above ground portion of building, not unduly intensify the use of a site, or cause significant environmental harm. Structures forming part of a basement are to respond positively to the building and landscape character and not create visual clutter. A larger basement may be acceptable subject to consideration of all other factors for major commercial developments.
61. The proposed basement would comprise of two lower levels and would not extend beyond the front building line of the existing property on site. The basement would extend approximately 1.5m from the rear of existing building on site. This portion of the basement would be sited approximately 9.5m from No. 1 Mostyn Avenue. It is noted that the basement would extend further south by approximately 1.6m which would exceed the width of the existing building on site however this is considered acceptable given the separation distance that would be achieved with the neighbouring properties further south of the application site.
62. Given the proposed use of the lower basement levels it not considered a necessity to include a source of light to these areas of the development. As such on this occasion there is not requirement for the proposed basement development to include lightwells.
63. The application has been accompanied by Geotechnical Survey. The report highlights that the geological map of the area indicates that the site is underlain by London Clay. It is further revealed that London Clay mainly comprises of rock layers or drift deposits with low permeability that have negligible significance for water supply or river base flow.
64. A Structural Engineering Design Statement was provided with the application. The proposed basement is to be constructed of contiguous or secant (if waterproofing required) piled walls of approximately 600 mm diameter. A retaining wall may be required around the perimeter of the basement

structure due to the slope of the site to be confirmed following topographical report. The basement works would incorporate high level beams around the perimeter.

65. The construction of the basement will be monitored from piling to ground floor level construction by means tri-axial monitoring which consists of setting monitor movement targets on the adjoining properties / structures. Monitoring points on the proposed capping beams will be required. The number of properties and location of targets will be agreed before commencing with the basement works. A proposed sequence drawing has been produced showing the basement construction in relation to the existing properties along Mostyn Avenue. Due to the basement set back from the existing properties, the 45 degree stress line from the existing property footings are not majorly compromised from the proposed basement. Monitoring points on the proposed capping beams will be required as set out in the Structural Engineering Design Statement.
66. It is not the purpose of the planning system to assess the structural stability of works, this is assessed through other controls including Building Regulations and the Party Wall Act.

Accessible Management Plan

67. DMP 6 of Development Management Policies 2016 outlines that proposals for hotel development must be inclusive and accessible and should be accompanied by an Accessibility Management Plan. Furthermore policy BE9 of the Draft Local Plan further outlines the need for an Accessibility Management Plans. An Accessibility Management Plan was submitted during the course of the application.
68. The document identifies the building would be served by lifts and also contain a disabled platform to the car park. The proposed ground floor plan illustrates the new main entrance would be flush with the existing front pavement providing a safe environment for wheelchair users to access. The internal layout of the hotel would be designed to allow for the appropriate manoeuvring space for wheelchair users. Furthermore, at least 10% of rooms would be designed to suitable accessible specification (i.e. of the new 63 rooms, 6 will be accessible with the mix of wheelchair accessible and future adaptable) . The operators will develop a strategy to address a drop-off point for hotel guests using the parking spaces to the rear of the site.
69. Evacuation for disabled people is a combination of physical and management procedures plus a liaison between the building managers and occupants. The fire-fighting lifts will be used as evacuation lifts. The evacuation strategy for disabled people including those with sensory and cognitive impairments should be developed in conjunction with the fire strategy and management policies with reference made to AD B and good practice recommendations within BS 9999:2008.
70. The proposed development sufficiently takes into consideration the accessibility matters and is considered satisfactory.

Fire Safety

71. Policy D12 of the London Plan outlines that development proposals must achieve the highest standards of fire safety. All major developments requires a Fire Statement with a fire strategy produced by a third party. A condition has been recommended regarding a Fire Strategy prior to commencement of the development. The strategy would consider materials used and means of escape for all building users.

Transport and Highway Consideration

72. The site is located within a Controlled Parking Zone which is in operation from Monday to Saturday between 8am to 9pm. The site is also within the Wembley Stadium Event Day Protective Parking Zone, on which days restrictions extend from 8am to Midnight.
73. Parking in Linden Avenue and Mostyn Avenue (which are both local access roads) is generally restricted to residents' permit holders only, although there is also pay and display parking (max. stay 4 hours) close to their eastern ends. Mostyn Avenue is one way west bound, whilst Linden Avenue is one way east bound. A bus stop clearway is in place along the Wembley Hill Road frontage. The site has a PTAL 4 and therefore the site is located in area linked to local transport links.

Parking

74. The proposal would result in the retention of four residential car parking spaces linked to the existing

residential units at Crown House. Three spaces would be designated for blue badge holders and three additional spaces would be provided for the hotel. The three existing spaces marked as H1, H2 and C1 on the plans would be for the hotel use. Spaces D1 and D2 are existing spaces that would be allocated for blue badge holders. Space D3 would be a new space located adjacent to the new building and this would also be allocated for blue badge holders. A servicing bay would be included to the rear of the proposed new building to the south of the site. The existing parking provisions are accessed from Mostyn Avenue and exit onto Linden Avenue in a forward direction.

75. The proposal would provide six wheelchair accessible rooms and the proposal would provide three blue badge spaces. The levels of parking to the rear are considered to be sufficient. The existing three spaces to the rear are existing and these spaces would be maintained as part of the development which is considered reasonable for the hotel to function. The presence of the local CPZ would mitigate the risk of over-spill parking in the surrounding streets.

Coach Parking

76. Appendix 4 of the Draft Local Plan outlines that one coach parking space is required for every 50-75 rooms. The site would not have capacity to accommodate any coach parking. Therefore any potential coach parties arriving to the site would be required to use other coach parking areas (e.g. those associated with the Stadium) to load and unload guests. A coach management strategy has been required through a S106 planning obligation to ensure the management of coaches arriving on site is conducted appropriately to avoid coaches arriving at the site itself. This would look to contain agreement for nearby carparks such as Wembley Park before coach bookings can be accepted. The applicant would therefore provide a shuttle bus service that would pick up and drop off guests from the relevant coach park. These arrangements would also be secured as part of the coach management strategy.

Servicing

77. The proposal would provide a servicing bay to the rear which would be located adjacent to the Mostyn Avenue entrance. A Delivery and Servicing Management Plan was submitted with the application highlights that delivery vehicle routing would access the site from Mostyn Avenue and exit the site from Linden Avenue. All servicing and delivery vehicles will be lower than 2.4m height in order to allow the egress manoeuvre on to Linden Avenue. The existing rear service yard currently provides servicing which is accessed from the south (Mostyn Avenue) out to the north (Linden Avenue). The rear service yard provides for an off-street service vehicle yard use
78. It is expected that hotel would result in three deliveries per day (laundry, beverages and food and 2 deliveries per month linked to office supplies). Deliveries would arrive to the rear of the building within the existing internal service road. These will then be transported into the development via the existing rear hotel entrance. It is envisaged that the retail element of the development will not generate more than one delivery per day. It is anticipated that the vast majority of the deliveries will be undertaken by small to medium sized vehicles which would be appropriate given the scale of the rear service area. The chosen suppliers will be encouraged to use small to medium size transit vans to delivery products to and from the site. Due to the vehicle height restriction of 2.4m that is in place at the Development, delivery vehicles will be limited to Short Wheelbase and Long Wheelbase Low Roof Transit Custom vehicles, which are 2.02m in height for both the hotel and retail. Suppliers will be encouraged to use vehicles of this size and this will ensure that service vehicles can exit the site from Linden Avenue. Suppliers will be required to pre-book delivery slots with the occupant prior to delivery, avoiding the morning and evening peak hours and refuse collection times, where possible.
79. An updated delivery + service management plan has been provided with regards to the refuse collection. The original document incorrectly stated that the refuse would be collected within the rear service yard. A modified version was provided during the course of the application highlighting that refuse collection would be a curb side collection by Veolia from Linden Avenue. The hotel would open the store on collection day. The proposal will continue to use the same refuse strategy with collections continuing to take place daily off street. Four 1100l Eurobins will be located to the rear of the site which would be positioned within a store for both the hotel and commercial use. This capacity is considered satisfactory for the proposed uses.
80. The proposed development will continue to use the same system in regard to linen collection. Currently dirty linen is stored at the rear of the hotel and will be collected via the carpark entrance. Due to the increased room count, additional storage space has been proposed. A delivery and servicing plan to

secure the above matters will be secured as a condition.

Other Matters

81. A Transport Statement was submitted with the application. The site is accessible by number of local transport links i.e. bus routes, Wembley Central Station and Wembley Park Underground Station. The proposal would result in additional trips by all modes, however the estimated increases will not result in any noticeable or significant changes to the local highway and public transport networks. An Employee Travel Plan was submitted with the application setting out targets to reduce car trips to the site and promoting more sustainable modes of transportation. Visitors and guests to the hotel would be encouraged to use public transport when travelling to and from the hotel. Comprehensive public transport information will be included on the hotel website to inform guests to travel to the site to and from the hotel via local public transport links.
82. Transport for London were consulted during the course of the application and raised no objections to the proposed development. The proposal would include six cycle parking spaces to the rear of the site and this is considered acceptable for the proposed uses.
83. Given the nature of the proposed basement extension a draft Construction Logistics Plan (CLP) has been submitted with the application. This document indicates that parking bays on Mostyn Avenue would be required to be suspended for the duration of the works and the bus stop would need to be relocated in order to provide a pedestrian diversion whilst the basement excavations take place. The approach of the draft document is considered satisfactory however a more definitive CLP would be required and this has been recommended as a condition.

Sustainability

84. Policy SI 2 of the London Plan requires major developments to achieve carbon savings beyond the requirements of Building Regulations. These are referred to as 'be lean' (fabric efficiency), 'be clean' (clean source of energy supply) and 'be green' measures (use of renewable energy technologies). Major development proposals should include a detailed energy strategy to demonstrate how the zero-carbon target will be met within the framework of the energy hierarchy.
85. A minimum on-site reduction of at least 35 per cent beyond Building Regulations is required for major development. Non-residential development should achieve 15 per cent through energy efficiency measures. Where it is clearly demonstrated that the zero-carbon target cannot be fully achieved on-site, any shortfall should be provided, in agreement with the borough, through a cash in lieu contribution to the borough's carbon offset fund.
86. Brent's adopted CP19 policy and draft BSUI1 policy require all major non-residential development (i.e. non-residential floor space in excess of 1,000sqm) to achieve a BREEAM standard of 'Excellent'.
87. An Energy and Sustainability Report was submitted with the application. The use of local Heat Recovery Units (HRU) systems will maintain a healthy living environment and further reduces the heat losses and the energy demand across the building. The report outlines be lean and be clean measures that will be implemented as part of the development. The most viable technology was identified as a combined heating power unit (CHP) to serve the hot water requirements and photovoltaic panels given the specific site and project constraint. Capped off connections will be allowed within this system to help facilitate the potential to connect to any future district heating network to ensure that the development is future proofed. The photovoltaic system has been proposed to generate on site electrical energy for use as part of the development. The panels will be located at roof level and will be designed to provide a renewable electrical energy source for the building. It is predicted that regulated CO₂ emissions savings of 80.3 tonnes per annum could be achieved. This is equivalent to a 35.6% reduction in CO₂ emissions beyond the Building Regulations Part L (2013) 'baseline' allowing a small design and construction tolerance over the mandated 35% reduction required. The offset payment shall cover a 30 year period of emissions, with the payment being equivalent to £95 per tonne per annum. This payment will be secured through a legal agreement to any forthcoming consent.
88. Brent's adopted CP19 policy and policy BSUI1 of the draft Local Plan require all major non-residential development (i.e. non-residential floor space in excess of 1,000sqm) to achieve a BREEAM standard of 'Excellent'. The application has been accompanied by a BREEAM Pre-Assessment which identifies that

the proposed new build would achieve BREEAM Rating of Excellent.

89. The Design and Access Statement submitted with the application highlights to maintain fresh air quality, a heat recovery unit (HRU) shall be provided to each hotel bedroom. The system shall comprise of a mechanical supply and extract ventilation unit. Suitable glazing ratio and glass g-value will be used to balance heat losses, heat gains and daylight ingress. Solar shading is provided to one of the elevations via the use of a privacy screen across the glazed area of the façade, these act to limit solar penetration into the room. These proposed design mechanisms would prevent overheating.

Environmental Health Considerations

Air Quality

90. The proposed site is within an air quality management area and therefore the applicant has submitted an air quality impact assessment which concluded that there will be no impact on local air quality as a result of the proposal and the development is air quality neutral. This assessment is accepted and therefore there is no requirement for air quality conditions to be attached to any approval. The Environmental Health Officer reviewed the information submitted and considered it to be acceptable.

Construction Noise and Dust

91. The development is within an Air Quality Management Area and located close to other commercial premises. The applicant has submitted a draft construction logistics plan however this does not provide any details on the measures that will be put in place to minimise noise and dust emissions. A finalised Construction Logistics Plan has been recommended as a condition prior to commencement of the proposed works.

Contamination Land

93. The site to be redeveloped and the surrounding area has been identified as previously contaminated and therefore a full assessment of land contamination should be undertaken. The applicant has submitted a GEA Desk Top Study that concluded there is unlikely to be any risk of land contamination however our records show that the southern part of the site may be contaminated. As such appropriate soil contamination studies have been requested via a condition.

Noise

94. A Noise Impact Assessment has been submitted with the application. The noise implications of the ventilation strategy have been considered with options being provided to ensure that the ventilation requirements are achieved. The existing plant units on the current roof are to be relocated on the roof of the main hotel building roof extension. In addition to this the units would be added to the new hotel building. The assessment has revealed that the proposed units would not result in any harm to the residents at No. 1 Mostyn Avenue which was identified as the worst-case scenario of noise sensitive receivers to be potentially affected. Both units would be sited between 20m and 30m from this neighbouring property. The report further identifies that the proposed plant unit installations satisfies the noise emissions requirements of Brent Council. Therefore, the noise emission levels would be compliant at any other residential receiver. The results shown that no further mitigation measures would be required to achieve the planning requirements regarding noise generating plant units .

Lighting

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

Ventilation

96. A Ventilation Statement has been submitted with the application. Kitchen extract discharges will be taken to roof level and located to avoid any detrimental impact from odours or recirculation back into the building. The size, orientation, location and efflux velocity of external louvres will be considered to ensure that extracted air is exhausted in such a way to avoid affecting adjacent properties. Air intakes will be located away from sources of pollution, in addition, air filters will be employed to reduce particulates as

appropriate to each area served. Outside air will be supplied to parts of the hotel via packaged local mechanical heat recovery units. Outside air will be supplied via packaged local mechanical heat recovery units.

Flooding and Drainage

97. London Plan Policy 5.13 and Brent Policy DMP9B require sustainable drainage measures to be implemented as part of major developments. London Plan policy SI12 states development proposals should ensure that flood risk is minimised and mitigated, and that residual risk is addressed. Policy BSUI4 of the Draft Local Plan highlights the importance of a good drainage strategy.
98. The site is located within a Flood Zone 1 area and therefore would have little risk of flooding. A Drainage and SuDS Strategy Statement was submitted with the application. The geology of Brent consists predominantly of London Clay underlain by a chalk aquifer. The report identifies that London Clay acts as a protective barrier both to infiltration as well as rising groundwater from within the chalk aquifer. Localised flooding in the borough is therefore usually related to local surface drainage issues rather than groundwater. Green roofs are proposed on the roof of the new building. Permeable surfacing would be included for the disabled car parking bays. In addition to this the proposal would incorporate an attenuation tank under the car parking to reduce the peak surface water run off leaving the site .
99. It is proposed to restrict the peak surface water run-off rate from the development site to 2l/s, providing 85% betterment on the existing surface water discharge rate. This is achieved through the inclusion of a green roof, lined permeable paving and a vortex flow control device with upstream below ground geocellular attenuation tanks, located under the access road at the rear of the development.

Tree Considerations

100. Policy BG12 of the draft Local Plan indicates that development with either existing trees on site or adjoining it that could affect trees will require the submission of a BS5837 or equivalent tree survey detailing all tree(s) that are on, or adjoining the development site.
101. There are no trees on site and the proposed development would be sited a considerable distance from the tree to rear of No. 1 Mostyn Avenue. In addition to this the proposed development would not result in a greater footprint when comparing the existing built form on site .

Urban Greening

102. Policy G5 of the London Plan highlights that major development should contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage. Urban Greening Factor (UGF) to identify the appropriate amount of urban greening required in new developments and a target score of 0.3 for commercial development.
103. The existing site would have a UGF of 0. The proposal will achieve a UGF of 0.25. The development only marginally falls short of the target score of 0.3 for commercial schemes. This represents a significant improvement on the existing situation and the opportunities on site have been maximised in consideration of it being an existing site and other sustainability and operational requirements such as PV and plant .
104. While the UGF is below the emerging target, the proposal would represent a very significant improvement over the existing site, and the benefits of the scheme are considered to outweigh the minor shortfall against this target.

Equalities

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

Summary

106. 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 and completion of a Section 106 Agreement.

107. The proposed intensification of the hotel use and the introduction of a retail use is considered appropriate at the site which would provide wider benefits to the Wembley Growth Area and London. The development would provide an attractive addition to this part of Wembley Hill Road. The proposed height and mass of the proposal would be appropriate at this growth area while maintaining a suitable relationship with traditional residential properties to the west of the site. Whilst the additional storey on top of Crown House would breach the 45 degree line as set out in SPD1 in relation to the rear garden of No. 1 Linden Avenue, the overall impacts on this property would remain acceptable in terms of daylight, sunlight and overshadowing and the wider planning benefits linked to the scheme are considered to outweigh the limited harm identified as a result of breaching the 45 degree line. The development would not result in any negative highway impacts given the sites proximity to the local transport routes, and subject to securing a coach management plan within the Section 106 Agreement.



Brent

DECISION NOTICE – APPROVAL

Application No: 20/1310

To: Mr Coleman
Rolfe Judd Planning
Old Church Court
Claylands Road
London
SW8 1NZ

I refer to your application dated **01/05/2020** proposing the following:

Demolition of former AIB building and erection of a part 5, part 6 storey building with a 2 storey basement level for use as hotel and retail unit and additional storey extension to St. George's Hotel

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

at **33A, 33-35 and St George Hotel, 43-51 Wembley Hill Road, Wembley, HA9**

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

Date: 13/07/2021

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:-

Adopted Policy

- The National Planning Policy Framework (2019)
- The London Plan 2021
- Brent's Core Strategy (2010)
- Brent's Development Management Policies (2016)
- Brent's Wembley Area Action Plan (2015)

Emerging Policy

- Brent's Local Plan (Reg 19 Version with main modifications)

- 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):

1347/LP/001, 1347/00/101, 1347/00/102, 1347/00/103, 1347/00/104, 1347/01/002/B, 1347/01/003/B, 1347/01/004/F, 1347/01/005/B, 1347/01/006/B, 1347/01/007/C, 1347/01/008/C, 1347/01/009/E, 1347/01/010/C, 1347/01/011/C, 1347/03/001/A, 1347/03/002/C, 1347/03/003/A, 1347/03/004/B, 1347/03/005/B, 1347/03/006/A, 1347/04/001/C, 1347/04/002/A, 1347/04/004/A 1347/07/003/D, 1347/07/005/E, 2000 Rev. P5, 6000 Rev. P2, 6001 Rev. P1, 0800 Rev. P5, 0900 Rev. P2, 1000 Rev. P2, 1010 Rev. P2, 1020 Rev. P2, 1030 Rev. P2, 1040 Rev. P2, 1050 Rev. P2, 1060 Rev. P2, 3000 Rev. P3, 11-00

Supporting Documents: -

Drainage Strategy (SUDS) – prepared by Elliott Wood

Noise Impact Assessment – prepared by KP Acoustics

Air Quality Assessment – prepared by AECOM

Hotel Accessibility Management Plan

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

- 3 The development hereby approved shall not be used other than for the purpose of a hotel use C1 in the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) without the prior written permission of the Local Planning Authority with the exception of the ancillary use of the areas as shown in the drawings hereby approved as commercial space which may be used for those purposes.

Reason: To ensure that no other use commences without the prior permission of the Local Planning Authority and to enable other uses to be considered on their merits.

- 4 The development hereby approved shall contain 102sqm commercial space shall be used as

Class E (a) (formerly Class A1 shall not be used other than for purposes as detailed in the drawings hereby approved, unless other agreed in writing by the Local Planning Authority, notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) and the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification).

The floor space of the commercial unit shall not exceed 102sqm, unless an application is firstly submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of proper planning and to ensure the adequate provision of commercial space.

- 5 All provisions and details contained within the Accessibility Management Plan shall be implemented from first occupation of the development hereby approved and shall thereafter be implemented and adhered to throughout the lifetime of the development, unless an alternative arrangement is first submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a sufficiently accessible development is achieved.

- 6 The development shall be carried out in full accordance with the details of the submitted SuDS and Drainage Statement prepared by Elliottwood dated 27th March 2020. The approved strategy shall be implemented in full prior to first occupation of the development hereby approved.

Reason: The development may lead to sewage flooding ; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community.

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

Reason: To protect local amenity and air quality in accordance with Brent Policy DMP1.

- 8 The car parking spaces, commercial loading space, commercial cycle and refuse storage shall be provided in full prior to first occupation of the development, and shall be used for the parking of vehicles, servicing, and storage of cycles/bins associated with the development and shall not be used for any other purpose unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interest of highway flow and safety.

- 9 The developer or constructor (as relevant) shall join and adhere to the Considerate Constructors Scheme throughout the duration of the construction of the development.

Reason: In the interest of the amenities of nearby occupiers.

- 10 Prior to the commencement of the development a Construction Method Statement (CMS) shall be submitted through the submission of an application of approval of details to the Local Planning Authority, outlining measures that will be taken to control dust, noise and other environmental impacts of the development. The CMS shall include details of a dust monitoring

plan, to be implemented during construction and demolition works. All agreed actions shall be carried out in full.

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

Reason for pre-commencement condition: These impacts can arise at any time from the start of construction works, and adequate controls need to be in place at this time.

- 11 Prior to the commencement of the development, a Fire Safety Strategy shall be submitted through the submission of an application of approval of details to the Local Planning Authority in accordance with the criteria set out in policy D12b of London Plan 2021. The Fire Safety Strategy shall be implemented in full following commencement of the development.

Reason: To ensure that the development has thoroughly considered fire safety at the planning stage, in line with the requirements of policy D12 in the Intend to Publish London Plan.

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

- 12 Prior to commencement of development, a Construction Logistics Plan, identifying anticipated construction traffic movements and setting out measures to manage and minimise the construction traffic impacts arising from the development, taking into account other construction projects in the vicinity, shall be submitted through the submission of an application of approval of details to the Local Planning Authority.

The development shall thereafter be carried out in full accordance with the approved Construction Logistics Plan.

Reason: To ensure construction traffic impacts are effectively managed throughout the construction process.

Reason for pre-commencement condition: Construction traffic impacts can arise at any time from the commencement of works, and adequate controls need to be in place from this time.

- 13 (a) 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 and approved in writing by 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 and a Remediation Strategy should any contamination be found that presents an unacceptable risk to any identified receptors.

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

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

- 14 Prior to commencement of development (excluding any demolition, site clearance and the laying of foundations), the following shall be submitted through the submission of an application of approval of details to the Local Planning Authority:

- (a) Details of materials for all external surfaces of the building
- (b) Details of the proposed screening to the rear elevation of the building
- (c) Details of any new hard surfacing
- (d) Details of any external CCTV
- (e) Details of proposed external lighting design including a light spillage plan taken into consideration neighbouring properties.
- (f) External refuse details.

The works shall be carried out with the approved details prior to commencement of the use of the hotel.

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

- 15 Prior to occupation of the development hereby approved, a Delivery and Servicing Plan shall be submitted to and approved in writing through the submission of an application of approval of details to the Local Planning Authority. The Delivery and Servicing Plan shall include details of the use of off-carriageway servicing space for the hotel use and commercial unit, including a restriction for vehicles used for deliveries and servicing to be lower than 2.4m high. The development shall thereafter operate in accordance with the approved Delivery and Servicing Plan.

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

- 16 Prior to occupation of the development hereby approved, a Delivery and Servicing Plan shall be submitted to and approved in writing through the submission of an application of approval of details to the Local Planning Authority. The Delivery and Servicing Plan shall include details of the use of off-carriageway servicing space for the hotel use and commercial unit. The development shall thereafter operate in accordance with the approved Delivery and Servicing Plan.

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

- 17 Within six months of commencement of works above ground level ,details of the roof plants and appropriate screening shall be submitted to and approved in writing by the Local Planning Authority through the submission of an application of approval of details. The scheme shall thereafter be carried out in accordance with the approved details.

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

- 18 18.17. Within 6 months of the first occupation of the development, a Post Construction Stage Review BRE Certificate shall be submitted to and approved in writing by the Local Planning Authority. The certificate shall demonstrate that the development has achieved BREEAM "Excellent" unless otherwise agreed in writing by the Local Planning Authority. The Development shall be maintained so that it continues to comply for the lifetime of the Development.

Reason: To ensure the Development is designed and constructed to improve environmental performance and adapt to the effects of climate change over time.

- 19 Prior to occupation of the development hereby approved, a Car Park Management Plan shall be submitted to and approved in writing through the submission of an application of approval of details to the Local Planning Authority, setting out how parking spaces would be allocated and the enforcement of residential and hotel parking spaces. The allocation and management of parking spaces shall be conducted in accordance with the approved details for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that parking spaces are allocated and managed sufficiently for residents and the hotel use.

INFORMATIVES

- 1 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at www.brent.gov.uk/CIL.
- 2 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 out of hours work/ S61 application, the Control of Pollution Act 1974 allows the council to set times during which works can be carried out and the methods of work to be used. Contractors may apply for prior approval for works undertaken outside of normal working hours. They should email the noise team at ens.noiseteam@brent.gov.uk to obtain a section 61 application form. Please note that the council has 28 days to process such applications.
- 3 The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk.
- 4 Brent Council supports the payment of the London Living Wage to all employees within the Borough. The developer, constructor and end occupiers of the building are strongly encouraged to pay the London Living Wage to all employees associated with the construction and end use of development.
- 5 The Council recommends that the maximum standards for fire safety are achieved within the development.
- 6 Given the age of the building to be demolished it is possible that asbestos may be present. The applicant should be reminded of their duties under the Control of Asbestos Regulations and must ensure that a qualified asbestos contractor is employed to remove all asbestos and asbestos-containing materials and arrange for the appropriate disposal of such materials.
- 7 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.
- 8 The applicant should contact Thames Water to discuss their proposed development in more detail. All enquiries from developers in relation to proposed developments should be made to Thames Waters Developer Services team. Their contact details are as follows: Thames Water Developer Services Tel: 0800 009 3921 Email: developer.services@thameswater.co.uk.

- 9 As required by Building regulations part H paragraph 2.36, Thames Water requests that the Applicant should incorporate within their proposal, protection to the property to prevent sewage flooding, by installing a positive pumped device (or equivalent reflecting technological advances), on the assumption that the sewerage network may surcharge to ground level during storm conditions. If as part of the basement development there is a proposal to discharge ground water to the public network, this would require a Groundwater Risk Management Permit from Thames Water. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team.

Any person wishing to inspect the above papers should contact Denis Toomey, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 1620

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

21 July, 2021
04
21/0470

SITE INFORMATION

RECEIVED	11 February, 2021
WARD	Mapesbury
PLANNING AREA	
LOCATION	249-289 Cricklewood Broadway and 32-56 and 60-74 Hassop road, London, NW2 6NX
PROPOSAL	Retention and refurbishment of buildings at 42-56 Hassop Road, demolition of buildings at 32-40 and 60-74 Hassop Road and replacement with 3 storey building accommodating 2,679 sqm of floorspace (Use Class E) and 8 self-contained flats, refurbishment of ground floor retail at 249-289 Cricklewood Broadway including creation of retail arcade between Cricklewood Broadway and Hassop Road, change of use of 1st floor of 249-283 Cricklewood Broadway and creation of 2 to 3 additional storeys above 249-289 Cricklewood Broadway accommodating a 157 unit co-living scheme and ancillary facilities including laundries, cinema, shared living/kitchen/dining rooms, storage and shared workspace and new facade to front and rear of 249-289 Cricklewood Broadway.
PLAN NO'S	see Condition 2
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case <a href="https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_<systemke">https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_<systemke</p> <p><u>When viewing this as an Hard Copy .</u></p> <p>Please use the following steps</p> <ol style="list-style-type: none"> 1. Please go to pa.brent.gov.uk 2. Select Planning and conduct a search tying "21/0470" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab

RECOMMENDATIONS

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

- (i) The prior completion of a legal agreement to secure the following planning obligations:
- a) Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance
 - b) Notification of material start 28 days prior to commencement
 - c) Housing
 - i. Securing the 4 London Affordable Rent units
 - ii. Securing the contribution (£704,451) towards off-site affordable housing
 - iii. Securing an early stage and post-implementation review mechanism
 - iv. Securing the submission and approval of an Operational Management Plan for the co-living units
 - d) Section 38/278 Agreement for highway works
 - v. narrow the carriageway of Hassop Road in order to accommodate widened footways on either side, inset parking and 3m wide loading bays, resurfacing of footways in modular paving; provision of speed tables along the site frontage and the installation of at least four bicycle stands, tree planting and improved street lighting;
 - vi. removal of the vehicular crossover to Cricklewood Broadway and reinstatement to footway with full height kerbs; and
 - vii. all associated alterations to drainage, lining and signing, in general accordance with drawing no. GCY-51 Rev. S
 - e) Restriction of access to parking permits (except Blue Badge holders)
 - f) Employment and Skills Training
 - g) Carbon off-set contribution
 - h) Any other planning obligation(s) considered necessary by Committee and the Head of Planning
- (ii) That the Head of Planning is delegated authority to negotiate the legal agreement indicated above.
- (iii) That the Head of Planning is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

Conditions

Compliance

1. Time limited permission (3 years)
2. Approved plans
3. Number/Mix of LAR residential units
4. Number/Mix of PR residential units
5. Number of co-living units
6. Accessible and adaptable dwellings and wheelchair user dwellings to be implemented
7. Use of commercial space
8. Water consumption limitation
9. Non-road mobile machinery power restriction
10. Drainage strategy to be implemented as approved
11. Sound insulation measures
12. Tree protection
13. No doors to open onto the public highway

Pre-commencement

14. Provision of communal aerial and satellite dish system for each building
15. Considerate Constructors Scheme
16. Construction Environmental Management Plan
17. Construction Logistics Plan
18. Circular Economy Statement
19. Site investigations

20. Frontage and signage for commercial units

Post-commencement

- 21. Materials samples
- 22. Infrastructure Phasing Plan
- 23. Tree planting / Landscaping

Pre-occupation

- 24. Contamination Remediation and Verification
- 25. Lighting
- 26. Noise assessment: Mechanical Plant
- 27. Delivery and Servicing Plan
- 28. Travel Plan
- 29. Extract Systems
- 30. Refuse Storage and Cycle parking to be provided
- 31. Restriction of PD – Small HMO
- 32. Cycle and Refuse storage
- 33. Ecological Enhancements

Informatives

- 1. CIL liability
- 2. Party wall information
- 3. Re-instatement of dropped kerb
- 4. Asbestos
- 5. London Living Wage note
- 6. Fire safety advisory note
- 7. Quality of imported soil
- 8. Thames Water (Infrastructure Phasing Plan)
- 9. Fire Safety Statement
- 10. Any other informative(s) considered necessary by the Head of Planning

- (iv) 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



Brent

Planning Committee Map

Site address: 249-289 Cricklewood Broadway and 32-56 and 60-74 Hassop road, London, NW2 6NX

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This map is indicative only.

PROPOSAL IN DETAIL

Full planning permission is sought for the retention and refurbishment of buildings at 42-56 Hassop Road, demolition of buildings at 32-40 and 60-74 Hassop Road and replacement with a 3 storey building accommodating 2,679sqm of floorspace (Use Class E) and 8no. self-contained flats, refurbishment of ground floor retail at 249-289 Cricklewood Broadway including creation of retail arcade between Cricklewood Broadway and Hassop Road, change of use of 1st floor of 249-283 Cricklewood Broadway and creation of 2 to 3 additional storeys above 249-289 Cricklewood Broadway accommodating a 157 unit co-living scheme and ancillary facilities including laundries, cinema, shared living/kitchen/dining rooms, storage and shared workspace and new facade to front and rear of 249-289 Cricklewood Broadway

The two existing floors of the Cricklewood Broadway building will be re-furbished, with the ground floor retained in retail use and the first floor converted to shared living/co-working accommodation. The building will be extended upwards by three additional floors, each providing additional co-living accommodation. An arcade will be provided, linking Cricklewood Broadway to Hassop Road, and will have shops on its southern side, and some ancillary accommodation for the co-living units (gym and concierge) on its northern side. The units are laid out at a ratio of just under 7 rooms per shared kitchen, dining and living room and small kitchenettes are also provided within the rooms. Other communal facilities will include co-working spaces, lounges, gym, cinema, external amenity space, managers office, concierge and storage areas. Floors three to four will be stepped back from its front and rear elevations and the maximum height of this building will be approximately 17m at its southern end and 20m at its northern end.

The Hassop Road building will involve the refurbishment of Nos.42-56 and its upward extension by an additional floor, and the redevelopment of 32-40 and 60-74 Hassop Road to provide a three storey building. Due to the gradient of the road, maximum height will range between approximately 9m and 12m. The ground floor will continue to be in employment use whilst the upper floors will accommodate 8no. self-contained flats.

Public realm improvements between the two buildings are proposed to make the street more pedestrian-friendly. This will be achieved through the provision of a shared surface, the planting of trees (approximately 23no.), the removal of the ad hoc parking and their replacement with two dedicated parking bays and two loading bays, and cycle parking. Catenary lighting is also proposed. Improvements are also proposed along the Cricklewood Broadway frontage with additional plantings, seating and cycle parking.

EXISTING

The Cricklewood Broadway element comprises of eight 2-storey retail units (home furnishings/hardware) fronting the western side of Cricklewood Broadway (A5), with servicing at the rear on Hassop Road. On the rooftop is a carpark capable of accommodating 85 vehicles (access via Cricklewood Broadway, egress via Hassop Road).

At the rear is Hassop Road, predominantly occupied by vehicle repair/MOT garages. Nos.42-56 and 60-62 Hassop Rd are two-storey brick-built vehicle repair garages. No.58 Hassop Road, not part of the application, is currently vacant, with the former domestic garage (previously serving the property fronting Pine Road) demolished earlier this year due to structural safety concerns. There have been numerous unsuccessful applications to develop on this site.

Hassop Road is a one-way street, with access from the southern end via Ashford Road. At the northern end, it intersects with Mora Road.

Cricklewood Broadway forms the borough boundary with the London Borough of Barnet, and on the opposite side of Cricklewood Broadway is the southern end of the Railway Terraces Cricklewood Conservation Area, a designated heritage asset within the London Borough of Barnet. There is also a grade II listed 19th Century cast iron milestone on the vegetated strip between Gratton Terrace and Cricklewood Broadway, outside of Nos.3 and 4 Gratton Terrace. The dwellings within the Conservation Area are 2-storey but are separated from Cricklewood Broadway by a vegetated strip and Gratton Terrace.

The redline boundary of the application site is similar to that within site allocation BSESA18 of the draft Local Plan, except that it does not include Nos.26-30 and 58 Hassop Road or Nos.245-247 Cricklewood Broadway

due to the respective owners not agreeing to be part of the scheme.

AMENDMENTS SINCE SUBMISSION

The following amendments have been made since the original submission:

- The number of Flats proposed within the Hassop Road building has reduced from 10 to 8
- 4no affordable (LAR) units are proposed
- 3no family-size units are proposed

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.

- Principle:** The redevelopment of the site for a mixed use commercial, retail and residential development is considered acceptable given the sites location within the Cricklewood District Centre and as one of those identified within the draft Local Plan as being suitable for such uses (Policy BSESA18: 245-289 Cricklewood Broadway).
- Heritage Assets:** The development site sits opposite the Railway Terraces Cricklewood Conservation Area, and a grade II listed Milestone within the London Borough of Barnet. In addition, there are two listed buildings approximately 310m south-east of the site and a listed Church 300m west of the site. All of the dwellings within the Conservation Area are locally listed. It is considered that in heritage terms, no harm arises to the identified designated and non-designated heritage assets from the proposed development.
- Viability and Affordable Housing:** The scheme is contributing approximately £704,000 towards the off-site provision of affordable housing in accordance with policy H16 of the London Plan. In addition four of the eight units proposed for the Hassop Road building will be affordable, at London Affordable Rent levels. Early and late-stage reviews are proposed to be secured by legal Agreement.
- Employment:** In accordance with emerging local policy, the scheme, whilst involving the removal of the vehicle repair garages on Hassop Road, will also involve the re-provision of employment space at a greater floorspace capacity. In addition, retail space is being re-provided along Cricklewood Broadway.
- Design/Scale/Bulk:** The overall design, scale and bulk of the proposed development is considered acceptable, with the heights of the buildings and proposed materials mindful of the neighbouring developments, and the articulation in the façade and roofline creating visual interest.
- Neighbour Impact:** The proposed buildings are considered to be sited sufficiently distant from adjoining properties to not unduly impact on the existing amenity of the neighbouring occupiers. The removal of the vehicle repair garages along Hassop Road will also improve neighbour amenity through the removal of these noisy uses.
- Highway Impact:** The site has a high PTAL rating (5), served by two bus stops serving several routes, and within walking distance of Cricklewood Station.

RELEVANT SITE HISTORY

Cricklewood Broadway

Planning permission (ref: **92/0782**) was **granted** on 01//091992 at Nos.249-289 (odd) Cricklewood Broadway, for a change of use from business use (Use Class B1) to Quasar Leisure Facility (Use Class D2).

Planning permission (ref: **96/2056**) was **granted** on 28/01/1997 at Nos.249-289 (odd) Cricklewood Broadway, for a change of use of ground floor to gym/fitness centre (Use Class D2).

Planning permission (ref: **02/3144**) was **granted** on 31/03/2003 at Nos.249-253 (odd) Cricklewood Broadway, for the retention of a change of use from light industrial (Use Class B1) to shop (Use Class A1) at ground floor.

Prior approval (ref: **20/1244**) was **granted** on 10/07/2020 for the change of use of first and second floors from offices (Use Class B1a) into 18 dwellings (Use Class C3).

Hassop Road

Planning permission (ref: **07/1266**) was **refused** on 02/11/2007 at Broadway Autos Car Repairs 74 Hassop Road, for the continued use of premises as private car hire firm (Sui Generis), offices (Use Class B1) and workshop (Use Class B2) for the following reasons:

- The unauthorised use of the premises for business of the hire of motor vehicles (Sui Generis Use- f) and workshop (B2 use) is detrimental to the amenities of the area and neighbouring residents by reason of its impact on the living environment and is contrary to the Council's policies STR11 and H22 of Brent Unitary Development Plan 2004.
- The unauthorised use of the premises for business of the hire of motor vehicles (Sui Generis Use - f) and workshop (B2 use) has adverse impact on the residents in the vicinity by reason creation of noise, fumes and increased parking and antisocial activity and is thus contrary to the Council's policies EMP23 of Brent Unitary Development Plan 2004.

Planning permission (ref: **19/3790**) was **refused** on 31/12/19 at 58 Hassop Road, for the demolition of existing domestic garage and erection of a 3-storey building comprising of a single car workshop (Use Class B2) and office accommodation (Use Class B1) on the upper floors for the following reasons:

- The proposed development by virtue of its siting and design, in particular the provision of windows on its south elevation, prejudices the ability of the adjoining occupier (Nos.42 to 56 Hassop Road) from similarly developing, contrary to Policies 7.4 and 7.6 of the London Plan, and with Policy DMP1 of the Development Management Policies.
- The proposed development by virtue of the absence of any off-street parking for vehicles awaiting repair or off-street loading space for delivery vehicles would likely add to the demand for parking and loading along heavily parked streets to the detriment of the free and safe flow of traffic and pedestrians, contrary to Policies DMP1, DMP12 and DMP13 of the Development Management Policies.
- The proposed development fails to make provision for the safe and secure storage of bicycles thereby not contributing to the promotion of sustainable modes of travel, contrary to Policies 6.9 and 6.13 of the London Plan.

Planning permission (ref: **20/3101**) was **refused** on 24/11/20 at 58 Hassop Road, for the demolition of existing domestic garage and erection of a 3-storey building comprising of a single car workshop (Use Class B2) and office accommodation (Use Class B1) on the upper floors for the following reasons:

- The proposed development by virtue of the absence of any off-street loading space for delivery vehicles would likely add to the demand for parking and loading along heavily parked streets to the detriment of the free and safe flow of traffic and pedestrians, contrary to Policies DMP1 and DMP13 of the Development Management Policies, and with Policy BT3 of the draft Brent Local Plan.

Planning permission (ref: **20/3952**) was **granted** on 12/02/2021 for the erection of a 3 storey building with basement level comprising of office units (Use Class E(g)(i)) and associated loading bay, bin and cycle stores.

CONSULTATIONS

Public Consultation

Letters were sent to the occupiers of 448 neighbouring and nearby properties, inclusive of those opposite within the London Borough of Barnet, in addition to statutory site and press publicity. Four letters were received, with three objecting and one in support. Those objecting raised some or all of the following points:

<u>Comment</u>	<u>Response</u>
Amenity	
Development on Hassop Road will block light to houses on Pine Road	This element of the development steps away from the Pine Road properties, complying with the 30-degree and 45-degree lines. In addition, the Daylight Assessment demonstrates that the impact on internal daylight levels on these properties is minimal.
Overlooking of the Pine Road properties	Proposed windows are either obscure glazed, or angled to prevent direct overlooking. Moreover, the terraces will have privacy screens.
Highways Matters	
It will cause major congestion	The development will be car-free but with parking provision for servicing on Hassop Road. See Highways section of the report.
Barely enough existing parking. How will it cope with 157 flats plus new retail/business/food outlets	The site is in a high PTAL (5) and the level of parking proposed complies with adopted standards. The 157 co-living units will be car free and residents will be aware of this prior to occupying a unit.

Other Matters Raised	
This and other buildings putting a strain on infrastructure	CIL collected from this and other schemes goes towards the provision of infrastructure

The letter provided in support of the scheme made the following points:

- The road (Hassop Road) has been in need of attention for many years
- Properties on Pine Road are devalued due to noise and overcrowded neighbouring street.
- The renovation and new builds will bring in more money, increase property prices and uplift the community spirit.
- Only drawback is the loss of the garage owners
- The ups outweigh the downs on this

Statutory / Non-statutory Consultees

Thames Water

It has been advised that with regard to foul water sewerage network and the water network infrastructure capacity, and the water network infrastructure capacity, no objections are raised, based on the information provided. With regard to waste water infrastructure (surface water drainage), additional information is required as network reinforcement works might be required to avoid flooding and/or potential pollution incidents.

Environmental Health (Contamination)

It has been advised that the submitted assessment (Phase 1 Contaminated Land Assessment; Report reference: CC/CC/P20-1958/05; December 2020) provides a satisfactory assessment of the potential contamination likely to present at both sites. The conceptual site model identified a number of potential pollutant linkages assessed as low or moderate/low. Further site investigation was recommended, therefore should planning permission be granted, conditions should be imposed to secure: a site investigation prior to commencement of works; and soil contamination remediation measures and a verification report shall be submitted. It is also advised that any imported soil must be appropriately certified; and that asbestos may be present due to the age of the buildings.

Environmental Health (Air Quality)

It is advised that the methodology used in the assessment (ref GB/CS/P20-1958/04 dated December 2020) is satisfactory and that the conclusion that there will not be an adverse impact on air quality is accepted. It is also advised that there will be no requirement for planning conditions relating to air quality.

Local Lead Flood Authority

No objections are raised.

Transportation

It has been advised that there are no objections subject to ensuring that:

- There is a restriction on future residents obtaining parking permits
- Proposed improvement works to Hassop Road and Cricklewood Broadway are secured
- Submission of a full Travel Plan and Delivery & Servicing Plan
- Two-tier cycle parking is provided
- Doors do not open out over the footways

London Borough of Barnet

No comments received

Metropolitan Police

Although some recommendations are made should the application be approved, it has been advised that objections are raised for the following reasons:

- Shared living accommodation can lead to an increase in opportunistic theft between residents, and other serious offenses due to no movement control; and
- Shared living accommodation could result in increased Covid infections

It should be noted that Co-Living is considered to be a legitimate form of accommodation which is supported through London Plan policy. Potential concerns regarding the management of residents are to be addressed through the Operational Management Plan, while it should be noted that each resident will have their own unit which can be locked (as compared to typical HMO accommodation where residents share a house or flat and often do not have separately lockable rooms). The more recent co-living proposals, such as this scheme, have differed significantly from early UK co-living developments with significantly increased unit sizes, a greater range of communal indoor spaces and the provision of a greater amount and greater range of outdoor spaces. While it is hoped that the Covid pandemic will not be as prevalent by the time that the development is constructed (if approved), the improvements to the units and facilities (compared to earlier developments) mean that a higher standard of accommodation will be provided which will be more resilient to future pandemic events, should they occur.

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 and Brent Development Management Policies 2016.

Key policies include:

The London Plan 2021

GG1	Building Strong and inclusive communities
GG2	Making the best use of land
GG3	Creating a healthy city
GG4	Delivering new homes Londoners need
GG5	Growing a good economy
GG6	Increasing efficiency and resilience
SD6	Town centres and high streets

SD7	Town centres: development principles and Development Plan Documents
SD8	Town centre network
SD9	Town centres: Local partnerships and implementation
D1	London's form, character and capacity for growth
D2	Infrastructure requirements for sustainable densities
D3	Optimising site capacity through the design-led approach
D4	Delivering good design
D5	Inclusive design
D6	Housing quality and standards
D7	Accessible housing
D8	Public realm
D10	Basement development
D11	Safety, security and resilience to emergency
D12	Fire safety
D14	Noise
H1	Increasing housing supply
H10	Housing size mix
H16	large-scale purpose-built shared living
S4	Play and informal recreation
E9	Retail, markets and hot food takeaways
HC1	Heritage conservation and growth
G1	Green infrastructure
G5	Urban greening
G6	Biodiversity and access to nature
SI 1	Improving air quality
SI 2	Minimising greenhouse gas emissions
SI 3	Energy infrastructure
SI 4	Managing heat risk
SI 5	Water infrastructure
SI 6	Digital connectivity infrastructure
SI 7	Reducing waste and supporting the circular economy
SI 12	Flood risk management
SI 13	Sustainable drainage
T2	Healthy Streets
T3	Transport capacity, connectivity and safeguarding
T4	Assessing and mitigating transport impacts
T5	Cycling
T6	Car parking
T6.1	Residential parking
T6.3	Retail parking
T6.6	Non-residential disabled persons parking
T7	Deliveries, servicing and construction
T9	Funding transport infrastructure through planning
DF1	Delivery of the Plan and Planning Obligations
M1	Monitoring

Core Strategy

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

Development Management Document

DMP 1	Development Management General Policy
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DMP2	Supporting Strong Centres
DMP4a	Shop Front Design and Forecourt Trading
DMP7	Brent's Heritage Assets
DMP9a	Managing Flood Risk
DMP9b	On Site Water Management and Surface Water Attenuation
DMP12	Parking
DMP13	Movement of Goods and Materials
DMP18	Dwelling Size and Outbuildings
DMP19	Residential Amenity Space
DMP20	Accommodation with Shared Facilities or Additional Support

Other Relevant Policy Considerations

National Planning Policy Framework (NPPF)
 Planning Practice Guidance (PPG)
 Technical housing standards – nationally described space standards (2015)
 National Design Guide (2019)
 Mayor of London - A City for all Londoners
 Mayor's Good Practice Guidance to Estate Regeneration
 LB Brent S106 Planning Obligations SPD (2013)
 LB Brent Design Guide for New Development (SPD1)
 LB Brent Shopfronts SPD (SPD3)
 LB Brent Basement SPD (Jun 2017)
 LB Brent Waste Planning Guide SPG
 LB Brent Air Quality Action Plan 2017-2022
 LB Barnet Railway Terraces Cricklewood Conservation Area Character Appraisal (1998)
 Community Infrastructure Levy Regulations 2010
 London Cycling Design Standards

The Council is at an advanced stage in reviewing its Local Plan. The draft Brent Local Plan was subject to examination in public during September and October 2020. Planning Inspectors appointed on behalf of the Secretary of State have considered the draft Plan and have requested that the Council undertake consultation on a number of Main Modifications which is taking place between 8 July and 19 August 2021. Therefore, having regard to the tests set out in paragraph 48 of the NPPF, it is considered that greater weight can now be applied to policies contained within the draft Brent Local Plan.

The draft Local Plan carries significant weight in the assessment of planning applications given the progress through the statutory plan-making processes.

Key policies include:

DMP1	Development management general policy
BP6	South east
BSESA18	245-289 Cricklewood Broadway
BD1	Leading the way in good urban design
BD2	Tall buildings in Brent
BD3	Basement development
BH1	Increasing housing supply in Brent
BH2	Priority areas for additional housing provision within Brent
BH3	Build to rent
BH5	Affordable housing
BH6	Housing size mix
BH13	Residential amenity space
BSI1	Social infrastructure and community facilities
BE1	Economic growth and employment opportunities for all
BE4	Supporting Strong Centres Diversity of Uses
BE7	Shop front design and forecourt trading
BE8	Markets and car boot sales
BHC1	Brent's Heritage Assets
BHC3	Supporting Brent's culture and creative industries
BHC4	Brent's night time economy
BGI1	Green and blue infrastructure in Brent
BGI2	Trees and woodlands

BSUI1	Creating a resilient and efficient Brent
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
BT3	Freight and servicing, provision and protection of freight facilities
BT4	Forming an access on to a road

DETAILED CONSIDERATIONS

Principle of Development

Site designation

- 1) Cricklewood Town Centre is classified as a District Centre within the London Plan and by Policy DMP2 (Supporting strong centres). One of the primary considerations for development proposals is ensuring the viability and vitality of the town centre is maintained by providing choice and diversity, maintaining a high proportion of A1/A2 uses (now E/F.2 uses), and maintaining active frontages. The development proposal will result in the re-provision of the ground floor retail units on Cricklewood Broadway and provide for an increase in the active frontage.
- 2) Hassop Road is local employment site, occupied by numerous small-scale vehicle repair garages. Policy DMP14 allows for the introduction of non-employment uses but incorporating the maximum amount of existing floorspace type or managed affordable workspace. Policy E7 of the London Plan (Industrial intensification, co-location and substitution) encourages boroughs to intensify industrial activity in order to deliver additional capacity and to consider whether some activities, such as light industry, could be co-located with residential and other uses. The development proposal will provide an increased amount of employment floorspace (from 2038sqm to 2679sqm) with residential units above.
- 3) The draft Local Plan has allocated the site for residential and commercial uses (Policy BSESA18: 245-289 Cricklewood Broadway). As such, the draft site allocation considers the following to be the key planning considerations:
 - Developments to be in keeping with the local character and retain ground floor commercial frontages
 - The site is opposite the Cricklewood Railway Terrace Conservation Area (within LB Barnet)
 - The development should be Air Quality Neutral and given historical uses, would need testing for contamination
 - The two trees on Cricklewood Broadway should be retained and planting reinforced
 - The industrial uses on Hassop Road negatively impact on neighbour amenity. Policy BP6q promotes the conversion of these premises to more neighbourly employment uses, at an increased employment floorspace in accordance with the London Plan.
 - The site has a high PTAL rating of 5, with 2 bus stops serving several routes, and Cricklewood train station within a 10 minute walking distance.

Housing

- 4) One hundred and fifty seven co-living units are proposed at first floor level to fourth floor level in the Cricklewood Broadway building, together with some ancillary accommodation on the ground floor. Policy H16 of the London Plan acknowledges that co-living is a type of housing that will help to meet a particular need, that is, single person households who cannot or choose to not live in self-contained homes or HMOs. The policy does not restrict the accommodation to particular groups by occupation or specific need (e.g. for students, nurses, temporary/emergency accommodation) but such schemes must be of at least 50 units. All such scheme must meet with the following criteria:
 1. Good quality/design
 2. Contributes towards mixed/inclusive neighbourhoods
 3. The site is well connected to services/employment/public transport
 4. Under single management
 5. All units must be rented, with a minimum 3 month tenancy
 6. Communal facilities are provided to meet needs of residents

- a) Convenient access to a communal kitchen
 - b) Outside communal amenity space
 - c) Internal communal amenity space (dining rooms/lounges)
 - d) Laundry/dry facilities
 - e) Concierge
 - f) Bedding and linen changing and/or room cleaning services
7. Private units provide adequate functional living space/layout, and are not self-contained homes or capable of being used as self-contained units
 8. A management plan is provided
 9. It delivers a cash in lieu contribution towards conventional C3 affordable housing, with boroughs to seek this contribution as either:
 - a) An upfront cash in lieu payment to the local authority, or
 - b) An in perpetuity annual payment to the local authority
- 5) The cash in lieu contributions is expected to be equivalent to 35% of the units. All such schemes will be subject to the Viability Tested Route (Policy H5) but developments which are providing a contribution equal to 35% of the units at a 50% discount of the market rent will not be subject to a late stage viability review
 - 6) Policy DMP20, together with draft Local Plan policy BH7, supports accommodation with shared facilities, where the development is:
 - located in areas with good public transport access
 - meets appropriate standards for occupants, including external amenity space, appropriate communal facilities
 - it includes suitable management arrangements for the proposed use and size
 - demonstrates that there is a specific Brent need
 - 7) The supporting text for draft policy BH7 notes that whilst the majority of housing needs will be met through self-contained residential accommodation, some will be met through non self-contained accommodation with shared facilities such as co-living. The policy recognises that changes in demographics, welfare and lifestyle choices mean that there will be increased demand for this type of accommodation. Non self-contained accommodation makes a contribution to meeting local needs. They can also assist in developments through increased viability and vitality and more balanced communities.
 - 8) The above policies refer to the need for co-living units to be of sufficient quality. The London Plan policy refers to certain factors which influence co-living housing quality, the policies do not set metrics for quality, such as minimum amounts of internal or outdoor space. Instead, this must be considered on a case-by-case basis having regard to the size and quality of both private and communal spaces, with co-living schemes normally including a significantly greater amount and variety of communal indoor space than a typical flatted development. Given the reliance on the communal spaces to achieve a sufficient level of housing quality, access to the communal spaces is normally included within the rental charges for the co-living units rather than being an optional extra facility. The quality of accommodation within the proposed scheme is discussed in more detail below.
 - 9) The development will also deliver eight flats, within the Hassop Road building, with four of these offered at London Affordable Rent levels. In addition, a cash in lieu payment of £704,451 is offered for off-site affordable housing provision. Although this will be discussed later, this level of provision has been tested through an independent review of the Viability Appraisal and is considered to be the maximum reasonable amount.
 - 10) Whilst all the above will be discussed further in the relevant sections below, the application does broadly demonstrate compliance with adopted and emerging policies, therefore the principle of the redevelopment of the site for the purposes proposed is accepted.

Heritage Considerations

Statutory Background and the NPPF

- 11) Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("Listed Buildings Act") confirm that special attention shall be paid to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses (s.66) and preserving or enhancing the character or appearance of that area (s.72). As confirmed by the Court of

Appeal (Civil Division), the decision in *Barnwell Manor Wind Energy Ltd v East Northamptonshire District Council* [2014] EWCA Civ 137 confirmed that where an authority finds that a development proposal would harm the setting of a listed building or the character and appearance of a conservation area, it must give that harm "considerable importance and weight". Further case law has reconfirmed the Barnwell decision and the considerations to be undertaken by a planning authority: *The Forge Field Society & Ors, R v Sevenoaks District Council* [2014] EWHC 1895 (Admin), *Pugh v Secretary of State for Communities and Local Government* [2015] EWHC 3 (Admin).

- 12) Section 16 of the NPPF ("Conserving and enhancing the historic environment") (paras. 184 to 202) advises Local Planning Authorities to recognise heritage assets as an "irreplaceable resource" and to "conserve them in a manner appropriate to their significance" (para.184). In determining applications, LPA's are advised at para.192 take into account of:
 - a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - c) the desirability of new development making a positive contribution to local character and distinctiveness
- 13) When considering the impact of a proposed development on the significance of a designated heritage asset, it is advised at para.193 that "great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance". Consent should be refused where there is substantial harm or total loss of significance, unless there are substantial public benefits that outweigh that harm or loss (NPPF, para.195). Where there is less than substantial harm, the harm is to be weighed against the public benefits of the proposal (NPPF, para.196) and with regard to non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset (NPPF, para.197). It is also advised at para.201 that not all elements of a Conservation Area will necessarily contribute to significance.
- 14) Policy 7.8 of the London Plan ("Heritage Assets and Archaeology") and draft Policy HC1 ("Heritage, conservation and growth") advises what boroughs should do at a strategic level to identify, preserve, and enhance London's heritage assets. The supporting text to Policy CP17 ("Protecting and Enhancing the Suburban Character of Brent") of the Core Strategy confirms that the Borough's historical assets need to be protected and conserved. Policies DMP1 ("Development Management General Policy") and DMP7 ("Brent's Heritage Assets") confirms the statutory duty of the Council and provides some guidance on how to present and assess applications affecting heritage assets. This assessment would be also be undertaken having regard to Historic England's *The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3 (Second Edition)* which identifies 5 steps to be followed (which is followed within the submitted Heritage Statement):
 - Step 1: Identify which heritage assets and their settings are affected
 - Step 2: Assess the degree to which these settings and views make a contribution to the significance of the heritage asset(s) or allow significance to be appreciated
 - Step 3: Assess the effects of the proposed development, whether beneficial or harmful, on the significance or on the ability to appreciate it
 - Step 4: Explore ways to maximise enhancement and avoid or minimise harm
 - Step 5: Make and document the decision and monitor outcomes

Identification of Heritage Assets

- 15) On the opposite side of Cricklewood Broadway is the Railway Terraces Cricklewood Conservation Area ("Conservation Area"), within the London Borough of Barnet and designated in March 1998. It is described within its Character Appraisal as forming an individual and unusual area with clearly defined boundaries and a uniform character with a distinctive, intimate but ordered feel as a result of the formal, regular street scape and building layout. The lack of cars is a considered an important characteristic.
- 16) There are no statutorily listed buildings within the Conservation Area (although all dwellings are locally listed) apart from the grade II listed mid-19th Century Milestone in front of Nos.3 and 4 Gratton Terrace on the vegetated strip. The closest listed buildings are the grade II listed St Michael's Church, sited approximately 400m west of the site, the grade II listed The Crown Public House and grade II listed Three

lamp standards in front of The Crown PH, both of which are approximately 310m south-east of the site. The setting of St Michael's Church, the Crown and lamp standards will not be harmed by the proposed development as they could not reasonably be affected by the proposed development by virtue of the intervening spatial, visual and townscape context. These three heritage assets should therefore not be considered further, having regard to Historic England's setting guidance: Historic Environment Good Practice Advice in Planning Note 3 (Second Edition).

- 17) The proposed development should however, be considered against the Railway Terraces Cricklewood Conservation Area and also the Milestone. What must therefore be determined is whether the proposed development will harm the significance of the aforementioned heritage asset, having regard to the statutory requirement to give special attention to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses (s.66) and preserving or enhancing the character or appearance of that area (s.72). The proposal will have a greater or lesser impact on individual heritage assets and the factors for consideration will be:

Assessment of Significance and Contribution

- 18) Although Cricklewood Broadway lies along the probable line of Watling Street, a Roman Road, it lies outside of the Area of Special Archaeological Interest directly to the south. There are no records of significant archaeological finds in the vicinity of the conservation area.
- 19) Following the opening of the Midland Railways Bedford to St Pancras line in 1866 and the subsequent opening of the Childs Hill and Cricklewood Station, Cricklewood was subject to intensive expansion with housing and factory developments. Construction of the railway worker's houses started in the late 1860s. There are five terraces in the conservation area; Gratton Terrace, facing Cricklewood Broadway, and Midland, Johnston, Needham and Campion Terraces behind. Originally there would have been an institute for the education of workers at the northern end of Gratton Terrace, but has since been demolished and replaced by the modern development at Dorchester Court. A former railway workers' hostel, fronting Cricklewood Broadway to the north of Gratton Terrace, was built after 1896 is now in use as the Sindhi Centre.
- 20) There were originally two main sizes and styles of house, with the higher status houses on Gratton Terrace. This terrace, with its larger houses, was built for higher grade railway workers. The houses originally faced Cricklewood Broadway and they are built on a grander scale, with more ornate architectural detailing with larger rear gardens. The terraces behind the Gratton Terrace frontage are smaller and modest by comparison, with little in the way of architectural detailing; their small back yards face narrow service roads. The 1896 to 1936 Ordnance Survey maps record undivided open spaces in between these terraces, but with subdivided plots by 1955. There is again now an open green swathe between Midland and Johnston Terrace, with individual garden plots between Needham and Campion Terraces.
- 21) The architectural interest of the conservation area derives from a reasonably coherent and consistent architectural treatment and townscape character, with terraces set out in a consistent, planned manner. The key distinction in the terraces is the difference between Gratton Terrace and the back terraces.
- 22) Dorchester Court is considered to detract from the architectural coherence and consistency of the area. Burlington Parade and the Sindhi Centre are individual buildings which stand out from the terraces and 'bookend' both sides of the Cricklewood Broadway frontage of the conservation area. Both of these are pleasant buildings and good examples of their age and type, but not considered architecturally outstanding or remarkable. The fact that the conservation area is devoid of listed buildings is considered an indication that it is not an area which relies on the character or quality of individual buildings, but rather the cohesiveness of the townscape on the whole.
- 23) The conservation area boundary essentially takes in a small, late 19th century railway workers' estate, developed by the Midland Railways. It was developed in more or less a single phase, and it has retained the character of the original layout. The urban form of the development is unusual and the differentiation in the hierarchy of the frontage (Gratton Terrace) from the more modest back terraces is interesting in terms of social history, but this also includes the relationship between the houses and the roads/gardens/communal swathes.
- 24) The significance of the Conservation Area is considered to not derive from any artistic interest (although some elements have aesthetic value) and as discussed above, there is no archaeological interest.

- 25) Views into and out of the Conservation Area are limited within the vicinity of the application site owing to the vegetated strip separating Gratton Terrace from Cricklewood Broadway. Views are gained in gaps in the privet hedge and through the trees. As the Heritage Statement identifies, there are greater views of the buildings within the Conservation Area when the trees are not in leaf.
- 26) The relationship of the existing site to the Conservation Area is considered to be poor, with little in the quality of the existing parade of shops through their overall design and materials, which lends itself to playing a role in revealing or enhancing the significance of the Conservation Area opposite.

Impact of the Development

- 27) The proposed development will introduce a building which will be a significant change and upgrade on the existing, which is considered to be of poor quality and detracts from the streetscene and from the Conservation Area, and also detracts from the setting of the grade II listed Milestone. Although taller than the existing, it will be similar in scale to the former telephone exchange opposite, located on the junction of Cricklewood Broadway and Kara Way, and also sitting outside of the Conservation Area. However, unlike the former telephone exchange, the proposed Cricklewood Broadway building steps back at its upper levels. In addition, the proposed material palette of red brick, patterned terracotta panels, patterned and plain metal screens, and bronze aluminium windows is considered to be more in keeping with developments immediately north and south of the site, and with the developments on the opposite side of Cricklewood Broadway.
- 28) The proposed building is considered to improve the setting of the listed Milestone, whilst preserving the special characteristic of the Conservation Area, essentially being a small scale, dense, peaceful enclave.

Summary of Heritage Considerations

- 29) Although the proposed development will be visible from the Conservation Area and will directly face the listed Milestone, it must also be viewed within the context of the existing developments external to those heritage assets. Visibility does not necessarily equate to being harmful because it could be argued that views from the Conservation Area, such as along Kara Way, towards the site will be enhanced due to a replacement building, albeit larger, that is more sympathetic in terms of its overall design and materials. At worst, the impact of the development is considered neutral.
- 30) Having regard to the statutory requirement to give special attention to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses (s.66) and preserving or enhancing the character or appearance of that area (s.72), the proposal has been assessed against the identified heritage assets as set out above. It is considered that the development proposal will not lead to any harm to the identified heritage assets, having regard to Policy HC1 of the London Plan, Core Policy 17, Policies DMP1 and DMP7 of the Development Management Policies, and with section 16 of the NPPF.

Housing

- 31) A total of 157 co-living units are proposed within the building fronting Cricklewood Broadway, and 8no. flats are proposed above the commercial units on Hassop Road.

Co-living units

- 32) When assessed against the criteria in the London Plan, as outlined above, this element of the scheme will:
- 1) Be of a good quality and design
- 33) Whilst this will primarily be discussed below, the design of the buildings has evolved through a collaborative process with officers. The co-living accommodation is designed to make a more efficient use of the site, and provide a range of facilities within the one building. In addition, the overall design of the building is considered to be a significant enhancement to the streetscene.
- 2) It will contribute towards mixed and inclusive communities
- 34) This type of accommodation is intended for those who cannot or prefer to not live in self-contained homes or HMOs or those households who are above the threshold for traditional social housing but are

unable to afford properties on the open market or are attracted by the range and convenience of facilities provided. The facilities provided are also designed to encourage social interaction whilst also providing private space.

3) Well-connected to services/employment through non-car modes

35) The site is within the Cricklewood Town Centre and all the services and facilities therein. As confirmed above, the site is located within an area with a PTAL score of 5, with two nearby bus stops serving multiple routes, and also within walking distance of Cricklewood train station. The scheme is car free, although provision for blue-badge spaces will be made when required.

4) Under the single management

36) The scheme will be under the single management (of the applicant), and this would be secured through a legal agreement.

5) All units are for rent, with a minimum tenancy period of 3 months

37) All units will be rented, with a minimum tenancy period of 3 months.

6) Communal facilities / services provided

38) Communal facilities and services will be provided in accordance with the criteria. These include:

- a) Communal kitchens will be provided on each floor. Floors 1 and 2 will have x5 each, and there will be x6 each on the third and fourth floors. This is designed so that there is just under 7 rooms per shared K/L/D.
- b) External communal amenity space will be provided at second and fourth floor levels
- c) Each floor will have internal communal amenity space, a shared workspace is provided on the first floor, as is a cinema and a "mixed use space".
- d) Laundry and drying facilities are located on the first floor
- e) A concierge will be located on the ground floor, overlooking the arcade
- f) Bedding and linen changing and/or room cleaning services are provided

7) Private units provided with adequate functional living space/layout and not self-contained

g) The individual units are considered to provide adequate functional living space and layouts (see Table 1 below), with the average size of the rooms being greater than comparable schemes, including the recently approved development at 1 Burnt Oak. In addition, none are self-contained or capable of being used as self-contained accommodation.

8) A management plan is provided.

39) A draft Operational Management Plan has been provided, setting out how the co-living element will be managed and the services/facilities offered such as details of the concierge, laundry and drying facilities and bedding and linen changing/room cleaning services.

9) It delivers a cash in lieu contribution towards conventional C3 affordable housing.

40) A cash in lieu payment of £704,451 is offered towards conventional C3 affordable housing.

41) In addition to the above, Policy DMP20 requires an assessment of local need for this type of shared living accommodation. A Needs Assessment by Savills has been submitted to demonstrate a demand for this type of accommodation. The report identifies that within 1.5 mile radius of the site, there is a clear indication of a potential pool of demand. According to data from Experian there are c.10,600 households in the local area comprising of young privately renting households aged under 40 years old, equating to 43% of all rented accommodation households across the borough. The median income per person of all private renters and those aged under 40 years old in rented accommodation (excluding families) in the local area are broadly similar. However, those aged under 40 years old earn more at £42,835 compared to £29,932 across all privately renting households. Across Brent, household incomes are lower than the immediate area but the trend remains, with those under the age of 40 earning slightly more (£45,419) compared to across all privately renting households (£41,358).

- 42) Assuming 40% of gross income is spent on rent, a median earning young renter in the local area could afford £1,428pcm for rent. This rises to £2,119pcm for an upper quartile earning household. These are both above the level of the proposed rents for the site which are between £1,170pcm and £1,343pcm. Furthermore, some of the units can accommodate two renters, which further improves affordability. The presence of existing young renter households with the right income and age profile highlights potential local demand that the scheme could draw upon, particularly as there are affordability pressures in the sales market in Brent. A median earning individual under 40 years of age in the local area could only afford c.4% of the properties that sold in the local area over the past 12 months. Meanwhile, an upper quartile earning household under 40 years old can afford c.17% of properties in the local area. The unaffordability of sales values across the local area mean that the majority of rental households living in Brent would be unable to access home ownership, highlighting the need for a broad range of rental options to satisfy the need of all rental households. There is a lack of housing priced to be affordable to those with household incomes of between £20,000 and £50,000, affecting c.32,600 households in total across Brent. The upper end of this income range would be able to afford the rents of the smaller units at the site of £1,170pcm, indicating that the delivery of co-living homes at the site would provide suitable accommodation to serve a gap within the existing housing provision of Brent. This equates to approximately 2,200 households.
- 43) The report does highlight the fact that the above is likely to be conservative because it assumes no increase in the size of the rental market and that the scheme would only attract people within a 1.5 mile radius, both of which are unlikely to happen.
- 44) In summary, the co-living element is considered to be a high quality scheme that would offer a flexible and low-cost type of accommodation for future residents, contributing towards a mixed community and appropriately located within a town centre and adjacent/near to sustainable transport modes. Furthermore, the proposed scheme would provide a satisfactory amount of internal and external amenity space and communal facilities for future occupiers, with minimum tenancy lengths and management plan to be secured via Section 106 agreement. Therefore, it is considered that the proposed co-living accommodation would satisfy the requirements of policy H16 of the London Plan and DMP20 of the Local Plan.

Affordable Housing Offer

- 45) As identified earlier, co-living schemes are not conventional housing schemes, therefore a cash in-lieu payment is usually sought towards conventional affordable housing through an upfront payment or an in-perpetuity payment. Moreover, the contribution should be equivalent to 35% of the units (when not on public sector land or industrial land appropriate for residential uses), to be provided at a discount of 50% of market rent.
- 46) A financial viability appraisal (FVA) was been submitted with the application where it was advised that with a £250,000 cash in lieu payment, the benchmark land value (BLV) of £14.72M matches the residual land value (RLV). This would indicate that the offer would be the maximum reasonable amount. It should also be noted that the original FVA was submitted on the basis of 12no. flats on the Hassop Road building (7no. 1-bed and 5no. 2-bed).
- 47) The FVA was independently assessed by BNP Paribas (BNPP) on behalf of the Council, taking into account an amendment to the scheme to include family units within the Hassop Road building. This had the effect of reducing the number of flats from 12 to 8 (4no 1-bed, 1no 2-bed, 3no. 3-bed). The review has established that the offer made generates an RLV of £13,394,451 thus providing a surplus of £704,451 against the BLV.
- 48) Policy H16 of the London Plan confirms that a late stage viability review should be secured where a scheme does not provide a contribution equal to 35% of the units (at a 50% discount of the market rent). To incentivise the applicant to commence as soon as possible, an early stage review will be triggered if substantial implementation has not occurred on site within 24 months of the granting of planning permission.

Family Housing

- 49) Policy CP2 of the Core Strategy confirms that 25% of new housing should be family-sized units (3-beds or greater) which would equate to two of the proposed eight flats on Hassop Road. Three family-sized units (3x 3b6p) are proposed, thereby exceeding the minimum policy requirement. Moreover, it is also noted that all three family units will be rented at LAR levels.

Accessible and Adaptable Dwellings

- 50) The London Plan (Policy D7) requires that 90% of new dwellings meet with Building Regulation requirement M4(2) (accessible and adaptable) and 10% are wheelchair user dwellings (M4(3)), that is, they are designed to be wheelchair accessible or easily adaptable. This would equate to at least one wheelchair unit in the Hassop Road building. These would again be secured by an appropriately worded condition.

Town Centre Impact

- 51) Occupying some of the Primary Retail Frontage of the Cricklewood Town Centre, the application will maintain an active frontage within the town centre by retaining and refurbishing existing ground floor retail units, consistent with policy DMP2.
- 52) Total existing ground floor retail floorspace is approximately 3,344sqm, with an equivalent figure provided at first floor level but mostly used for storage purposes and Planet Fitness Gym (735sqm). The majority of the existing retail space is poorly laid out, with the front part of the units occupied by the respective stair cores and ancillary accommodation. The proposed plans, whilst resulting in a reduction in the retail floor area (2,638sqm), re-organises this space by moving the core/ancillary accommodation towards the rear, thus enabling potential occupiers the ability to present more product and shop frontage to the road. Although the quantum of retail has reduced, this re-organisation of that space, together with the provision of the arcade linking the two roads, and the conversion of the first floor to a more beneficial residential use, is considered to outweigh the loss of floorspace.
- 53) Public realm improvements will enhance the setting of the centre, and introducing new residents and businesses has potential to increase its customer base. It is considered the application will help support the vitality and viability of Cricklewood Town Centre.

Industrial/Employment Impact

- 54) Hassop Road is a local employment site currently dominated by vehicle repair uses which are negatively impacting on the amenity of residents. DMP14 allows for mixed-use development on such sites, subject to the maximum amount of existing floorspace or Managed Affordable Workspace possible being provided. Paragraphs 9.5 to 9.6 of the DMP set out the council's requirements in terms of Managed Affordable Workspace, including evidence of agreement to lease the space to an approved Managed Workspace Operator at no more than 50% comparable local market rate.
- 55) The increase in industrial floorspace from 2,038sqm to 2,679sqm is welcomed. In terms of maximising floorspace, it is considered that the current proposal does do this. Any additional floorspace would result in the need for additional stories, thereby potentially impacting on neighbour amenity to the rear, or the loss of some of the residential units proposed.

Design Considerations

- 56) There is clear guidance on the approach to the matter of design. The NPPF (section 12) confirms that the Government attaches great importance to the design of the built environment, with good design being a key aspect of sustainable development. Poor design, which doesn't improve the character and quality of the area and the way it functions should be refused but where the design of a development accords with clear expectations in plan policies, we are advised at paragraph 130 that design should not be used as a valid reason for objection.
- 57) Optimising site capacity through a design-led approach (Policies D3 and D4, London Plan) is key to ensuring that higher density developments are appropriately located, having regard to the form, context and character of the site and the development.

Layout and Access

- 58) There is an existing link from Cricklewood Broadway through to Hassop Road between Nos.253 and 255 Cricklewood Broadway, however, this is primarily to provide vehicular access to the rooftop carpark (with egress onto Hassop Road). To provide a pedestrian link between the two roads, in order to avoid the current situation whereby pedestrians on Hassop Road wanting to access the shops and amenities on Cricklewood Broadway must walk around to Cricklewood Broadway via Mora Road, an arcade is

proposed approximately midway along the Cricklewood Broadway frontage which will be lined with shops overlooking it along its southern side, whilst on the northern side, it would be looked upon by the gym and concierge elements of the co-living scheme. In addition, there are also some views down into this space from the shared workspace above.

- 59) The proposed upper floors within the Cricklewood Broadway building are laid out at a ratio of just under seven rooms per shared kitchen, dining and living room. Small kitchenettes are also provided within the rooms themselves. Other communal facilities will include co-working spaces, lounges, gym, cinema, external amenity space, managers office, concierge and storage areas to help foster a community environment.
- 60) At third and fourth floor levels, Crusader House will link directly with the accommodation within the remainder of the building. Floors one and two of Crusader House are being converted into 18no flats but this will be implemented via a prior approval, recently granted.

Height, Scale and Massing

- 61) The existing Cricklewood Broadway building is primarily 2-storey in nature (7.45m in height at the southern end, increasing to 10.4m at its northern end), and a series of six vent shafts along the roof top, increases the overall height to 12.2m and 14.8m respectively. The Cricklewood Broadway building will be approximately 9.7m taller than the adjacent development to the south, rising to 10.58m with the additional two floors added to Crusader House. The added height of the additional floors is offset by being stepped back, reducing any potentially overbearing impact on the street below, increasing the distance to developments opposite, and helping to maintain the visual prominence of the lower two floors. At its rear, this building again steps away from its Hassop Road frontage to increase distancing levels to the proposed Hassop Road building.
- 62) Existing building heights along Hassop range from the single storey vehicle repair structures to the 2.5 storey MOT garage at 42 and 44 Hassop Road. Whilst the height of the majority of the proposed Hassop Road building (approximately 11.25m) will be significantly taller than those of the existing single storey structures, it is considered to be a more appropriate scale. Moreover, by stepping away from its rear boundary at the upper levels, reduces the massing at the rear and increases the distancing levels to the dwellings fronting Pine Road.
- 63) The height of the proposed Hassop Road building is therefore considered to be in keeping. Whilst it is considered unnecessary for this building to step away from the street, at the rear, it does step away from the boundary with those properties fronting Pine Road. This feature is considered essential due to the short distance from the boundary to the dwellings on that adjoining street (between 7m and 8m), a legacy of the site previously forming the rear gardens for those dwellings.

Elevations and Materials

- 64) The overall design of both buildings adheres to the basic principle of ensuring there is a clear differentiation between the ground floor commercial elements and the residential elements above. With regard to the Cricklewood Broadway building, the stepping away of the upper levels from the street frontage contributes to the elevational interest of the building and combined with the simplicity in its overall design and the proposed material palette, which uses only three materials: red brick as the main material; GRC (glass reinforced concrete) around entrance cores and the winter gardens; and aluminium window framing, presents a strong, modern and cohesive façade to the streetscene, improving its appearance. To avoid the rear elevation, at ground floor level, from having a "back of house" appearance, some of the retail units will also front this road and in other parts, cores leading to the upper floor accommodation will open onto the street, thus providing some pedestrian activity. The quality and type of the materials on this elevation is similar to that on the Cricklewood Broadway frontage, thus maintaining the overall design quality and appearance. The Crusader House element will have a different elevational treatment to the remainder of the building as a whole but will still have the same facing brick, to better tie the two elements together.
- 65) Unlike the Cricklewood Broadway building, the proposed Hassop Road building does not step away from the road at its upper levels and it is considered that this would be unnecessary because the building is sufficiently small in scale to not have an overbearing impact on the street. Moreover, with nos.42-56 Hassop Road being retained (albeit extended upwards) and directly fronting the street, a continuation of this is more acceptable architecturally. The predominant material will again be brick, although in the main, contrasting in colour to the retained element (nos.42-56 Hassop Road) and the Cricklewood

Broadway building. An additional storey is added to nos.42-56 Hassop Road which would be clad in a black rubber EDPM (ethylene propylene diene monomer).

Quality of Accommodation

66) With regard to standards of accommodation for co-living schemes such as that proposed, there is limited guidance provided in policy H16 of the London Plan, except that a good layout and design should be provided, with adequate communal facilities including external amenity space. This is reinforced within the supporting text for draft policy BH7 of Brent's Local Plan 2020. It is considered that some weight can also be given to relevant adopted policies within the London Plan and Brent's Local Plan, including Policy DMP1 and policy D6 of the London Plan. These policies require developments to achieve high quality standards of internal amenity and quality of accommodation, regardless of the type of accommodation being provided.

67) As set out above, officers consider that the scheme is of a good overall layout and provides adequate internal and external communal facilities. However in the absence of any precise standards, it is useful to compare the proposed scheme with a recently approved co-living development at 1 Burnt Oak Broadway (ref: 20/1163) and some approved in neighbouring London boroughs, looking at key factors such as studio floorspace sizes, levels of daylight and outlook, and amounts of amenity space provided for the flats (both internal and external). A summary is provided in Table 1 below:

Table 1: Comparison of recently approved co-living schemes

	Proposed scheme	1 Burnt Oak (ref: 20/1163)	LB Ealing – Western Avenue, Acton (ref. 19/0312/FUL)	LB Harrow – 55-59 Palmerston Road (ref. P/2555/18)	LB Hounslow – Land to Rear of 21 High Street, Feltham (allowed at appeal – ref. P/2018/2426)
No of rooms	157	125	335	222	204
Room Sizes (Smallest)(sq	23.9	17	16	14	20/22/24
Room Sizes (Largest)(sqm)	42.1	29	34.9	24	30
Room size average(sqm)	27.3	25	16	16 (67% of flats in total)	24
Accessible Units	16 (10.2%)	11 (8.3%)	17 (5%)	23 (10%)	21 (10%)
Dual Aspect	0	0	1 Unit (0.3%)	0	0
Internal daylight	98% of rooms meet/exceed BRE target	93% of studio rooms achieve ADF targets (in most cases 2.7-3% ADF achieved)	72% achieve ADF targets	No figures could be obtained from committee report/ information available on LB Harrow website	
Internal Communal facilities	1244sqm (K/L/D) 136sqm (gym) (avg of 7.9sqm per unit, not including the gym)	942 sqm (average 7.5 sqm per unit)	2557sqm (average 7.6 sqm per unit)	No precise floorspace figures available	1495 sqm (internal) (average 7.3 sqm per unit)
Private Amenity	All units have a winter garden of 1.2sqm to 10.8sqm (avg 2.5sqm)	96% of units (120 of 125) would have a balcony of 3 or 4 sqm	0	some units have 5sqm balcony	0
Shared amenity	1408sqm	88 sqm roof terrace	961sqm GF and 1117sqm Roof terraces	Terrace at fifth and eighth floor level	436 sqm

68) The above table indicates that in all of the identified metrics, the proposed scheme does compare well against the examples provided. The average room size, level of internal and external communal space, and proportion of rooms satisfying BRE criteria is better than provided in the examples given. Whilst the average size of individual balconies/winter gardens is less than that at 1 Burnt oak, all units have access

to such space. The lack of dual aspect units is comparable to the other schemes given but this is considered to be a particular aspect of this type of accommodation.

- 69) In relation to the flats within the Hassop Road building, all dwellings will either meet with or exceed the relevant minimum space standard. In addition, they will all be dual aspect.

Daylight, Sunlight, Overshadowing

- 70) In terms of internal daylight, the Average Daylight Factor (ADF) is used. The ADF is a measure of the adequacy of diffuse daylight within a room, and accounts for factors such as the size of a window in relation to the size of the room; the reflectance of the walls; and, the nature of the glazing and number of windows. BRE guidelines confirm that the acceptable minimum ADF target value depends on the room use. That is 1% for a bedroom, 1.5% for a living room and 2% for a family kitchen. In cases where one room serves more than one purpose, the minimum ADF should be that for the room type with the higher value. Notwithstanding this, the independent daylight and sunlight review states that, in practice, the principal use of rooms designed as a 'living room/kitchen/dining room' is as a living room. Accordingly, it would be reasonable to apply a target of 1.5% to such rooms.
- 71) The ADF analysis confirms that within the proposed block in Hassop Road, the results for all but one habitable room would achieve an ADF above the BRE recommended values. The single minor exception would be the room R15 LKD on first floor, where the proposed ADF would be 1.97%, marginally below the BRE recommendation of 2% for the room type.
- 72) Within Crusader House and the co-living building on Cricklewood Broadway, 201 out of 205 rooms tested (98% pass rate) would achieve ADF values in accordance with the BRE recommendation. Room R59 Shared living/dining room (LD) on second floor would have a proposed ADF value of 1.48%, which can be deemed as equivalent to the BRE recommendation of 1.5% ADF. The other exceptions would be the bedsits R12, R34 and R44 where the achieved ADF values would respectively be 1.36%, 1.33% and 1.35%. In any case, all exceptions fall within 20% of the BRE recommended value. This should therefore be considered as a good set of results.

Amenity Space Provision

- 73) Policy DMP19 establishes that all new dwellings are required to have external private amenity space of a sufficient size and type to satisfy its proposed residents' needs. This will normally be expected to be 20sqm studio, one or two-bedroom home and 50sqm for family housing (homes with 3 or more bedrooms).
- 74) The requirement for external private amenity space established through DMP19 is for it to be of a "sufficient size and type". This may be achieved even when the "normal expectation" of 20 or 50sqm of private space is not achieved. The supporting text to the policy clarifies that where "sufficient private amenity space cannot be achieved to meet the full requirement of the policy, the remainder should be applied in the form of communal amenity space". Proximity and accessibility to nearby public open space may also be considered when evaluated whether the amenity space within a development is "sufficient", even where a shortfall exists in private and/or communal space.
- 75) With regard to quality of the space, the supporting text to policy DMP19 specifies that private amenity should be accessible from a main living room without level changes and planned within a building to take a maximum advantage of daylight and sunlight, whilst Brent SPD1 specifies that the minimum depth and width of the space should be 1.5m.
- 76) London Plan policy D6 specifies that where there is no higher local standard, a minimum of 5sqm of private amenity space should be provided for 1-2 person dwellings and an extra 1sqm should be provided for each additional occupant. The minimum depth and width of 1.5m is reconfirmed in the policy.
- 77) All proposed flats will have access to a terrace, and with regard to Flats 3 and 6, a winter garden. Only Flats 5 and 7 would exceed their standard of 20sqm (see Table 2). Flats 3 to 7 have secondary external amenity areas ranging in size from 3 sqm to 4.8 sqm which are less than 1.5 m in depth, however, these flats also benefit from larger areas which exceed 1.5 m in depth.

Flat	Bedrooms	External space	Target	Shortfall
1	3	20.7	50	29.3

2	3	28.4	50	21.6
3	3	18.1	50	31.9
4	1	18.9	20	1.1
5	2	25.5	20	0
6	1	17	20	3
7	1	21.1	20	0
8	1	13.3	20	6.7
			Total	93.6

78) As advised above, Policy DMP19 advises that the shortfall in private amenity space should be provided in the form of communal amenity space, however given the constraints of the site, atop ground floor commercial units and minimal distancing to rear boundaries, it has not been possible to provide communal amenity space. The table below provides the total shortfall in amenity space. In terms of the private amenity space provision, the shortfall is acknowledged but the quality of the space provided is considered to be acceptable in that they are of size, shape and depth which would encourage them to be used. With regard to the shortfall in communal space provision, regard is given to the proximity of Gladstone Park (see table below) and the quantum (37.4ha) of space and facilities therein, and also to the proposed park approved as part of the Matalan scheme.

Table 2: Amenity space provision: Hassop Road building

Minimum private amenity (sqm)	13.3
Maximum private amenity (sqm)	28.4
Maximum shortfall of private amenity (sqm)	31.9
Total shortfall of private amenity space (sqm)	93.6
Communal amenity space (sqm)	0
Overall shortfall in amenity space (sqm)	93.6
Total No. Homes	8
Proposed Park (Matalan scheme)	648
Approx. distance to Gladstone Park (m)	816
Approx. distance to proposed Park (m)	300

79) Play space provision to cater for a range of age groups should be made in accordance with the Mayor's 'Play and Informal Recreation' SPG and draft Local Plan Policy S4, however there isn't any communal space provided for the Flats due to site constraints. However, having regard to the proximity to nearby open spaces and the quality and quantity of on-site provision, the new homes would nonetheless have access to external space that is sufficient in size and type to satisfy the needs of future residents. The limited conflict is considered to be outweighed by the benefits of the proposed development, including the provision of new homes in the borough.

Impact on Neighbour Amenity

Distancing / Loss of Outlook / Overlooking / Loss of Privacy

80) The level of distancing between the Cricklewood Broadway building to Gratton terrace is approximately 39m at ground and first floor levels, increasing to 42m at second and third floor levels, and 43m at fourth floor level. This level of distancing is considered more than sufficient to not lead to any overlooking and loss of privacy to those occupiers opposite. Moreover, the vegetated strip between Gratton Terrace and Cricklewood Broadway offers some screening to and from the development. It is also noted that ground level for the properties on Gratton Terrace is approximately 2m higher than ground level on Cricklewood Broadway.

81) The distance between the two proposed buildings (12m) is governed by the width of Hassop Road, however as the rear of the Cricklewood Broadway building steps away, the level of distancing increases to approximately 18m and second and third floor levels. With privacy screening proposed for the individual balconies and around the communal amenity space, it is considered that there should not be any overlooking and loss of privacy between developments.

82) Between the Hassop Road building and the properties fronting Pine Road, the level of distancing is approximately 15m at first floor level, increasing to 17.5m at second floor level. Although it is recognised

that the distances will be less from the proposed terraces, privacy screens will be erected to ensure that there is no loss of privacy and overlooking. In addition, rear-facing windows that wouldn't already be looking out onto the privacy screens of the respective terraces will be obscure glazed, and in addition, some windows at first floor level are angled to further prevent direct overlooking.

- 83) To ensure outlook to existing properties is not unduly 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, measured from a height of 2m above ground level. From the sectional drawings provided, the buildings would largely appear to respect the 30-degree and 45-degree lines from neighbouring properties, thus broadly indicating that the scheme should not unduly impact neighbouring residential occupiers in terms of loss of light and outlook. Where the 30-degree line is compromised, an analysis of the existing situation shows that there is no change from the existing situation, therefore no additional harm arises.

Loss of Light / Overshadowing

- 84) Where buildings would be within a 25 degree line of existing windows, the Building Research Establishment (BRE) considers that levels of light to these windows could be adversely affected and recommends further analysis of the impacts. The BRE Guidelines recommend two measures for daylight. Firstly, the Vertical Sky Component (VSC) assesses the proportion of visible sky and is measured from the centre of the main window. If this exceeds 27% or is at least 0.8 times its former value, residents are unlikely to notice a difference in the level of daylight. Secondly, the No Sky Contour or Daylight Distribution assesses the area of the room at desk height from which the sky can be seen. The above tests are discussed below:

Daylight

- 85) BRE advice is that an adverse effect would occur if the proposed value was not only less than 27% VSC but also less than 0.8 of the former (existing) value.
- 86) To the north of the site, Nos.291-299 Cricklewood Broadway and 75-83 Hassop Road have been analysed and all but two bedroom windows do not meet the benchmark above. The first window, at No.295 Cricklewood Broadway, returns proposed values of 13.84% VSC or 0.74 of the existing value. The second window, at No.291 Cricklewood Broadway, has a very low existing VSC value of 5.78% and a proposed value of 1.93 or 0.33 of the existing value. It should be noted that both of these windows are south-east facing and are already impacted upon by the outriggers of the neighbouring properties and the greater height and massing of the host building, or in the case of No.291, abutting the boundary wall of the application site. With particular regard to the window at No.291, it only receives light from across the development site, and any form of development would have an impact on this window. It should be noted that the Daylight Distribution (DD) test provided similar results to the VSC tests with readings at or above 0.89 of the former value for all windows except for the two bedroom windows discussed above. It should also be noted that Daylight Distribution is considered by BRE to be less important to bedrooms than to living rooms.
- 87) To the east, Nos.1-15 Gratton Terrace and the former Telephone Exchange have been assessed. Gratton Terrace sits at an elevated ground level which contributes to the application site sitting below a 25-degree angle, therefore no adverse effect would occur in relation to daylight. With regard to the former Telephone Exchange, as it is not in residential use, it does not need to be assessed.
- 88) To the west, Nos.28-78 (even) Pine Road have been assessed. All but two windows fall short of the BRE benchmark. A bedroom window at 38 Pine Road returns a value of 0.78 of its former value. An assumed bedroom window at No.62 Pine Road returns an existing value of 0.58 due to a canopy extending out over the window. In such circumstances, BRE advises that the tests should be undertaken removing the obstruction, which confirms that VSC value would be BRE compliant.
- 89) To the south is Nos.243-247 Cricklewood Broadway. As the building is not in residential use, it has not been assessed.

Sunlight

- 90) In terms of sunlight, windows that do not face within 90° degrees of south are classified as 'north facing'. In these circumstances there is no criteria to meet. In all but one location the windows that face within 90° degrees of south would retain annual sunlight availability in accordance with the BRE recommendation.

The exception would be window W2, a first floor bedroom window at No.291 Cricklewood Broadway. However, BRE advises that sunlight to a bedroom is less important than to a living room.

Overshadowing

91) In terms of overshadowing, the gardens serving the closest neighbouring properties at Nos.28-72 Pine Road and No.81 Hassop Road stand to the south-west and north-west of the proposed development site. All the neighbouring amenity areas receive less than 2 hours sunlight on 50% of the garden areas and in the proposed condition they inevitably follow suit. However, all of the proposed reading would be above 0.8 the existing value and some locations would even show an improvement. The BRE criteria would therefore be satisfied.

Summary of Neighbour Impact

92) It is acknowledged that the increased height bulk will result in some minor additional impact on neighbouring occupiers and amenity space. However, the tests and criteria outlined in the BRE guide have been written with a suburban environment in mind, therefore the recommendations should be interpreted with flexibility.

Highway Safety

93) Policy 6.3 of the London Plan confirms that the impact of development proposals on transport capacity and the transport network are fully assessed. The proposal must comply with policies relating to better streets (Policy 6.7), cycling (Policy 6.9), walking (Policy 6.10), tackling congestion (Policy 6.11), road network capacity (policy 6.12) and parking (Policy 6.13).

Parking

94) As the site is located to the south of the Dudding Hill railway line and has very good access to public transport services, the lower employment and residential car parking allowances set out in Tables 3 and 6 of the adopted DMP 2016 apply. The eight existing retail units at 249-289 Cricklewood Broadway would therefore be allowed up to 138 car parking spaces in total, with eleven spaces allowed for the offices at 289 and some further parking allowed for the fitness centre. The existing rooftop car park for 85 cars for the building is therefore within the maximum allowance.

95) For the car repair businesses along Hassop Road, up to two spaces would be allowed for staff, although further spaces are required for cars awaiting repair and collection. The current practice involves cars being parked on-street along Hassop Road without permits and obstructing the pedestrian footways, with parking enforcement unable to take place due to criminal damage to the parking signage.

96) Car parking standards for the proposed development would allow up to 54 retail parking spaces and 29 residential parking spaces for the Cricklewood Broadway building, with a further three employment and seven residential spaces allowed for the buildings fronting Hassop Road.

97) The proposed absence of any off-street parking within the development therefore accords with maximum standards, with Policy DMP12 encouraging 'car-free' development in areas with good access to public transport services. A suitable condition or legal agreement to remove the right of future residents and businesses to on-street parking permits would be required to enforce this and ensure that the development does not increase on-street parking demand in the area (which the applicant's parking survey confirms to be heavily parked). This has been confirmed as being acceptable to the applicant.

98) Any disabled Blue Badge-holding residents will be exempt from the 'car-free' agreement, so will be able to purchase permits to park in the area. Space for five parking spaces has been incorporated into the proposals for the revamping of Hassop Road and any of these can be marked as disabled bays upon request if any resident specifically requires an allocated bay.

Cycle Parking

99) With regard to bicycle parking, each resident of the co-living units will require a long-stay space, with a further 29 spaces required for the 18 proposed self-contained flats in the converted office at 289 Cricklewood Broadway (Crusader House). A further six long-stay spaces are required for retail staff.

100) Adequate bicycle parking space is shown in five stores on the ground floor of the building to

meet this requirement, with a mixture of two-tier stands and Sheffield stands proposed to ensure all types of bicycle can be catered for. However, the two-tier spaces appear to be too closely spaced to be workable and so a rearrangement to align them along the side walls of the stores would provide a more practical layout.

101) For the buildings along Hassop Road, a total of 16 spaces are required for the flats, plus 12 long-stay spaces for the light-industrial floorspace. Three separate bike stores are proposed to meet this requirement, although all spaces are shown on two-tier racks. This would be acceptable if residents and staff of the building have access to the Sheffield stands in the stores in the main building.

102) For short-stay parking, a total of 18 spaces are required. There are five existing bicycle stands along the Cricklewood Broadway frontage to accommodate ten bikes, therefore a further four stands are required. The applicant's Transport Statement suggests that nine new stands will be provided, but these are not shown on the application drawings. It is recommended that they be incorporated into the proposed design for the landscaping enhancements to Hassop Road.

Servicing and Deliveries

103) With regard to the proposed enhancements to Hassop Road, these are very much welcomed in line with TfL's Healthy Streets guidance and have been identified as a key improvement in the Healthy Streets Audit of the area. They will also help to address the unacceptable, unlawful parking practices that take place in the street at present and make the footways available for pedestrians to use again.

104) In terms of detailed design, the loading bays should be marked to a 3m width to comply with TfL's Kerbside Loading Guidance. This will entail some adjustments to the kerblines, but there is space to accommodate this width, plus 2m minimum width footways and a minimum 3.75m wide carriageway, with a slight chicane built into the road design.

105) The inclusion of tree planting along the street is welcomed, as is the repaving of the street. The precise materials and footway/carriageway levels will still need to be agreed, but it is suggested that a 50mm minimum upstand is retained for the kerbs. Otherwise, resurfacing of the street in block paving is recommended, with the existing speed cushions replaced by three speed tables (one at either end of the site and one aligned with the arcade through the building).

106) The existing on-street parking bays along Hassop Road will be reduced in number by these proposals, but as these are routinely abused and unavailable to genuine permit holders, their loss is not of concern.

107) All works along Hassop Road will need to be undertaken through a S278 Agreement under the Highways Act 1980 and more precise details of materials (incl. street lighting) and alignment will be agreed through that process. A Delivery and Servicing Plan will be secured prior to occupation through an appropriately worded condition.

Access

108) The inclusion of a pedestrian route through the building to connect Hassop Road and Cricklewood Broadway, providing direct access to retail units in an arcade to keep activity high is again welcomed, providing a far more attractive pedestrian route to the development on Hassop Road than the southern end of Hassop Road that will complement the works in Hassop Road.

109) The development will also remove the existing vehicular route through the building, which is fine, but the associated vehicular crossover onto Cricklewood Broadway will need to be removed and reinstated to footway at the developer's expense as part of the S278 works. This could allow more inset pay and display parking bays to be provided on the site frontage, if desired. All crossovers to Hassop Road will be removed with the streetscape enhancements.

Healthy Streets

110) The submitted Healthy Streets Assessment also identified other minor shortcomings along walking routes to nearby stations, but the works proposed to Hassop Road are considered more than sufficient to improve the pedestrian environment around the site.

111) A brief assessment of accidents in the area was also undertaken as part of the Healthy Streets

Assessment, but the detailed results were not provided within the submission. As such, no meaningful conclusions regarding the road accident history of the area can be drawn.

Trip Generation

- 112) To provide information on the likely impact of this proposal on the local transport networks, a Transport Statement has been submitted with the application, which has used the national industry standard TRICS database to estimate likely trips to and from the site by all modes of transport, based on comparisons with other surveyed developments.
- 113) The estimated total trip generation by all modes of transport would be 49 arrivals/71 departures in the morning peak hour (8-9am) and 38 arrivals/49 departures in the pm peak hour (5-6pm). Given the lack of parking within the site, none of these trips are expected to be made by car drivers. The development would therefore represent a marked improvement to existing highway conditions through the removal of the rooftop car park and the car repair businesses, which each currently generate vehicular traffic.
- 114) For other modes of transport, 12 trips in the morning peak hour and 9 in the evening peak hour are expected to be made by rail, with 51 and 37 trips in each peak hour made by Underground. This amounts to less than two passengers per train on average, which is not considered to be significant.
- 115) Similarly, bus trips are estimated to total 39 passengers and 28 passengers in the morning and evening peak hours respectively, which is less than one additional passenger per bus passing the site.
- 116) The impact on public transport services of the development is not therefore considered to be significant.

Travel Plan

- 117) The draft Travel Plan sets out a series of measures to help reduce the reliance of cars. Although a detailed travel would still be required, it is encouraging that the appointment of a dedicated Travel Plan co-ordinator for the development is identified. Instead of undertaking the comprehensive years 1, 3 and 5 surveys, it is proposed to undertake yearly snapshot surveys employing, as a minimum, the core TRICS questions. The results of the surveys will be provided to the council. Any planning consent for the development should therefore be granted only on the basis that a Travel Plan will be submitted and approved prior to occupation.

Sustainable Design

Carbon Reduction / Energy

- 118) Chapter nine of the London Plan sets out a comprehensive range of policies underpinning London's response to climate change and mitigation, supported by policies within the Core Strategy (CP19) and the DMP (Chapters 6 & 7). The commercial elements will be "expected" to achieve a BREEAM 'Excellent' rating and the residential element, being a major development, should be achieving carbon emissions reduction targets leading to zero carbon, with any shortfall to be off-set through a financial contribution to the Council's Carbon Offsetting Fund.
- 119) The submitted Energy and Sustainability Statement outlines the approach to carbon emission savings and renewable energy. The proposed design approach is to minimise energy consumption through passive design, fabric performance, energy efficiency measures and the incorporation of Air Source Heat Pumps. Consideration has been given to the passive design of the scheme, including the orientation and layout of the building and units, glazing, lighting to be used, and stacking of balconies for shading.
- 120) The Statement confirms that the development as a whole will achieve the minimum on site 35% reduction required over Part L of the Building Regulations. However, in accordance with the London Plan the remaining regulated carbon dioxide emissions, to 100%, are required to be off-set through a cash in lieu contribution to secure delivery of carbon dioxide savings elsewhere.
- 121) It is noted that in relation to the non-residential elements (light industrial units and the retail units), these are predicted to achieve BREEAM 'Excellent' (scoring 74.3% and 72% respectively).

Overheating

- 122) Policy SI 4 of the London Plan advises that developments should minimise adverse impacts on the urban heat island through design, layout, orientation, materials and the use of green infrastructure. An Overheating Potential evaluation is provided within the Energy and Sustainability Statement. Whilst the evaluation considers that there is a low risk of overheating in the Hassop Road building due to the each unit being dual aspect thus able to have cross ventilation, there appears to be no discussion on the co-living scheme or the commercial elements. Notwithstanding, the assessment does recognise that a thermal comfort assessment will be produced at the detailed design stage. This should also include the co-living element.

Air Quality

- 123) With the site located in a designated Air Quality Management Area, London Plan Policy SI 1 and CP19 of the Core Strategy requires the submission of an Air Quality Assessment ("AQA") to quantify pollutant levels across the site, consider its suitability for the proposed end-use and assess potential construction phase impacts as a result of the proposed development.
- 124) There is the potential for air quality impacts as a result of fugitive dust emissions from the site (dust, particulate matter (PM10 and PM2.5)) during the construction phase of the development and their impacts were assessed in accordance with the Institute of Air Quality Management ("IAQM") methodology. Assuming good practice dust control measures are implemented, as detailed within Table 5.7 of the AQA, the residual significance of potential air quality impacts from dust generated by earthworks and construction, and track out activities is predicted to be negligible. Those mitigation measures would be subject to an appropriately worded condition.
- 125) An Air Quality Neutral Assessment was included within the AQA. The development is wholly based on the use of air source heat pumps with backup boilers. As there won't any continuous gas systems or systems with a combustion process, they are not considered within the assessment.
- 126) Total building emissions (NO_x (kg/annum)) is estimated to be 750.08 when compared to the benchmarked 801.98. This would indicate that for NO_x, the total development building emissions will be 51.9kg/annum below the benchmarked figure, and therefore acceptable.
- 127) Throughout the construction phase mitigation measures to minimise impacts from traffic and plant are proposed, which would be secured by an appropriately worded condition. During the operational phase of the development, Travel Plan measures, including the provision and use of cycle parking spaces, will help to keep levels below national Air Quality Objectives.
- 128) Regulatory Services colleagues do not require any additional conditions to be imposed in relation air quality. It should be noted that in relation to the above matters, there is also control through Environmental Health Legislation and planning should not duplicate any controls that are available under other legislation.

Contamination

- 129) The applicant has submitted Phase 1 Contaminated Land Assessment and this has been reviewed by the Council's Regulatory Services team. The report is considered to provide a satisfactory assessment of the potential contamination likely to present at both sites. The conceptual site model identified a number of potential pollutant linkages assessed as low or moderate/low. Officers are satisfied that the proposals are acceptable, subject to conditions requiring further site investigative works, and any remediation works arising from this to be completed before first occupation or use. In addition, it has been noted that due to the age of the buildings, asbestos could be present. The applicant will be reminded, through an Informative, of their duties under the Control of Asbestos Regulations.

Noise

- 130) The potential impact from noise on existing and future occupiers has been assessed through a Noise Impact Assessment. Existing ambient noise levels and the likely significant effects have been assessed in terms of: construction noise; existing baseline conditions and potential noise sources that may impact the proposed development; changes in road traffic as a result of the development; and noise from plant associated with the proposed development. These are all assessed against the relevant British Standard: BS5228-1:2009+A1:2014 'Code of practice for noise and vibration control on construction and

open sites. Monitoring points were set up in three locations: at the northern and southern ends of the site on Hassop Road, and at first floor level towards the southern end of the site on Cricklewood Broadway.

Demolition and Construction Noise

- 131) In assessing potential noise and vibration from demolition activity, although proposed work processes or method statements haven't been scrutinised, it is acknowledged that without mitigation, some neighbouring properties will notice noise levels above the defined threshold of 65dB LAeq,10hr. With mitigation, noise levels are predicted to be significantly below the aforementioned threshold. In relation to potential noise and vibration from construction activity, without mitigation, all but one location will exceed the 65dB LAeq,10hr threshold but with mitigation, all but one location will exceed (66.2dB LAeq,10hr) the threshold. Mitigation for both of these activities could take the form of but not limited to: hoardings; damping; switching engines off of stationary vehicles; and where required, using percussive piling rather than vibratory piling.

Internal Noise Levels

- 132) Predicted internal noise levels from external sources will vary between the three blocks due to their siting in relation to one of the main sources of noise, traffic along Cricklewood Broadway, with the eastern facade likely to experience the most. Having regard to the way the building steps back at upper floor levels, proposed room finishes, dimensions, façade composition inclusive of the proposed glazing, it is considered that the development will better BS8233:2014 and WHO guidelines.
- 133) In relation to Hassop Road, the dominant noise source is again from Cricklewood Broadway. With regards to the constant sound levels over 24hrs, the findings in table 6.2 of the report show that there was only a 1 dB decrease in sound levels for the night-time period on the Cricklewood Broadway monitoring site. This with the proposed MVHR ventilation strategy, a glazing specification of 33 dB Rw would need to be considered to achieve the internal ambient noise level targets. It is again considered that the development will better BS8233:2014 and WHO guidelines.

External Amenity Areas

- 134) External amenity areas should ideally not exceed the design range of 50-55dB LAeq,16hr, however these values may not be achievable in all circumstances. BS8233:2014 acknowledges this by advising that the specification of noise limits for balconies and roof gardens where external amenity space is limited, such as in apartment blocks, is not necessarily appropriate.
- 135) Winter gardens proposed for the dwellings along the first floor of the Cricklewood Broadway building. As the daytime dB LAeq,16hr was measured to be 70dB, the glazing specification should be ? 20 dB RW in order to achieve the base level within the design range. At second floor level and above, balconies above the first floor are stepped back, yet exposed, achieving upper limit of the design range would require a further 10 dB attenuation. It is also recommended that balustrading is increased in height from 1.1m to 1.5m and acoustically absorbent material should be included on the underside of balconies.
- 136) With consideration to the 6 dB reduction in sound levels between the Cricklewood Broadway location and the Hassop Road location, a 64 dB LAeq,16hr has been considered as representative. This would indicate that there need be a 9 dB reduction in sound levels to accommodate the upper design range limit, which can also be achieved by the two measures identified above.

External Plant Noise

- 137) In relation to external plant noise, a schedule of plant associated with the commercial units has not yet been established and potential occupiers have not yet been identified, however, the location of the two roof-mounted air source heat pumps is known. Having regard to BS4142:2014, a noise rating limit has been attributed with the 'rating level' being the lowest recorded LA90,T over the period. The lowest recorded background LA90,T was 46.5dB and is considered representative. Rooftop plant would be enclosed, thus providing some screening and further analysis indicates that the maximum sound pressure level for all plant noise is calculated to be 71.5 dB LAeq,T at a distance of 1m from any item of externally mounted of plant. There will be a cumulative effect depending on the number of plant items that would need to be quantified, however this rating limit of 71.5 dB is easily achievable through proper design and consideration.
- 138) Once a plant schedule has been chosen by future commercial occupiers, a full BS4142

assessment will need to be undertaken prior to completion/occupation to ensure that a satisfactory acoustic environment is achieved. Where a future occupier would like to install different/additional plant, a further noise impact assessment will be required.

Flood Risk/Drainage/Water Consumption

Flood Risk

139) London Plan policies SI 12 and SI 13 require the consideration of the effects of development on flood risk and sustainable drainage respectively while Policies DMP9A and 9B confirms the Councils approach. The submitted Flood Risk Assessment and Drainage Strategy ("FRA&DS") has correctly identified that residential uses are defined as being 'more vulnerable' uses as opposed to the current and proposed commercial uses which are considered to be 'less vulnerable'. Notwithstanding the introduction of residential, the site is within Flood Zone 1, and the risk of flooding from all sources is low. The sequential and exceptions tests are not required in this instance. It is noted that a small area on Cricklewood Broadway and Hassop Road, at the northern end of the site, is at a low risk of surface water flooding.

Drainage/SuDS

140) Adopted policies confirm that all new development should be achieving greenfield run-off rates, and if not, this should be fully justified with the runoff rates reduced as low as possible. The proposed site has been split into six sub catchment areas and the discharge rates for each sub catchment is predicted to be near to the equivalent greenfield rate for all events up to the 100 year plus 40% climate change event.

141) Building Regulations Part H states that no soakage device can be placed within 5.0 m of a building or adoptable road. Therefore, green roofs and low profile permavoid tanks at roof level are proposed in order to restrict the run off rates as close to greenfield as practically possible.

142) The proposed SuDS measures, together with the proposed maintenance schedule as detailed within Appendix B of the FRA&DS, will be secured by appropriately worded conditions.

Water Consumption

143) In order to minimise impact on water supply, Policy SI 5 of the London Plan confirms that water consumption should not exceed 105 litres per head per day (110 litres inclusive of external water consumption i.e. irrigation). Commercial development should be achieving at least the BREEAM excellent standard.

144) The Energy and Sustainability Statement confirms that insofar as the residential elements are concerned, the policy requirement will be met through the use of appropriately rated appliances and fittings which should result in 104.3 litres for internal consumption and 5 litres for external use. This will be secured by condition.

Ecology and Biodiversity

145) Policy G6 of the London Plan requires development proposals to make a positive contribution, where possible, to the protection, enhancement, creation and management of biodiversity. Core Policy 18 of the Core Strategy ("Protection and Enhancement of Open Space, Sports and Biodiversity") confirms the Borough's commitment to promote and enhance biodiversity. A preliminary ecological survey confirms the low ecological value of the site, which is dominated by buildings and hardstanding/roads. There is no evidence of protected species but it is acknowledged that the site is likely to be used by common birds for foraging and possibly nesting. Checks would need to be undertaken that there aren't any nesting birds on site when development commences. By way of enhancement measures, bird and bat boxes are suggested. The provision of 23 trees along Hassop Road is also considered an enhancement in addition to the approximately 1460sqm and 500sqm of extensive green roofs proposed for the Cricklewood Broadway and Hassop Road buildings respectively.

Trees and Landscaping

146) Policy DMP1 seeks to retain high amenity trees and landscape features and provide appropriate additions or enhancements. Trees are a key component of green infrastructure and help to create

resilient and more sustainable development. Core Policy 18 ('Protection and Enhancement of Open Space, Sports and Biodiversity') of the Core Strategy confirms that support will be given to the improvement of the built environment.

- 147) The existing site, as mentioned above has a low ecological value. As a result, vegetation is limited to mostly low level ruderal vegetation (plants which are first to colonise disturbed environments). One silver birch (*Betula pendula*) was present within the site boundary while a few trees were also present at the rear of the properties fronting Pine Road.
- 148) The two silver birch within the site boundary will be removed, the two trees on Cricklewood Broadway will be retained and approximately 23 trees will be planted along Hassop Road. The net gain in trees is welcomed and will also help to enhance the character and appearance of Hassop Road.
- 149) The two retained street trees on Cricklewood Broadway will be boxed from ground level up to first branch level in order to protect them during construction and the crown of the larger of the two (a London Plane) will be pruned in advance of any works commencing. The proposed tree protection measures, as described in section 8 of the submitted arboricultural report will be conditioned.

Site Waste Management

- 150) Policy SI 7 of the London Plan ("Reducing waste and supporting the circular economy") promotes the circular economy outcomes and aims to achieve net zero-waste by doing the following:
- 1) promote a more circular economy that improves resource efficiency and innovation to keep products and materials at their highest use for as long as possible
 - 2) encourage waste minimisation and waste prevention through the reuse of materials and using fewer resources in the production and distribution of products
 - 3) ensure that there is zero biodegradable or recyclable waste to landfill by 2026
 - 4) meet or exceed the municipal waste recycling target of 65 per cent by 2030
 - 5) meet or exceed the targets for each of the following waste and material streams:
 - a) construction and demolition - 95 per cent reuse/recycling/recovery
 - b) excavation - 95 per cent beneficial use
 - 6) design developments with adequate, flexible, and easily accessible storage space and collection systems that support, as a minimum, the separate collection of dry recyclables (at least card, paper, mixed plastics, metals, glass) and food.
- 151) The Energy and Sustainability Statement has indicated the credits to be targeted in relation to this element of the scheme, however it does not provide specific details. Having regard to Policy SI 7, a Circular Economy Statement is proposed to be secured by condition.

Fire Safety

- 152) Although acknowledging that fire safety compliance is a matter for the Building Regulations, Policy D12 of the London Plan requires all major proposals to submit a Fire Statement. The Statement should demonstrate that the development will achieve the highest standards of fire safety by reducing risk to life, minimising the risk of fire spread, and providing suitable and convenient means of escape.
- 153) However the proposals demonstrate that sufficient consideration to fire safety measures has been given, with the applicant providing a Fire Safety Strategy for both buildings, produced by a suitably qualified person. The overall fire strategy has been designed to:
- Provide an early warning and appropriate means of escape
 - Inhibit the spread of fire through the use of appropriate materials or products
 - provide structural stability for a reasonable period by appropriate construction, separation, compartmentation and the prevention of fire spread in concealed spaces
 - adequately resist the spread of fire over the roof or from one building to another
 - provide reasonable facilities to assist firefighters in the protection of life and to enable fire appliances to gain access to the building
- 154) It is noted that with regard to the co-living units, the principle for means of escape has been designed in accordance with the general guidance for a hotel premises of similar size and layout. The key difference in the type of occupancy will be the use of the accommodation on the basis that the occupants will be longer term residents who will be 'living' in the building as opposed to 'staying' as temporary

'guests'.

Equalities

155) 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).

Conclusions

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

1. Having regard to the statutory requirement to give special attention to the desirability of preserving a listed building or its setting (s.66) and preserving or enhancing the character or appearance of a conservation area (s.72), the proposal has been assessed against the identified heritage assets and their significance as set out above. It is considered that the development proposal will not lead to any harm to those heritage assets having regard to Policy 7.8 of the London Plan, Core Policy 17, Policies DMP1 and DMP7 of the Development Management Policies, and with guidance contained within the National Planning Policy Framework.
2. The proposed development would contribute to increasing London's supply of housing, having regard to Policies 3.3, 3.4 & 3.14 of The London Plan, Core Policies 1, 2, 6, 18 & 21 of the Core Strategy, DMP Policies 1 & 15 of the Development Management Policies, and with guidance contained within the National Planning Policy Framework.
3. The proposed development, due to its design, size, scale and siting, does not unduly detract from the character and appearance of the street scene or the surrounding area having regard to Policies 3.5, 7.1, 7.4 & 7.6 of the London Plan Policy, Core Policies 5, 6 & 17, DMP Policies 1 & 19 of the Development Management Policies, and with guidance contained within the National Planning Policy Framework.
4. The proposed development, due to its siting does not unduly impact on the existing amenities of the occupiers of nearby properties in terms of loss of light, outlook, privacy, overlooking, and overshadowing. In this respect complies with Policy 7.6 of the London Plan, Core Policy 17, DMP Policy 1 of the Development Management Policies, and with guidance contained within the National Planning Policy Framework.
5. The proposed development, by virtue of its internal and external design, is considered to provide a high quality level of accommodation for future occupiers, having regard to Policies 3.5, 3.6, 3.7, 3.8, 7.1, 7.2, 7.5, 7.6, 7.14 & 7.15 of the London Plan, Core Policy 6 of the Core Strategy, DMP 1, 18 & 19 of the Development Management Policies, and with guidance contained within the National Planning Policy Framework.
6. Having regard to conditions attached to this permission, the proposal makes appropriate provision for servicing, access, parking, including cycle parking and visibility splays, and in this respect complies with Policies 6.3, 6.9, 6.12 & 6.13 of the London Plan, DMP Policies 11 & 12 of the Development Management Policies, and with guidance contained within the National Planning Policy Framework.
7. The proposed development, by virtue of measures proposed and conditions imposed, will contribute to the mitigation of and adaptation to climate change, having regard to Policies 5.1, 5.2, 5.3, 5.7, 5.8, 5.9, 5.10, 5.12, 5.13 & 5.15 of the London Plan, Core Policies 20, 32 and 36, DMP Policies 8, 9a & 9b of the Development Management Policies, and with guidance contained within the National Planning Policy Framework.

CIL DETAILS

This application is liable to pay **£1,715,225.24** * 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): 774.44 sq. m.

Total amount of floorspace on completion (G): 17232.66 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) Shops	2638	3344	-824.55	£40.00	£0.00	-£49,031.42	£0.00
(Brent) Sui generis	11888		11353.75	£40.00	£0.00	£675,142.65	£0.00
(Brent) Dwelling houses	978.66	0	934.68	£200.00	£0.00	£277,900.03	£0.00
(Brent) General business use	1728		1650.34	£0.00	£0.00	£0.00	£0.00
(Mayoral) Shops	2638	3344	-824.55	£0.00	£60.00	£0.00	-£51,004.82
(Mayoral) Sui generis	11888	0	11353.75	£0.00	£60.00	£0.00	£702,315.58
(Mayoral) Dwelling houses	978.66	0	934.68	£0.00	£60.00	£0.00	£57,816.97
(Mayoral) General business use	1728		1650.34	£0.00	£60.00	£0.00	£102,086.25

BCIS figure for year in which the charging schedule took effect (Ic)	224	323
BCIS figure for year in which the planning permission was granted (Ip)	333	
TOTAL CHARGEABLE AMOUNT	£904,011.26	£811,213.98

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

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

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



DECISION NOTICE – APPROVAL

Application No: 21/0470

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

I refer to your application dated **10/02/2021** proposing the following:

Retention and refurbishment of buildings at 42-56 Hassop Road, demolition of buildings at 32-40 and 60-74 Hassop Road and replacement with 3 storey building accommodating 2,679 sqm of floorspace (Use Class E) and 8 self-contained flats, refurbishment of ground floor retail at 249-289 Cricklewood Broadway including creation of retail arcade between Cricklewood Broadway and Hassop Road, change of use of 1st floor of 249-283 Cricklewood Broadway and creation of 2 to 3 additional storeys above 249-289 Cricklewood Broadway accommodating a 157 unit co-living scheme and ancillary facilities including laundries, cinema, shared living/kitchen/dining rooms, storage and shared workspace and new facade to front and rear of 249-289 Cricklewood Broadway.

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

at **249-289 Cricklewood Broadway and 32-56 and 60-74 Hassop road, London, NW2 6NX**

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: 13/07/2021

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 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):

GCY-29 Rev.B	Location Plan
GCY-29 Rev.G	Existing Site Plan
GCY-30 Rev.H	Existing Basement Plan
GCY-31 Rev.J	Existing Ground Floor Plan
GCY-32 Rev.J	Existing First Floor Plan
GCY-33 Rev.J	Existing Second Floor Plan
GCY-34 Rev.J	Existing Third Floor Plan
GCY-40 Rev.H	Cricklewood Existing / Proposed Front Elevation
GCY-41 Rev.K	Hassop Road Existing / Proposed Front Elevation
GCY-42 Rev.H	Cricklewood Existing / Proposed Rear Elevation
GCY-43 Rev.H	Hassop Road Existing / Proposed Rear Elevation
GCY-49 Rev.O	Location Plan
GCY-50 Rev.L	Proposed Site Plan
GCY-51 Rev.S	Proposed Basement Plan
GCY-52 Rev.S	Proposed Ground Floor Plan
GCY-53 Rev.Q	Proposed First Floor Plan
GCY-54 Rev.Q	Proposed Second Floor Plan
GCY-55 Rev.O	Proposed Third Floor Plan
GCY-56 Rev.J	Proposed Roof Plan
GCY-65 Rev.J	Existing & Proposed Section A-A
GCY-66 Rev.D	Existing & Proposed Section B-B
GCY-67 Rev.H	Existing & Proposed Section C-C, D-D, E-E
GCY-68 Rev.E	Existing & Proposed Section F-F
GCY-80 Rev.A	Cricklewood Proposed Detail Elevations 1
GCY-81 Rev.A	Cricklewood Proposed Detail Elevations 2
GCY-82 Rev.A	Cricklewood Proposed Detail Elevations 3
GCY-85 Rev.E	Hassop Road Proposed Detail Elevations 1
GCY-86 Rev.F	Hassop Road Proposed Detail Elevations 2
GCY-87 Rev.F	Hassop Road Proposed Detail Elevations 3
GCY-88 Rev.E	Hassop Road Proposed Detail Elevations 4
GCY-89 Rev.B	Hassop Road Proposed Detail Elevations 5
Existing Massing Visuals Rev.C	
Proposed Massing Visuals Rev.D	

Air Quality Assessment Ref: GB/CS/P20-1958/04, December 2020

BREEAM Travel Plan, December 2020

Daylight, Sunlight & Overshadowing Ref: DS/RM/11736, December 2020

Design and Access Statement

Draft Operational Management Plan

Energy and Sustainability Statement Rev.1.1

Fire Safety Strategy Crusader House - Residential Flats, September 2020

Fire Safety Strategy Residential Accommodation 249-289 Cricklewood Broadway, August 2020

Fire Safety Strategy Light Industrial with Residential Flats Above 32-40 Hassop Road, November 2020

Fire Safety Strategy Residential Accommodation 42-56 Hassop Road, November 2020

Fire Safety Strategy Light Industrial with Residential Flats Above 58-62 Hassop Road, November 2020

Fire Safety Strategy Light Industrial with Residential Flats Above 64-76 Hassop Road, November 2020

Flood Risk Assessment and Drainage Strategy Ref: EW/CS/P20-1958/06, December 2020
Heritage and Townscape Impact Assessment Ref: 0166, December 2020
Noise Impact Assessment Ref: BD/CC/P20-1958/03 Rev C, November 2020
Phase 1 Contaminated Land Assessment ref: CB/CC/P20-1958/05, December 2020
Planning Statement
Preliminary Ecological Appraisal, December 2020
Statement of Community Involvement (SCI) December 2020
Transport Assessment December 2020
Tree Survey, Arboricultural Impact, Assessment, Arboricultural Method Statement, July 2020
Utility Assessment Report Rev.01 December 2020

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

- 3 The development shall provide the 4 London Affordable Rent dwellings (Class C3), as shown on the consented plans, in the following mix: 1x 2-bed; 3x 3-bed.

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

- 4 The development shall provide the 4 Private Rent dwellings (Class C3), as shown on the consented plans, in the following mix: 4x 1-bed.

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

- 5 The development shall provide the 157 co-living units (Class sui generis), as shown on the consented plans, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of proper planning.

- 6 Not less than 10% of the residential units within the Cricklewood Broadway building and in the Hassop Road building shall be constructed to wheelchair accessible requirements (Building Regulations M4(3)) and the remainder shall meet easily accessible/adaptable standards (Building Regulations M4(2)).

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

- 7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, or any amending Order, the ground floor retail units within the Cricklewood Broadway building identified on Drawing No.GCY-51 rev.S shall only be used for retail purposes within Use Class E or F.2, and the light industrial space identified within the Hassop Road building shall only be used for purposes falling within Class E(g), notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason: To safeguard the amenity of residents, to ensure an appropriate array of retail uses in order to maintain the vitality and viability of the Cricklewood Town Centre, to ensure the adequate provision of industrial capacity within the borough, and in the interest of ensuring appropriate access and servicing.

- 8 Prior to first occupation, confirmation from the Building Control body to demonstrate that the relevant building has been designed so that mains internal water consumption does not exceed a target of 105 litres or less per person per day for the residential elements and for the non-residential elements, water meters and leak detection systems, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To promote water conservation and efficiency measures in all new developments in accordance with policy SI 5 of the London Plan, and DMP9b of the Development Management Policies.

- 9 All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance

“Control of Dust and Emissions During Construction and Demolition” dated July 2014 (SPG), or subsequent guidance. Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority. The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>.

Reason: To protect local amenity and air quality in accordance with London Plan policy D14.

- 10 The recommendations and mitigation measures set out in Sections 6 and 7 of the approved Flood Risk Assessment and Drainage Strategy (Create Consulting Engineers Limited, December 2020) shall be fully implemented, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure adequate drainage for the development and mitigate the risk of surface water flooding on and in the vicinity of the site.

- 11 Unless otherwise required by any other condition attached to this permission, sound insulation measures contained within the submitted Noise Impact Assessment – BD/CC/P20-1958/03 Rev C (Create Consulting Engineers, November 2020) shall be implemented in full.

Reason: to ensure an effective management of noise in the interest of future occupiers.

- 12 Tree protection measures, as detailed within the approved Tree Survey, Arboricultural Impact Assessment, Arboricultural Method Statement (The Landscape Partnership, July 2020) shall be implemented in full prior to any clearance or construction works commencing on site.

Reason: To ensure that retained trees are protected.

- 13 Notwithstanding the submitted plans, no doors shall open out over the public highway.

Reason: In the interest of pedestrian safety

- 14 Prior to a Material Start on the relevant part of the Development being made, the developer shall join, and for the period of construction, adhere to the requirements of the Considerate Constructors Scheme for the relevant part of the Development.

Reason: To ensure that throughout the construction process, appropriate regard is given to protecting neighbour amenity and the natural environment

- 15 The BREEAM Travel Plan (Caneparo Associates, December 2020) shall be implemented in full from first occupation or use.

Reason: In the interest of promoting sustainable modes of travel.

- 16 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), none of the residential units on Hassop Road hereby approved shall at no time be converted from C3 residential to a C4 small HMO without the express written 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 to accommodate additional bin or cycle storage.

- 17 The cycle storage facilities and refuse storage shall be installed prior to first occupation of that building hereby approved and thereafter retained and maintained for the lifetime of the development. The cycle storage facilities shall not be used other than for purposes ancillary to the occupation of the building hereby approved.

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

- 18 Prior to the commencement of above ground superstructure works, details for the provision of a communal television system/satellite dish shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be undertaken in accordance with the approved detail.

Reason: In order to mitigate the possibility of numerous satellite dishes being installed on the development hereby approved in the interests of the visual appearance of the development.

- 19 No works at all, including site clearance and demolition, shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include details of measures to mitigate the impact of the demolition, construction and all associated works on noise, vibration and air quality for sensitive receptors including:

- (a) Management: Appointment of a Construction Liaison Officer to take primary responsibility for day-to-day contact on environmental matters for the borough, other external bodies and the general public.
- (b) Working Hours: Standard construction hours (e.g. Monday to Friday 08:00 to 18:00 hours, Saturday 08:00 to 13:00 hours, with no working on Sundays or Bank Holidays);
- (c) Access Routes: Routing construction traffic away from noise sensitive receptors (NSRs).
- (d) Equipment: The use of quieter alternative methods, plant and/or equipment, where reasonably practicable.
- (e) Screening: The use of site hoardings, enclosures, portable screens and/or screening noisier items of plant from NSRs, where reasonably practicable.
- (f) Location: Positioning plant, equipment, site offices, storage areas and worksites away from NSRs, where reasonably practicable.
- (g) Maintenance: Maintaining and operating all vehicles, plant and equipment in an appropriate manner, to ensure that extraneous noise from mechanical vibration, creaking and squeaking is kept to a minimum.
- (h) Piling: Ensuring that piling is undertaken using the most appropriate technique, with minimal noise and vibration generation in mind. The piling method will be agreed in conjunction with the LBB, prior to work commencing.
- (i) BS 5228-1 indicates that between 10 and 20dB attenuation may be achieved during the construction phase by selecting the most appropriate plant and equipment and enclosing and/or screening noisier items of plant or equipment.
- (j) Site Planning: Erect solid barriers to site boundary; no bonfires; machinery and dust causing activities located away from sensitive receptors; training and management; hard surface site haul routes.
- (k) Construction Traffic: vehicles to switch off engines; vehicle cleaning and specific fixed wheel washing on leaving site and damping down of haul routes; all loads entering and leaving site to be covered; ensure no site runoff of water or mud; all non-road mobile machinery to be fitted with appropriate exhaust after-treatment; on-road vehicles to comply with the requirements of a possible future LEZ as a minimum; minimise movement of construction traffic around site.
- (l) Demolition: use water as dust suppressant; use enclosed chutes and covered skips; and wrap buildings to be demolished.
- (m) Site Activities: minimise dust generating activities ensuring that any crushing and screening machinery is located well within the site boundary; use water as dust suppressant where applicable; enclose stockpiles or keep them securely sheeted; if applicable, ensure concrete crusher or concrete batcher has a permit to operate

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

Reason: particular attention must be paid to minimising the noise and air quality impact of the demolition and construction works on sensitive receptors and to ensure demolition and construction works follow Best Practicable Means (BPM) of Section 72 of the Control of Pollution Act 1974 to minimise noise and vibration effects.

- 20 Development shall not commence until a Construction Logistics Plan has been submitted to and approved in writing by the Local Planning Authority. The construction methodology shall contain:
- (a) a photographic condition survey of the roads, footways and verges immediately adjacent to the site;
 - (b) details of construction access, including any temporary heavy duty access, and associated traffic management to the site;
 - (c) arrangements for the loading, unloading and turning of delivery, construction and service vehicles clear of the highway;
 - (d) arrangements for the parking of contractors vehicles;
 - (e) arrangements for wheel cleaning;
 - (f) a scheme of road-cleaning along construction routes;
 - (g) arrangements for the storage of materials;
 - (h) timing of deliveries (to avoid peak hours, school drop off/pick up times and to comply with local road restrictions);
 - (i) number and type of vehicle movements;
 - (j) A construction management plan written in accordance with the 'London Best Practice Guidance: The control of dust and emission from construction and demolition';
 - (k) size and siting of any ancillary buildings.

The development shall only be carried out in accordance with the approved construction methodology unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the implementation of the development does not lead to damage to the existing highway and to minimise disruption to neighbouring properties and the environment

- 21 A Circular Economy Statement shall be submitted to the Local Planning Authority demonstrating the following:
- (a) how all materials arising from demolition and remediation works will be re-used and/or recycled
 - (b) how the proposal's design and construction will reduce material demands and enable building materials, components and products to be disassembled and re-used at the end of their useful life
 - (c) opportunities for managing as much waste as possible on site
 - (d) adequate and easily accessible storage space and collection systems to support recycling and re-use
 - (e) how much waste the proposal is expected to generate, and how and where the waste will be managed in accordance with the waste hierarchy 6) how performance will be monitored and reported.

The development shall be undertaken in accordance with the approved Circular economy Statement and adhered to for the life of the development approved.

Reason: to assist in the reduction of waste generated by the development.

- 22 Following the demolition of the buildings but prior to the commencement of building works, a site investigation shall be carried out by competent persons to determine the nature and extent of any soil contamination present. The investigation shall be carried out in accordance with the principles of BS 10175:2011 + A2:2017 and the Environment Agency's current Land Contamination Risk Management Guidance. A report shall be submitted to the Local Planning Authority for approval in writing, 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.

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

- 23 Prior to the commencement of above ground works to the Cricklewood Broadway building, further details of the exterior of the non-residential ground floor frontages shall be submitted to

and approved in writing by the Local Planning Authority. Such details shall include but not be limited to:

- (a) windows, doors, shop fronts and glazing systems including colour samples; and
- (b) details of where advertisements would be applied notwithstanding that the advertisements themselves may require separate advertisement consent
- (c) size and siting of any projecting box signs
- (d) design, siting of any roller shutter (inclusive of the shutter box and guide rails)

At least 50% of the area of the windows on the non-residential frontages shall be kept free from anything that would obscure views through the window including but not limited to applied lettering and screens, posters, screens set behind the windows.

The works shall be carried out in accordance with the approved details and shall be retained thereafter for the lifetime of the development, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory development which does not prejudice the amenity of the locality and to ensure the non-residential elements provide an active frontage in the interests of natural surveillance and the viability and vitality of the area.

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

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

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

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

- 25 Prior to commencement of above ground superstructure works, a Development and Infrastructure Phasing Plan shall be submitted to the Local Planning Authority for approval in writing, in consultation with Thames Water. No occupation of the development hereby approved shall take place other than in accordance with the agreed Development and Infrastructure Phasing Plan.

Reason: To ensure that there is sufficient waste water infrastructure capacity to accommodate the development to avoid flooding and/or potential pollution incidents.

- 26 Prior to commencement of above ground superstructure works, details of the proposed landscaping proposals, inclusive of tree planting and extensive green roofs, shall be submitted for approval in writing by the Local Planning Authority. The approved details shall be implemented prior to first occupation.

Reason: To ensure that the ecological value of the site is enhanced post development and to ensure the development provides the maximum possible provision towards the creation of habitats and valuable areas for biodiversity and to enhance the character and appearance of the area in accordance with adopted Policy

- 27 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 prior to first occupation of the development approved, confirming 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

- 28 On commencement of the development hereby approved, further details of the external lighting shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include:

- (a) highway street lighting;
- (b) other public realm lighting;
- (c) communal amenity space including roof garden lighting;
- (d) lux levels;
- (e) measures to minimise light spillage to sensitive receptors

The works shall be carried out in accordance with the approved plans prior to first occupation and shall be retained for the lifetime of the Development.

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

- 29 Prior to the installation of any mechanical plant, further details of such mechanical plant, including but not limited to refrigeration, air-conditioning, ventilation system, air source heat pumps, combined heat and power units and kitchen extraction systems, to serve the relevant Unit shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include:

- (a) detail the particulars and or specification of noise levels, vibration and where relevant odour control of each item of mechanical plant;
- (b) details of any ducting in terms of its appearance and siting;
- (c) demonstrate that the individual and cumulative predicted noise levels from any mechanical plant together with any associated ducting, shall be 10 dB(A) or greater below the typical background noise level (LA90) during the time of plant operation at 1 m from the nearest on and off-site NSR: the method of assessment should be carried out in accordance with BS4142:20147 'Method for rating industrial noise affecting mixed residential and industrial areas'; and
- (d) include a scheme of mitigation in the event the predicted noise levels of the plant exceed the criteria in part (c)
- (e) include a scheme of mitigation in the event the predicted vibration levels of the plant exceed acceptable norms
- (f) include a scheme of mitigation in the event the predicted odour levels of the plant exceed acceptable norms

The approved mechanical plant shall be installed in accordance with the approved details and maintained thereafter for the lifetime of the development.

Reason: To ensure that existing and proposed residential occupiers do not suffer a loss of amenity by reason of noise, vibration or odour nuisance.

- 30 Prior to first use or occupation, a Delivery & Servicing Plan (DSP), written in accordance with best practice guidance shall be submitted to the Local Planning Authority for approval in writing. The DSP shall detail how all aspects of the development will demonstrate adequate servicing, delivery and collections for the commercial and residential units within the scheme.

Reason: To ensure adequate delivery and servicing arrangements for the development and to avoid conflict with other road users.

- 31 In the event that one or more of the commercial units hereby approved are occupied by a business that makes use of a commercial kitchen, details of the extract ventilation system and odour control equipment for the commercial kitchen, including all details of any external or

internal ducting, must be submitted to the Local Planning Authority for approval in writing.

The approved equipment shall be installed prior to the commencement of any use of the commercial kitchen and the development shall thereafter be operated at all times during the operating hours of the use and maintained in accordance with the manufacturer's instructions.

Reason: in the interest of neighbour amenity and to ensure an acceptable appearance of the development is maintained in the interest of visual amenity.

- 32 Prior to the commencement of above ground superstructure works, details of the ecological enhancements as detailed within Section 6 of the approved Preliminary Ecological Appraisal (December 202) shall be submitted to the Local Planning Authority for approval in writing. The approved enhancements shall be provided prior to first occupation of the development.

Reason: To improve the ecological value of the site in accordance with adopted policies.

INFORMATIVES

- 1 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at www.brent.gov.uk/CIL.
- 2 The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk
- 3 The removal of a crossover fronting Cricklewood Broadway including the reinstatement of the public footpath shall be carried out by the Council as the Local Highway Authority at the applicant's expense. Such application should be made to the Council Highway Team. The grant of planning permission, whether by the Local Planning Authority or on appeal does not indicate that consent will be given under the Highways Act.
- 4 Due to the age of the buildings asbestos may be present. Applicants are reminded of hazards caused by asbestos materials especially during demolition and removal works and attention is drawn to the Asbestos Licensing Regulations 1983. Licensed Contractors only are permitted to remove asbestos which must be transferred to a licensed site. For further advice the Council's Chief Environmental Health Officer should be contacted.
- 5 Brent Council supports the payment of the London Living Wage to all employees within the Borough. The developer, constructor and end occupiers of the building are strongly encouraged to pay the London Living Wage to all employees associated with the construction and end use of development.
- 6 The Council recommends that the maximum standards for fire safety are achieved within the development.
- 7 The quality of imported soil must be verified by means of in-situ soil sampling and analysis. The Local Planning Authority will not accept soil quality certificates from the soil supplier as proof of soil quality
- 8 The developer is advised that they can request information to support the discharge of the condition relating to the Infrastructure Phasing Plan by visiting the Thames Water website at thameswater.co.uk/preplanning or phoning Thames Water Development Planning Department (0203 577 9998) quoting their DTS Reference Number: 59922.

- 9 The submission/approval of the Fire Safety Statement does not replace the need for building regulation approval in relation to fire safety, nor does it convey or imply any approval under those regulations.

Any person wishing to inspect the above papers should contact Sean Newton, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5166

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COMMITTEE REPORT

Planning Committee on
Item No
Case Number

21 July, 2021
05
21/0579

SITE INFORMATION

RECEIVED	19 February, 2021
WARD	Willesden Green
PLANNING AREA	Brent Connects Willesden
LOCATION	51-55 High Road, London, NW10 2SU
PROPOSAL	Subdivision and change of use from betting shop (Use Class Sui Generis) to adult gaming centre (Use Class Sui Generis) and commercial unit (Use Class E) and alteration to shopfront
PLAN NO'S	See condition 2.
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case <a href="https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_<systemke">https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_<systemke</p> <p><u>When viewing this as an Hard Copy</u> .</p> <p>Please use the following steps</p> <ol style="list-style-type: none"> 1. Please go to pa.brent.gov.uk 2. Select Planning and conduct a search tying "21/0579" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab

RECOMMENDATIONS

Recommendation

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


Conditions:

- 1. 3 Year time period
- 2. Approved plans / drawings
- 3. Materials to Match
- 4. Active Frontage
- 5. Opening Hours
- 6. Use Class E restriction
- 7.Noise

Informatives:

- 1. Building near a boundary
- 2. Party Wall etc Act
- 3. Any other informative(s) considered necessary by the Head of Planning

SITE MAP

	Planning Committee Map Site address: 51-55 High Road, London, NW10 2SU © Crown copyright and database rights 2011 Ordnance Survey 100025260
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This map is indicative only.

PROPOSAL IN DETAIL

The application seeks a subdivision and change of use from betting shop (Use Class Sui Generis) to adult gaming centre (Use Class Sui Generis) and commercial unit (Use Class E) and associated alterations to shopfronts.

EXISTING

The application site concerns a ground triple shopfront No.s 51-55 which is located on the southern side of High Road, Willesden flanked by Richmond Avenue. The properties are within a terrace of 3 storeys with residential uses above.

The property is within a Primary Shopping Frontage and the Willesden Green Conservation Area. The Conservation Area is focused on the High Road which has a strong retail character. This parade generally retains its unifying heritage features including pilasters and corbels and decorative cast iron parapet. While the site is current vacant, it was previously in use as a betting shop, William Hill until 2019.

AMENDMENTS SINCE SUBMISSION

During the course of the application, the following amendments were received:

1. Revised Shopfront Elevation Plan to show the sub fascias in a matching Charcoal/Black colour.
2. Suggested closing time of 2am as opposed to 24 hours.

SUMMARY OF KEY ISSUES

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

1. **Representations received:** 22 objections have been received. Officers have considered the comments and the planning merits of the proposal and consider that the proposal accords with adopted and emerging policy.
2. **Change of Use/Principle of Development:** The existing site was previously in use as a betting shop. The proposal has been assessed to comply with DMP3 and is not considered to lead to an over-concentration of betting shops, adult gaming centres and pawnbrokers in the vicinity.
3. **Character and Appearance:** The external alterations are minor in nature and would not detract from the appearance of the subject property or Conservation Area. A condition will be secured to prevent a shopfront without visibility.
4. **Neighbouring Amenity/Noise:** The development has been assessed by colleagues in Brent Environmental Health Department and against DMP1. A noise assessment has been submitted that provides mitigation measures for within the premises. A restriction to opening times is proposed which is considered to be reasonable for the proposed use and size of the premises.

RELEVANT SITE HISTORY

21/0580

Installation of 2 no. externally illuminated fascia signs and 1 no. internally illuminated projecting sign (Adult Gaming Centre)

Granted, 16/04/2021

CONSULTATIONS

34 neighbouring and nearby properties were consulted for a 21-day period commencing 25/05/2021.

A site notice was erected on 11/03/2021 and the press advert was on 04/03/2021.

21 objections were received in this period including two from ward Councillors (Dudden Hill and Willesden Green).

Reasons for objecting	Officer's Comment
<p>The Adult Gaming Centre (AGC) will not help development, improve the area or bring benefits to local people</p> <p>AGC will not improve vitality of the highstreet or footfall</p>	<p>Local and national planning policies allow 'uses' such as betting shops, Adult Gaming Centres, pawnbrokers/payday lenders, public houses and off-licences, subject to regulatory control. Such establishments are features of high streets. Local Plan policy DMP2 ("Non-Retail Uses") is to ensure there is not an over-concentration of particular uses within any single length of frontage the policy seeks to prevent adult gaming centres, pawnbrokers, betting shops and takeaways locating in close proximity to a unit in the same use. This is discussed in paragraph 1.3.</p>
<p>In operation for 24 hours is not appropriate</p>	<p>Opening hours are discussed in paragraphs 3.3 to 3.6.</p>
<p>Opening hours will encourage anti-social behaviours</p>	<p>Opening hours are discussed in paragraph 3.3 to 3.6.</p>
<p>There are too many similar uses (betting shops and AGCs) in the area</p>	<p>This is discussed in paragraph 1.3.</p>
<p>Concerns regarding obscured shopfront, concealed façade and no clear internal sightlines which is contrary to SPD3</p>	<p>The obscured shopfront is discussed in paragraph 2.5.</p>
<p>Opening hours will create noise and nuisance</p>	<p>Opening hours are discussed in paragraphs 3.3 to 3.6.</p>
<p>Design does not relate to character of the area</p>	<p>Character and Design is discussed in paragraphs 2.3 to 2.12.</p>
<p>Betting companies exploit vulnerable people and encourage addiction</p> <p>AGCs attract anti-social behaviour and have done for example in Neasden</p> <p>The AGC will exacerbate social issues in the</p>	<p>Adult gaming centres are uses that are permitted to operate in the UK. The Gambling Commission sets out the Licence Conditions and Codes of Practice (LCCP), which are applicable to operators of AGCs. Monitoring and enforcement is undertaken by local authority licensing officers and the Gambling Commission's licensing officers. The regulatory, licensing and enforcement framework is intended to ensure that such premises operate</p>

area including deprivation and financial hardship The unit will be close to supermarkets/cafes/schools and the library where families and children are present, so the use is not appropriate in this location	in an appropriate manner and Planning Policies do not prevent such uses from taking place.
Concerns regarding illuminate signage and light pollution	Signage is discussed in paragraph 2.6.
Opening hours not appropriate close to residential uses	Opening hours are discussed in paragraphs 3.3 to 3.6.
The council has a social responsibility to discourage such uses	Local Plan policy DMP2 ("Non-Retail Uses") is to ensure there is not an over-concentration of particular uses within any single length of frontage the policy seeks to prevent adult gaming centres, pawnbrokers, betting shops and takeaways locating in close proximity to a unit in the same use. This is discussed in paragraph 1.3.
Willesden High Road has an evening economy but not a history of late licenses	Opening hours are discussed in paragraphs 3.3 to 3.6.

POLICY CONSIDERATIONS

For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the Development Plan in force for the area is the Brent Core Strategy 2010, Brent Development Management Policies DPD 2016 and the London Plan 2021.

Key policies include:

The London Plan (2021)

SD6 Town Centres and High Streets
D1 London's Form, Character and Capacity for Growth
D4 Delivering Good Design
HC1 Heritage Conservation and Growth

Development Management Policy (2016)

DMP1 General Policy
DMP2 Supporting Strong Centres
DMP3 Non-retail Uses
DMP4A Shop Front Design and Forecourt Trading
DMP7 Brent's Heritage Assets

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

The Council is at an advanced stage in reviewing its Local Plan. The draft Brent Local Plan was subject to examination in public during September and October 2020. Planning Inspectors appointed on behalf of the Secretary of State have considered the draft Plan and have requested that the Council undertake consultation on a number of Main Modifications which is taking place between 8 July and 19 August 2021. Therefore, having regard to the tests set out in paragraph 48 of the NPPF, it is considered that greater weight

can now be applied to policies contained within the draft Brent Local Plan.

The draft Local Plan carries significant weight in the assessment of planning applications given the progress through the statutory plan-making processes.

Key policies include:

DMP1 Development Management General Policy
BE5 Protecting Retail in Town Centres, Betting Shops, Adult Gaming Centres and Pawnbrokers
BE7 Shop Front Design and Forecourt Trading
BCH1 Brent's Heritage Assets

The following are also relevant material considerations:

The National Planning Policy Framework (revised 2019)
SPD3 Shopfronts (2018)
Willesden Green Conservation Area Character Appraisal (2006)

DETAILED CONSIDERATIONS

1. Principle

1.1 In terms of the change of use, the development seeks the conversion of 51-55 Willesden High Road, previously occupied by William Hill, to part adult gaming centre, and part flexible E use class. The unit occupies part of Willesden town centres Primary Shopping Frontage.

1.2 The planning statement makes reference to the new flexibility permitted by the E use class, and the impact upon the Council's ability to control the proportion of its primary frontage within certain uses, as required by Local Plan policy DMP2 ("Supporting Strong Centres"). The subdivision will create one new Class E unit to the eastern side. This will house a Commercial, Business or Service use which will be appropriate to the town centre location. Given the location of the premises, it is considered necessary to attach a condition restricting the use of the premises to Use Class E to ensure that changes of use that may otherwise be able to be implemented do not affect the vitality and viability of the town centre.

1.3 The statement also makes reference to Local Plan policy DMP3 ("Non-retail Uses"), which seeks to limit the proliferation of certain uses, including adult gaming centres. The breakdown of town centre uses provided within figure 1 of the planning statement only considers the number of units, as opposed to the length of the frontage which is the policy stipulation. Using frontage as the metric, the current occupation of Willesden Town Centre's primary and secondary frontage by adult gaming centres, pawnbrokers, or pay day loan shops is 0.8%. This rises to 1.6% if this application were to be granted. This does not exceed the policy limit of 3% for these uses. There are also a minimum of 4 units in alternative use either side of the proposed adult gaming centre. As such, the application is considered to align with policy DMP3 and emerging policy BE3.

1.4 A number of objections have been received in relation to the adult gaming centre use itself, including the principle of the use in this location and potential impacts associated with adult gaming centres more generally. It should be noted that adult gaming centres are permissible uses within the UK and are not prevented by law. They are regulated by the Gambling Commission and are licenced. As such, the Council cannot consider whether adult gaming centres are acceptable in their own right. However, consideration can be given to any local considerations necessary to maintain the vitality and viability of shopping centres in the borough, and the controls discussed above are captured within both adopted and emerging policies in order to ensure that there is not an over-concentration of such uses. As discussed above, the proposal would not result in either an over-concentration within the town centre as a whole or the immediate vicinity as defined by adopted policy.

2. Character and appearance

2.1 The subject site occupies three shopfronts and a corner plot at the junction of Willesden High Road and Richmond Avenue and is situated within the Willesden Green Conservation Area.

2.2 The site forms part of an attractive red brick and stone dressed terrace of shops with residential accommodation above. The Conservation Area is focused on the High Road which has a strong retail character. This parade retains its unifying features including pilasters and corbels and decorative cast iron parapet. The significance of property is derived from its historic fabric and detailing which is reflective of the commercial development of the area, and its broad consistency with its immediate neighbours.

2.3 In terms of the visual changes, the shopfront alterations would include providing a new recessed entrance and general refurbishment and repainting of the remaining shopfront. The existing timber sub fascias will be rubbed down, spot primed and prepared and decorated in Charcoal /Black paint (RAL 9005) throughout. To the Class E unit, the existing blue powder colour coated fascia panel will be retained with a new entrance blue powder coated to match. for the Adult Gaming Centre, the double front will be painted Charcoal Black to match sub fascias with existing door and aluminium stallraiser painted to match.

2.4 The existing shopfront is not original and the changes are minor and in keeping with the present arrangement. The new doorway would be in proportion with the overall shopfront and is glazed to allow for natural light into the proposed unit.

2.5 With regards to window displays Local Plan policy DMP2 ("Supporting Strong Centres"), part C, states that applications for non-A1/2 uses within town centres should provide or maintain an active frontage. While the proposal shows large divided glazed panels, It is acknowledged that adult gaming centres often do not maintain an active frontage with obstructed or and as such a condition will be placed on the application to ensure active frontage is maintained.

2.6 The new signage has been covered within advertisement consent Ref:21/0580. the signage is relative simple in style and compromises of a single primary text and a logo. The fascia will have a black background and white, yellow and red lettering and detail. The signage will retain the existing features of the façade. The surrounding area is of commercial uses at ground floor with a variety of colourful fascia designs including those with black as a predominant colour. Therefore the development visual corresponds to the locality and is not considered to clutter the shopfront.

2.7 Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("Listed Buildings Act") confirm that special attention shall be paid to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses (s.66) and preserving or enhancing the character or appearance of that area (s.72). As confirmed by the Court of Appeal (Civil Division), the decision in *Barnwell Manor Wind Energy Ltd v East Northamptonshire District Council* [2014] EWCA Civ 137 confirmed that where an authority finds that a development proposal would harm the setting of a listed building or the character and appearance of a conservation area, it must give that harm "*considerable importance and weight*". Further case law has reconfirmed the Barnwell decision and the considerations to be undertaken by a planning authority: *The Forge Field Society & Ors, R v Sevenoaks District Council* [2014] EWHC 1895 (Admin), *Pugh v Secretary of State for Communities and Local Government* [2015] EWHC 3 (Admin).

2.8 Section 16 of the NPPF ("Conserving and enhancing the historic environment") (paras. 184 to 202) advises Local Planning Authorities to recognise heritage assets as an "irreplaceable resource" and to "conserve them in a manner appropriate to their significance" (para.184). In determining applications, LPA's are advised at para.192 take into account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness

2.9 When considering the impact of a proposed development on the significance of a designated heritage asset, it is advised at para.193 that "*great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance*". Consent should be refused where there is substantial harm or total loss of significance, unless there are substantial public benefits that outweigh that harm or loss (NPPF, para.195). Where there is less than substantial harm, the harm is to be weighed against the public benefits of the proposal (NPPF, para.196) and with regard to non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset (NPPF, para.197). It is also advised at para.201 that

not all elements of a Conservation Area will necessarily contribute to significance.

2.10 London Plan Policy HC1 ("Heritage, Conservation and Growth") advises what boroughs should do at a strategic level to identify, preserve, and enhance London's heritage assets. Policies DMP1 ("Development Management General Policy") and DMP7 ("Brent's Heritage Assets") confirms the statutory duty of the Council and provides some guidance on how to present and assess applications affecting heritage assets.

2.11 The application site is within the Willesden Green Conservation Area. Although the existing shopfronts are not original, they retain some visually attractive features including the sub fascia, corbels, pilasters and capitals. Furthermore, the premises above ground level contain many historic qualities of the late Victorian retail architecture including decorative window surrounds and the cast iron parapet. The proposal would retain the existing features, while repainting and refurbishing the shopfronts. The addition of a doorway would broadly match the existing placement of no.53. Therefore the proposed alterations are considered to be appropriate and would preserve the character of the building and the appearance of the conservation area. The proposal therefore complied with the statutory test for development within a conservation area and meets the requirements of policy DMP7.

3. Impact on neighbouring properties

3.1 Local Plan policy DMP1 ("Development Management General Policy") outlines that developments should ensure that they do not create unacceptable exposure to adverse environmental factors to users/ occupiers and those in surrounding areas including noise. The site lies closest to residential properties above on Willesden High Road.

Noise and disturbance

3.2 The applicant has provided an Archo Consulting Noise Impact Assessment ref PR2001-40-Final dated 18/2/21. This assessment considers the noise levels for the operation and the resultant required noise mitigation measures to ensure noise levels within the residential premises above. The potential noise generally created in the premises would be the use of equipment and background music (similar to that in shops). The noise levels and mitigation measures proposed are in line with BS8233:2014 British Standard ("Guidance on sound insulation and noise reduction for buildings") as meeting NR(Noise Rating)20. The proposed mitigation appears to alleviate noise levels within the premises and a condition is required to ensure that the measures have been implemented in full.

3.3 In terms of proposed opening hours and noise around the premises, the planning statement notes that AGCs typically operate 24 hours which was proposed at the application site. The statement details that the late-night customer base is predominantly late shift workers looking to relax and large groups are rare. It is also noted that no alcohol served within the premises and a 'challenge 25' entrance policy is used.

3.4 Planning and licensing are separate functions with different procedural and policy frameworks. However, the relevant licensing also has various separate conditions including CCTV installation, an incident log of the premises recording all crimes reported to the venue, any complaints received regarding crime and disorder, any incidents of disorder, any faults in the CCTV system, any visit by a relevant authority or emergency service and details of any person(s) banned from the premises. Furthermore, signs will be displayed alerting customers of no alcohol, no smoking, no persons under 18 and persons will be prosecuted for causing criminal damage with a notice, visible from the exterior of the premises shall state that customers drinking alcohol outside the premises will not be permitted and those who do so will be banned from the premises. The conditions also including staffing and entry requirements.

3.5 In the surrounding area, the applicant has recorded that The Wine Market (No.48 High Road) shop closes at 2am on Thursday and midnight all over evenings with the exception of Sunday. Similarly, Sam's Chicken (No.47 High Road) closes at 2am on Wednesday and Thursday and midnights. The opening hours appear to be historic as there is no recent planning history regarding opening hours for either of the two premises. For Sam's Chicken, there was dismissed appeal Ref:93/1041 for *variation of condition 1 (hours of opening) of appeal decision T/APP/4406/C/74/747 dated February 1975 for use of premises as hot food take-away to allow opening until 2 am on Fridays and Saturdays* which would suggest the current opening hours were not approved through any planning permission. Furthermore, Dominos Pizza (No.s 87-89 High Road) was permitted to open and accept deliveries until 2am from Monday to Saturday under planning permission Ref: 11/0401.

3.6 There is therefore some precedents of late closing commercial venues in close proximity with

the shopfronts being within the primary shopping frontage. However, there are homes in close proximity to the premises, and given this proximity, there is potential for significant impact should opening hours be too extensive. The applicant has stated that in this case a compromised position would be opening to 2am which somewhat better aligns with properties in the locality. However, although the premises are located within a Town Centre location the comings and goings to the premises have the ability to result in undue noise, disturbance particularly late at night and in the early hours of the morning when despite the location being in a Town Centre the background noise levels would be lower. There is no planning history with regards to opening hours for the previous William Hill betting shop which has been closed since 2019, however historic web pages suggest the hours of 8am until 10pm. It is therefore considered that opening times of 8am to 10pm Sunday to Thursday and 8am to midnight Friday and Saturday would be appropriate given the proximity to nearby homes, the immediate surrounding context of later opening hours, the relatively busy high street location and when considering the operation measures in place to limit excessive disturbance from the users of the Adult Gaming Centre and to combat anti-social behaviour.

4. Equalities

4.1 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)

5. Conclusion

The proposed development is acceptable in principle. The proposed external alterations are considered to be acceptable in terms of impact to character and appearance of the subject property and the wider streetscene and is not considered to have an adverse impact on the amenities of neighbouring properties. In this location, the proposal would preserve the character of the building and the appearance of the conservation area. Subject to conditions the proposed use would be acceptable and not result in harm to the locality and neighbouring occupiers. The proposal is considered to accord with the development plan having regard to material considerations.

Approval is accordingly recommended.



Application No: 21/0579

To: Mr Elliott
Planning Potential Ltd.
148 Tooley Street
London
SE1 2TU

I refer to your application dated **19/02/2021** proposing the following:

Subdivision and change of use from betting shop (Use Class Sui Generis) to adult gaming centre (Use Class Sui Generis) and commercial unit (Use Class E) and alteration to shopfront

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

at **51-55 High Road, London, NW10 2SU**

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: 13/07/2021

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 the:-

National Planning Policy Framework 2019
The London Plan 2021
Brent's LDF Core Strategy 2010
Brent's 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):

Noise Assessment prepared by Archo Consulting on behalf of Cashino Gaming Ltd. dated 18/02/2021

S20272.01-09 Rev A Proposed Shopfront Alterations

S20272.01-01 Rev B Existing Ground Floor and Shop Front Elevation

S20272.01-04 Rev C Existing and Proposed Ground Floor Plans

S20272.01-05 Rev D Proposed Fascia and Projection Sign Details

S20272.01-00a Site Plan

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

- 3 All new external work shall be carried out in materials that match, in colour, texture and design detail those stated on the submitted drawings and plans.

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

- 4 The premises No.53-No.55 shall not be open to customers and shall not operate as an Adult Gaming Centre or accept deliveries to premises other than between the hours of:

0800 to 2200	Sunday to Thursday
0800 to midnight	Friday and Saturday

Reason: To ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties.

- 5 A clear and unobstructed window display shall be maintained at all times with non-tinted/obscured glass in the entrance door and front windows. Additionally, signage and/or visual obstructions on the entrance door and any of the windows may be allowed to a maximum height of 1.2 metres from ground level with no promotional material shall be displayed on the windows or entrance door.

Reason: In order to provide and maintain active frontage and to maintain a positive character of

the shopping area.

- 6 The Use Class E premises hereby approved shall not be used other than for purposes within Use Class E notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification unless planning permission for the alternative use has been granted by the Local Planning Authority.

Reason: To ensure that the use remains appropriate for the site location having regard to the vitality and viability of the shopping centre.

- 7 The use hereby approved shall not commence unless the noise mitigation measures described in the approved Noise Impact Assessment (Archo Consulting Noise Impact Assessment ref PR2001-40-Final dated 18/2/21) have been implemented in full.

Reason: To ensure that adequate sound insulation to prevent noise nuisance in the interest of the amenities of nearby residential occupiers.

INFORMATIVES

- 1 The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk
- 2 The applicant must ensure, before work commences, that the treatment/finishing of flank walls can be implemented as this may involve the use of adjoining land and should also ensure that all development, including foundations and roof/guttering treatment is carried out entirely within the application property.

Any person wishing to inspect the above papers should contact Lena Summers, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5233