



Planning Committee

Wednesday 15 December 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: James Kinsella, Governance Manager
james.kinsella@brent.gov.uk; 020 8937 2063

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

Members' virtual briefing will take place at 12.00 noon.

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.

ITEM	WARD	PAGE
1. Apologies for absence and clarification of alternative members		
2. Declarations of interests		

Members are invited to declare at this stage of the meeting, the nature and existence of any relevant disclosable pecuniary or personal interests in the items on this agenda and to specify the item(s) to which they relate.

3. Minutes of the previous meeting		1 - 12
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To approve the minutes of the previous meeting held on Wednesday 24 November 2021 as a correct record.

APPLICATIONS FOR DECISION

4. 21/3248 - Lidding Garages, Lidding Road, Harrow, HA3	Kenton	17 - 46
5. 21/2705 - Land rear of 65 Teignmouth Road, London	Mapesbury	47 - 66
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 her representative before the meeting in accordance with Standing Order 60.

Date of the next meeting: Wednesday 26 January 2022

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 current social distancing guidelines.
- Attendees will need to maintain the necessary social distancing 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/>



LONDON BOROUGH OF BRENT

MINUTES OF THE PLANNING COMMITTEE

Held in the Conference Hall, Brent Civic Centre on Wednesday 24 November 2021 at 6.00 pm

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

1. Apologies for absence and clarification of alternative members

Apologies for absence were received from Councillor Kelcher.

Councillor Johnson chaired the meeting (as Vice-Chair) in the absence of Councillor Kelcher.

2. Declarations of interests

There were no declarations of interest made at the meeting.

3. Minutes of the previous meeting

RESOLVED that the minutes of the previous meeting held on Wednesday 20th October 2021 be approved as an accurate record of the meeting.

4. 21/2989 - Euro House, Fulton Road, Wembley, HA9 0TF

PROPOSAL:

Demolition and redevelopment of the site to provide erection of five buildings ranging from ground plus 14 to 23 storeys; comprising up to 759 residential units, retail floor space and workspace/ storage floor space, private and communal amenity space, car parking, cycle parking, ancillary space, mechanical plant, landscaping and other associated works.

Application subject to an Environmental Statement.

RECOMMENDATION:

- (1) That the Committee resolve to GRANT planning permission subject to:
 - (a) Any direction by the London Mayor pursuant to the Mayor of London Order.
 - (b) Any direction by the Secretary of State pursuant to the Consultation Direction.
 - (c) The prior completion of a legal agreement to secure the planning obligations as detailed in the report.
- (2) That the Head of Planning is delegated authority to issue the planning permission and impose conditions and informatives to secure the matters as set out within the report

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

Toby Huntingford, Principal Planning Officer introduced the report set out the key issues and answered members questions. In introducing the report members were advised the application proposed the mixed use redevelopment of the site, including demolishing the existing two storey industrial building and replacing it with five new blocks (A-E) ranging from 12 to 24 storeys in height. The five blocks would be physically connected by a podium level which would create a continuous frontage around the edges of the site. Two of the blocks (C&D) would be connected at upper floor levels and would appear as a single building on the skyline. The development would provide a total of 759 residential flats with a proposed mix of 134 studio, 242 x 1 –bed, 305 x 2-bed and 78 x 3-bed units. 218 affordable homes would be made available within the scheme, with 80 of these being at London Affordable rent (all located within Block E). A further 62 units would be provided at Affordable rents and the remaining 76 units would be provided as Shared Ownership homes located across Blocks D & E. All dwellings had been assessed as meeting internal space standards as set out in Policy D6 of the London Plan and would have access to both private and communal amenity space. Replacement light industrial floor space would be provided across two large units at the base of Blocks B & D and C & E, with the remaining commercial floor space comprising of retail units mainly consolidated at the base of Block A. The proposal would also include improved public realm and the enhancement of linkages to Wealdstone Brook to the north of the site. Members were advised that the subject planning application was seeking permission for an alternative redevelopment of the site, including an increased number of residential units and additional commercial floor space, compared with the previous scheme which members had previously resolved to grant planning consent for in 2020.

In reference to the supplementary report circulated in advance of the meeting, the Principal Planning Officer drew members' attention to the correction of minor inaccuracies in the Affordable Housing tenure splits detailed with section 23 of the original report. Having considered and addressed the issues raised within the supplemental report the recommendation remained to approve the application subject to the Section 106 obligations, legal agreement and conditions listed within the committee report and referral of the application for Stage 2 review by the Mayor for London.

In response to questions from members, officers clarified that the scheme had been presented to Planning Committee for consideration as it related to a new

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application by a new developer and met the threshold due to its overall scale rather than level of any objections received.

Nigel Bidwell, the applicants representative, was then invited to address the Committee (in person) and highlighted the following points:

- The proposals would transform the site and the opportunity for this part of Wembley Park, by opening up what had been a closed, private industrial site with no public spaces and allowing the public access to the Wealdstone Brook and to be able to move through the site and spend time in one of the four new and safe public spaces.
- At the heart of the proposals was the re-provision of workspace and these had been designed to ensure they was flexible, futureproofed and desirable to a range of different occupiers.
- The carefully designed nature of the scheme. To the West of the site, the buildings had been pulled back to create the 'Welcome Space', which would provide address for the new scheme and create breathing space on Fulton Road. It would also enliven the area with retail spaces, a residential lobby and soft landscaping. South of the site would include new workspaces with a series of stepped terraces along Fifth Way with the "Goods Yard" to the east providing a hard space to manage the servicing requirements for the workspaces.
- The important aspect of the space to the north, which would involve Wealdstone Brook being opened up with extensive new landscaping, all overlooked, well-lit and with CCTV. The brook edge would also be designed to offer increased biodiversity and improve its status as a site of importance for nature conservation (SINC).
- The residential buildings above the workspace would be simply organised in a north/south orientation which would allow neighbours to the south a better aspect compared with the consented scheme.
- The residential accommodation across all tenures would be of high quality with no solely north-facing homes and with an emphasis on resident experience.
- The work undertaken to address and consider the overall architecture and massing of the buildings, which it was felt would provide a more flexible and futureproofed workspace along with high quality residential accommodation and an uplift in affordable homes.

Members raised queries including concerns around flood risk management; public safety relating to the overall layout and lighting of the site (with particular reference to the safety of women within the development); the consultation process with local residents with clarification also sought as to whether all residents regardless of tenure would have equal access to facilities and garden space.

In response to the above queries from members the developer's representatives clarified the following points:

- The applicant had understood the nature of Wealdstone Brook and whilst the channel of the brook itself did not fall directly within the application site the proposals had been designed to dramatically improve and enhance the brook edge increasing the biodiversity of the site, creating additional green space

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and an improved landscaping of the area that would also support flood risk management. Confirmation was also provided that the developer had reviewed the flood capacity provision within the design of the brook, which had been taken into account as part of the landscaping of the Brook side area and addressed through the flood risk and Environmental Impact Assessment.

- The extensive nature of the consultation and engagement process undertaken with local residents which had involved the public being given opportunities to engage with developers in the consultation period via Zoom events, newsletters and the offer of 1:1 in person meetings.
- The developers have carefully considered public safety, including consultation with the Metropolitan Police, in order to review the layout of the development and explore how to make its overall design as safe as possible. The design provided enhanced lighting with the workspace, retail and residential units designed to provide enhanced sight lines and an element of overlooking, providing natural surveillance. Provision was also included for CCTV along the Brook.
- In response to concerns that social housing residents in Block E would have restricted access to facilities and garden space, clarification was provided regarding the entrance points on different levels that had been included as part of the overall design of the scheme and dedicated access already provided for residents in Block E to communal garden space and facilities. Confirmation was provided they would be willing to explore the possibility of including access to the podium garden space from the Brook side edge for residents in Block E in line with all other residents.
- The wider regenerative and overall benefits of the proposals compared to the previously consented scheme, which it was felt would provide a more significant and flexible futureproofed workspace along with an increase in the level of high quality residential accommodation and uplift in affordable homes. The enhanced overall designed of the scheme would also enable the site to be opened up with the provision of safe public spaces and it was confirmed would be tenure blind, with one approach to architecture throughout the development.

In the ensuing discussion, members raised a number of issues including the Affordable Housing and Housing mix, design and layout, neighbouring amenity, environmental impact including flooding, drainage and sustainability. Officers then clarified a number of key points including:

- Confirmation was provided that the scheme would provide a total of 218 affordable units of which 80 would be low cost homes provided at a London Affordable Rent with 62 units at Affordable Rent and 58 intermediate homes. Whilst below both Brent and London Plan threshold targets, officers advised it had been demonstrated through a financial viability appraisal that this exceeded the maximum amount of affordable housing which could be viably provided on site and was therefore policy compliant. Further clarification was provided in relation to the difference between the use of London Affordable and Affordable Rents, with the use of both being in line with existing and emerging policy requirements.
- In response to a councillor question around how this plan differed in carbon emissions against the previous consented scheme, officers confirmed that if

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the scheme was building to baseline building regulations it would emit 717 tonnes CO2 per annum. However with the air source heat pump, fabric efficiency of the insulation used and PV panels to be used in the development this would see a 49% reduction down to 352 tonnes of CO2 per annum. The measures outlined would achieve the required improvement on carbon savings within London Plan policy and would secure the necessary planning obligations in relation to the carbon offset fund.

- Addressing the issue of access for residents within Block E to a wider range of communal garden areas, officers advised they would seek to secure this through the inclusion of an additional requirement within the landscaping condition requiring the provision of access from the Brook side edge to the podium gardens for all residents.
- The breakdown by type of Shared Ownership units being provided within the scheme with suitable income caps for eligibility to be secured via the s106 agreement in order to meet the requirements of “London Shared Ownership” housing. In terms of the shared ownership tenure split, the scheme was policy compliant.
- The summary of daylight and sunlight results, with officers clarifying the different benchmarks used to assess impact. Whilst noting the comments raised by the GLA in relation to the single aspect percentage of the units and massing in relation to impact on internal daylight and sunlight, members noted that the quality of residential accommodation had been assessed as being of sufficient high quality and one that would achieve good outlook with a significant provision of dual aspect units and none with a sole north facing aspect, which had been welcomed and was in accordance with guidance in the Mayors Housing SPG. In terms of internal daylight and sunlight members were advised that the results for the scheme were comparable with those of the previous consented scheme, with it noted that the current scheme performed more strongly than the previous when measured on the basis of the more accurate daylighting (Average Daylight Factor). Additional clarification was provided in relation to the specific layout of units (B-0204; B-0304 to 1104) and design solution identified to achieve better light and outlook which would be secured via condition.
- Whilst noting that the proposed percentage of three bedroom family sized units was below the Policy and emerging Policy target of 25%, this was considered to be acceptable when assessed against the benefits associated with the increased provision of affordable homes and impact on scheme viability arising from the provision of a higher proportion of family sized homes.
- Officers assured the committee that the schemes drainage strategy and flood mitigation strategy had been carefully considered and that Thames and Affinity Water and the Environment agency had raised no concerns on the basis of the submitted drainage strategy and flood risk assessment, which would be secured by condition. It was noted that the site was located within the lowest category of Flood Zone (1) with the flood risk assessment modelled to accommodate latest projections in relation to potential flood events linked to climate change and the landscaping designed to enhance natural drainage provision with the addition of rain water attenuation tanks. Collectively it was considered these measures would improve rather than negatively impact any potential flood water being pushed further downstream.

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- Whilst noting the shortfall in terms of amenity space against policy DMP19 the scheme had sought to maximise amenity space provision across the development with the provision of high quality external communal terraces, gardens and private balcony space along with the opening up and delivery of new publicly accessible amenity spaces at ground floor level and adjacent to Wealdstone Brook. On balance the proposed amenity space provision was therefore considered acceptable for a high density scheme.

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 recommendations.

DECISION: Granted planning permission subject to the conditions (as amended below) and informatives set out in the report and supplementary agenda along with:

- (1) any direction by the London Mayor pursuant to the Mayor of London Order;
- (2) any direction by the Secretary of State pursuant to the Consultation Direction;
- (3) the prior completion of a legal agreement to secure the planning obligations as detailed within the report

Condition 33 –landscaping strategy to include an additional requirement securing the provision of access from the Brook side edge to the podium gardens for all residents.

(Voting on the recommendation was as follows: For 6 & Against 1)

5. 20/2096 - 5 Blackbird Hill, London, NW9 8RR

Construction of a single building up to 6 storeys to provide 45 residential units (Use Class C3), and flexible commercial/community use floor space (within Use Class E), car and cycle parking, associated landscaping, highways and infrastructure works, and provision of pedestrian and vehicular access.

RECOMMENDATION:

- (1) That the Committee resolve to GRANT planning permission subject to completion of a legal agreement to secure the planning obligations, as set out within the report:
- (2) That the Head of Planning is delegated authority to negotiate the legal agreement and issue the planning permission and impose conditions and informatives to secure the matters as set out within the report.
- (3) 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, 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

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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.

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

Denis Toomey, Principal Planning Officer introduced the report, set out key issues and answered members questions. In introducing the application members were advised that the scheme was seeking to re-develop the site by introducing a new mixed use development comprising of 45 residential housing units with flexible commercial/community use occupying the ground floor. The main portion of the new build would comprise six storeys which would drop to three at the rear. Communal amenity space along with a car park would be provided to the rear of the site along with a lay-by to the front of the site on Blackbird Hill for servicing purposes. A number of amendments had been made to the proposals during the course of the application to reduce the overall scale which included reducing the original amount of residential units from 57 to 45, the introduction of additional separation distances with boundaries, a reduction in car parking spaces from 36 to 29 along with a larger communal garden and removal of a communal terrace.

In reference to the supplementary report circulated in advance of the meeting, the Principal Planning Officer drew members’ attention to further correspondence from a local resident who had objected to the proposal raising concerns that those who had signed a petition also in objection to the scheme had not been notified of the Planning Committee. Confirmation was also provided that the applicant had now provided a Fire Safety report with members advised that as a result Condition 16 could be removed from the list included within the report. This had also resulted in minor changes to the proposed floor plans and modifications to the internal layouts of the proposed residential units, although these remained compliant with London Plan floor space standards. Members were advised that the modifications outlined in the supplementary report were considered to be minor and would not result in any increase in overall footprint or scale of the development. Subject to the inclusion of drawing numbers to Condition 2 and additional unit numbers to Condition 5 the recommendation remained to approve the application subject to the above amendments to conditions and completion of the Section 106 Agreement.

As no questions were raised, the Chair then invited Safae Boughaba (objector) to address the Committee (in person) who raised a number of concerns including:

- What local objectors felt to be the flawed nature of the report presented to the Committee given the objections raised in relation to the applications overall scale, impact on the surrounding area and residential amenity and non-compliance with a number of planning policies including Policy BH2 within Brent’s Draft Local Plan.
- Current use of the site by the developers as a car park and nuisance being created for local residents as a result.

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- Over intensification and overcrowding created by the overall scale of the development given the nature and size of the site and adverse impact this would have on local amenity and the adjacent St Andrew's Conservation Area.
- The impact in relation to loss of view and overshadowing on adjacent properties.
- The level of affordable housing being provided within the scheme, which was below the target set within both the current and emerging Local Plan and London Plan.

In response to questions from members, Safae Boughaba made the following points:

- Whilst supportive of development on the site she remained concerned at the level of policy non-compliance within the current application, the overall scale of the development in relation to the nature of the site and surrounding area and level of overlooking and loss of privacy to neighbouring properties and mix of housing proposed given the relationship of the design and site within an Intensification Corridor.

Gabriel Mahgerefteh (objector) was then invited to address the committee (in person) in relation to the application and raised a number of concerns including:

- The impact of the proposal in relation to overcrowding, overlooking and loss of light and privacy on neighbouring properties given its overall scale, height and lack of screening.
- The impact in terms of existing flooding and drainage problems in the area and in terms of access, parking and traffic given the existing levels of traffic on Blackbird Hill.
- The current way in which the site was being operated as a car park by the developer and impact on local residents, leading to concerns being expressed about compliance by the developer with any pre occupation conditions imposed.

In response to questions from members, Gabriel Mahgerefteh advised his preference in terms of an acceptable development on the site would be for a design of smaller scale up to a maximum 3 storeys in height and more in keeping with the character of the adjacent Conservation Area.

Greg Blaquiere representing the applicant was then invited to address the Committee (in person) and highlighted several matters including:

- The nature of the site as a vacant brownfield site identified for mixed use development within an Intensification Corridor within the Local Plan.
- The security challenges faced in securing the site, which the introduction of the temporary car park operation had been designed to address.
- The way in which the proposed development would contribute positively to the local area by providing housing and community facilities to meet local need.
- The inclusion of 20% affordable housing, which was in excess of the maximum amount identified through the viability process and included a mix

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of affordability levels including London Affordable Rent, Shared Ownership and market housing.

- Whilst the scheme had been amended during the course of the application to include a reduction in residential units the level of affordable provision and tenure split had been maintained, despite an increase in financial deficit.
- All residents would have full access to the on-site amenity space, with the development tenure blind.
- The flexibility of the commercial /community use space on the ground floor.
- The environmental impact of the development had been considered (including air quality, daylight and sunlight and highways) and amendments and appropriate mitigations made where necessary to support a bio diversity improvement to the site.
- The recommendations from officers in support of the application being granted in accordance with the adopted and emerging policy framework.

Members raised queries in relation to issues around access, traffic and parking impact, design and housing mix. In response to the questions from members Greg Blaquiere supported by the applicants other representatives at the meeting made the following points:

- Whilst the level of flexible commercial/community use on the ground floor had been amended and reduced during the application process it was confirmed this would still meet the site allocation within the Draft Local Plan and provide an active frontage along Blackbird Hill, with level access.
- A parking stress test had been undertaken and in considering use of the site , it was deemed a car free development was not appropriate with the level of parking space provided (although reduced) meeting parking standards and designed to minimise impact of the development on the surrounding area.
- In response to concerns around single aspect units with less natural daylight, it was recognised that although 22 of the units would be single aspect, this had been minimised as much as possible. Design options were limited given the overall site size, with the plans designed to utilise the space available in the best way, striking a balance between maximising space and providing units with adequate lighting that would meet the necessary standards. None of the single aspect units would face directly north or south and it was felt would still benefit from good levels of outlook.
- Although recognised as not being material planning considerations further clarification was provided on operation of the current site as a car park including the security measures introduced to secure the site whilst vacant.
- Whilst noting that the level of family sized three bedroom units fell marginally short of the current target within the adopted Plan the level provided would be in accordance with the requirements within the emerging policy. It was also acknowledged that the number of family sized units within the Affordable Rented tenure had been reduced to one (compared to 10 within the private tenure). Whilst aware of the preference to have secured a higher number of units within the Affordable Rented tenure this reflected the overall reduction in number of residential units within the scheme (including the private market units) which had also been reflected within the viability appraisal of the scheme.
- The high level of traffic on the main road of the development was acknowledged with amendments made in order to make the road and site

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access as safe as possible. The road safety audit undertaken in support of the application had led to adjustments to the size of the lay by to the front of the site in order to accommodate delivery and servicing. In addition to this the developers would also be making a financial contribution to support wider highway improvements in the area.

In the ensuing discussion, members raised a number of further issues relating to traffic, road safety and site access, the level of affordable housing and housing mix, design scale and appearance, amenity space, trees and compliance with planning policy. Officers then clarified a number of key points including:

- Due to the absence of a Controlled Parking Zone (CPZ) in the surrounding streets and noting the level of objections received regarding the impact of the development on parking in the surrounding area a car free development had not been considered appropriate, with confirmation provided that the level of parking on site was considered to be acceptable in order to avoid overspill parking onto the surrounding road network. The challenging nature of existing traffic and road safety issues in the area had been acknowledged with a road safety audit having been undertaken in relation to the new vehicular access to the site. As a result amendments had been made to the lay-by at the front of the site with consideration also given to the installation of a pedestrian crossing. The proposed development had been considered by Brent's Highways & Infrastructure Team who, as an alternative to a pedestrian crossing, had identified proposals to alter the configuration of the roundabout at Blackbird Hill and Tudor Gardens in order to improve pedestrian crossing facilities as part of a wider strategic approach in the area. As a result a financial contribution had been secured from the scheme towards the wider highway improvement works proposed within the locality. Officers advised that the suggested introduction of a no right turn would also prove difficult to enforce with the overall trip generation identified through the transport appraisal for the site anticipated as low.
- In response to concerns around vulnerable residents who may have a disability, officers confirmed that the scheme would include two blue badge spaces, which met the adopted London Plan requirement with access also available via the lay by at the front of the site. The scheme would include 4 units designed to wheel chair accessible home standards. Whilst this was slightly below the percentage requirement within the London Plan the remainder of the homes would be designed to meet the accessible and adaptable dwelling standards. The development had also been designed to provide step free access to the building through clearly visible and identifiable shared entrances, including to the rear of the amenity space. It was confirmed that two of the accessible units would be located within the shared/affordable ownership element of the scheme.
- Addressing concerns raised regarding the tenure split in terms of London Affordable Rent and Intermediate (shared ownership) residential units when compared with the overall number of units provided, officers advised that the proposed affordable housing contribution was considered to be the maximum reasonable amount the development could offer and this had been supported by the financial viability appraisal. Following challenge by members, it was confirmed this appraisal had been subject to robust review by consultants acting on behalf of the Council.

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- Confirmation was provided that the residential units proposed within the scheme would meet the London Plan floor space requirements. The daylight and sunlight report had also highlighted that all units would provide satisfactory levels of light and the overall arrangement of each unit would allow for an acceptable outlook. Whilst the amount of external amenity space on site fell marginally short of the requirements within DMP19 the overall level of amenity space was felt to be satisfactory given the provision of individual private balconies and proximity to nearby open space.
- Officers confirmed that whilst the proposal would exceed 15m in height (5 storeys) as referred to within emerging policy BD2 the 6 storey feature would mainly occupy the front element of the site with the rear element dropping to 3 storeys. Officers advised that it was felt the new build would allow for an acceptable transition and relationship when taking account of the make-up of surrounding residential properties to the rear of the site. The maximum height facing Blackbird Hill had capacity to accommodate the new build at the proposed scale and was felt to be suitable given the nature of the existing buildings along that section of Blackbird Hill and the sites relationship within the proposed Intensification corridor where new housing was encouraged. On this basis, the benefits of the scheme were considered to outweigh the limited harm of the height exceeding the general height set out within draft policy BD2.
- Confirmation was provided that the scheme would not benefit from permitted development rights.
- Officers confirmed the proposed mix of housing tenure within the scheme and whilst noting the preference to have secured a higher proportion of family sized units members were advised that the tenure mix would comply with policy CP2 of the Core Strategy and BH6 of the Draft Local Plan.
- The development had been assessed as providing sufficient separation from all adjoining boundaries and neighbouring properties within the vicinity of the application site and would not result in significant levels of overlooking. Whilst noting a minor infringement in terms of the relationship with No.1 Old Church Lane, the proposals had been assessed as complying with DMP1 and the guidance within SPD1.
- Confirmation was provided that no trees would be removed on site and the proposal would result in new trees being provided and soft landscaping to enhance the urban greening and biodiversity of the site.
- Whilst noting the concerns raised during the meeting in relation to compliance with policy requirements relating to the height of the building, mix of affordable housing and amenity space, officers highlighted the need to assess these against the overall benefits of the scheme given the location of the site within the Draft Local Plan as a priority growth area for housing and Intensification corridor. Given the proposed number of new residential units and mixed use aspect of the proposed development, the proposal was therefore considered to be acceptable in principle as it would make efficient use of a brownfield site and be in accordance with the objectives of policy BH2 and site allocation within the draft Local Plan.

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 recommendations

PLANNING COMMITTEE

24 November 2021

DECISION: Granted planning permission subject to the conditions, informatives and completion of a legal agreement to secure the planning obligations as set out within the report and supplementary agenda.

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

6. Any Other Urgent Business

None.

The meeting closed at 8.20 pm

COUNCILLOR JOHNSON

Vice Chair in the 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

15 December, 2021
04
21/3248

SITE INFORMATION

RECEIVED	24 August, 2021
WARD	Kenton
PLANNING AREA	Brent Connects Kingsbury & Kenton
LOCATION	Lidding Road Garages, Lidding Road, Harrow
PROPOSAL	Demolition of the existing garages and redevelopment to provide 3 self-contained flats and 5 dwellinghouses; with associated car parking, cycle storage, refuse storage, amenity space and landscaping
PLAN NO'S	See Condition 2
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_156704</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 "21/3248" (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:

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

Conditions

1. Three year commencement rule
2. In accordance with approved plans
3. Restriction of PD rights to change to C4 HMO use
4. Obscure Glazing
5. Restriction of PD rights for dwellinghouses
6. Unit Mix
7. Affordable Housing
8. Flood Mitigation
9. Tree Protection measures
10. Construction Method Statement and Construction Logistics Plan
11. Ecology measures including Construction Environmental Management Plan
12. External Materials
13. Landscaping
14. Highway works
15. Lighting
16. Cycle Parking
17. Parking Management Plan
18. Noise

Informatives

1. CIL liability
2. Party Wall Act
3. Asbestos
4. Fire Statements
5. Flood Risk Activity Permit
6. Noisy Works

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

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

SITE MAP

	Planning Committee Map
Brent	Site address: Lidding Road Garages, Lidding Road, Harrow
	© Crown copyright and database rights 2011 Ordnance Survey 100025260



This map is indicative only.

PROPOSAL IN DETAIL

The application proposes the demolition of the existing garages and redevelopment to provide 3 self-contained flats and 5 dwellinghouses; with associated car parking, cycle storage, refuse storage, amenity space and landscaping.

EXISTING

The application site is a 0.32 Hectare plot of land at the rear of 1 to 31 (odd) Lidding Road, and to the south of Lidding Road adjacent to the Wealdstone Brook, and includes the alleyway and 27 detached garages accessed from Gooseacre Lane.

The site is partly in Flood Zone 3a and 3b, and partly within the Grade II Wealdstone Brook Site of Importance for Nature Conservation (SINC) and wildlife corridor, alongside the Wealdstone Brook. The site also contains some land that is liable to local surface water flooding, and is within an Air Quality Management Area. It has PTAL Rating of 1b (poor).

AMENDMENTS SINCE SUBMISSION

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

- Updated plans and documents to correct redline boundary
- Urban Greening details provided

Preliminary Bat Survey and Ecology Appraisal updated to include a subsequent walkover of previously inaccessible areas within the site.

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:

Representations Received: Representations were received from the owners/occupiers of neighbouring properties in response to the consultation. These are set out above and discussed in the report.

Principle of Development: The site is within a residential area and the general principle of residential development to provide additional new Affordable homes is supported in this location.

Highway impacts: The level of car parking considered sufficient to mitigate the potential for over-spill parking. Servicing for the dwellings is to be undertaken within the site and from Lidding Road. The proposed access arrangements within the site are considered to be acceptable. A new turning head and parking arrangement on Lidding Road will improve parking and servicing manoeuvrability for existing vehicles.

Residential amenity: The proposal would not result in a significant impact on the residential amenities of neighbouring occupiers in terms of noise and disturbance, daylight and sunlight or overlooking.

Design and appearance: The proposal is considered to represent a good standard of design within an infill site and would not result in harmful impact on the character and appearance of the local area.

Trees, landscaping and ecology: Landscaping has been provided with a practical layout with beneficial soft landscaping which respects the nearby SINC. Replacement trees are to be secured on the site to mitigate the loss of existing trees. The submission demonstrates that the potential impacts of the proposal on ecology and protected species can be mitigated through measures which are secured through condition.

Flood Risk: The proposal would result in a betterment in terms of drainage rates at the site and has effectively mitigated impacts of flooding events on the future residential units. There are no objections from

the Lead Local Flood Authority or the Environment Agency.

RELEVANT SITE HISTORY

Reference	Proposal	Decision	Date
14/0712	Prior approval application for demolition of the Former Royal British Legion Hall building	Raise No Objection	31/03/2014

CONSULTATIONS

77 Neighbours Consulted were consulted by post on the 1st of September 2021

18 objections were received from 17 individual addresses and the Friends of Woodcock Park. These are summarised as follows:

Objection	Response
Residential amenity concerns	
Concerns over loss of daylight/overshadowing	Discussed in paragraphs 23-26
Loss of privacy	Discussed in paragraphs 27-29
The new builds would be close to neighbouring boundaries	Discussed in paragraphs 9-19 and 21-22
Impact of new street lighting and light pollution	Discussed in paragraphs 37-38
Potential anti-social behaviour and security concerns	Discussed in paragraphs 34-36
Potential for increase in fly tipping	Discussed in paragraphs 34-36
Will there be enough lighting and CCTV	Discussed in paragraphs 36-38
Impact on neighbouring gardens	Discussed in paragraphs 20-29
Objection to loss of green space for turning head	Discussed in paragraphs 30-33
Design concerns	
Out of character with the local area	Discussed in paragraphs 9-19
New homes are oriented in a different way to other houses	Discussed in paragraphs 9-19
Highways concerns	
Concerns over parking impacts	Discussed in paragraphs 60-72
How will construction vehicles access the site	Discussed in paragraphs 75
Will the road be a public road/accessible to everyone	No barriers are proposed within the road to prevent public access.

Noise from new cars	Discussed in paragraphs 74
Existing parking problems in the area that need to be resolved	Discussed in paragraphs 68 to 72
Impact on SINC/Wildlife	
Impact on wildlife	Discussed in paragraphs 97-111
Concerns over impact on the SINC	Discussed in paragraphs 97-111
Impact on trees	Discussed in paragraphs 88-96
Potential impact of light pollution on bats	Discussed in paragraphs 37-38 and 107
Flood Risk	
Thames Water require access to the site to deal with blockages. The area already experiences issues from sewer.	Discussed in paragraphs 64 and 84 to 87
Concerns over flood risk to site and neighbouring properties	Discussed in paragraphs 76-87
New builds would impede water drainage	Discussed in paragraphs 76-87
Will Brent Council cover costs of insurance for flood risk/ pay for liability in flood events	This is not a planning matter. However all of the units are proposed to be delivered and managed by Brent Council and as such they would be responsible for obtaining the necessary insurance.
Other Issues	
Maintenance of green space (to be lost) is included in service charge. Will this be reduced once greenspace is lost	This is not a material planning consideration
The site is not a brownfield site	Discussed in paragraphs 6
The submitted plans include land outside ownership of the site	The originally submitted plans contained an error in the redline boundary which included part of neighbouring land in error. No development was ever intended on this land. Updated documents have been submitted which no longer include this land.
Lack of opportunity for local residents to object to the proposal	Consultation letters were sent out to properties in proximity of the application site on 1 st September 2021, with a consultation period of 21 days. As noted above, objections have been received from 17 individual addresses and the Friends of Woodcock Park. Concerns have been raised that as some residents are unable to email or send in their

	comments on line, objections should be considered by letter. In response, officers can confirm that objections can be considered by letter as well as on line or via email.
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Internal Consultees

Local Lead Flood Authority – No objections

Environmental Health – No objections subject to conditions

External Consultees

The Environment Agency – No objections to the proposal.

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.

London Plan (2021)

Key policies include:

GG4: Delivering the homes Londoners need

D3 – Optimising site capacity through the design-led approach

D4 - Delivering good design

D6 - Housing quality and standards

D7 – Accessible housing

D12 – Fire Safety

G5 – Urban greening

G6 – Biodiversity and access to nature

G7 – Trees and woodlands

H1 – Increasing housing supply

H2 – Small sites

H4 – Delivering affordable housing

S4 – Play and informal recreation
H6 – Affordable housing tenure
SI 1 Improving air quality
SI 12 Flood risk management
SI 13 – Sustainable drainage
T2 – Healthy Streets
T4 – Assessing and mitigating transport impacts
T5 – Cycling
T6 - Car parking

Core Strategy (2010)

CP 2 Population and Housing Growth
CP 17 Protecting and Enhancing the Suburban Character of Brent
CP18 Protection and Enhancement of Open Space, Sports and Biodiversity
CP21 A Balanced Housing Stock

Development Management Policy (2016)

DMP1: General Policy
DMP12: Parking
DMP19: Residential Amenity Space

Other material considerations include:

National Planning Policy Framework 2021
Supplementary Planning Document 1 “Brent’s Design Guide” 2018,

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.

General Policies:

DMP1 – Development Management General Policy

Design Policies:

BD1 – Leading the way in good design

Housing:

BH1 – Increasing Housing Supply

BH2 – Priority Areas for Additional Housing Provision within Brent
BH4 – Small Sites and Small Housing Developments in Brent
BH5 – Affordable Housing
BH6 – Housing Size Mix
BH13 – Residential Amenity Space

Green Infrastructure and Natural Environment:

BGI1 – Green and Blue Infrastructure in Brent
BGI2 – Trees and Woodland

Sustainable Infrastructure:

BSUI1 – Creating a Resilient and Efficient Brent
BSUI2 – Air Quality
BSUI3 – Managing Flood Risk
BSUI4 – On-site Water Management and Surface Water Attenuation

Transport:

BT1 – Sustainable Travel Choice
BT2 – Parking and Car Free Development
BT4 – Forming an Access on to a Road

DETAILED CONSIDERATIONS

Principle of Development

1. Policy CP2 of the Brent Core Strategy sets out a target for delivering 22,000 new homes over the 2007-2026 period, including a target of 25% family sized accommodation. Brent's Housing targets have significantly increased as part of London Plan 2021, with the target increasing to 2,325 dwellings per annum for the period 2019/20-2028/29 in Policy H1 of the London Plan recognising the increasing demand for delivery of new homes across London. Emerging local plan policy BH1 reflects this target.
2. Policy D3 of London Plan 2021 required developments to make the best use of land by following a design-led approach that optimises the capacity of the site, with development that is the most appropriate form and land use for the site, with the policy recognising that small sites make a significant contribution towards increasing housing supply within London. This is also set out in policy H2 of London Plan 2021.
3. In response to the strategic policy position above, within Brent's draft Local Plan, the Council has set out priority areas for new housing under policy BH2. This policy identifies that new housing will be prioritised for growth areas, site allocations, town centres, edge of town centre sites, areas with higher levels of public transport accessibility and intensification corridors.
4. The above position is reinforced in policy BH4 of Brent's draft Local Plan. This policy relates to small housing sites and recognises that such sites can assist in delivering a net addition of self-contained dwellings through the more intensive and efficient use of sites. Such proposals will be considered where consistent with other policies in the development plan and within priority locations (i.e. PTAL 3-6, intensification corridors, or a town centre boundary). Outside of priority locations greater weight will be placed on the existing character of the area, access to public transport and a variety of social infrastructure easy accessible on foot when determining the intensity of development appropriate.
5. The site is not within a priority location as noted above. However, the site currently houses 27 garages which are disused and in a poor state of repair. There are no objections to the loss of these garages (as outlined in the Transport section of this report) and part of the proposal would sit on the site of the former Legion Hall. The proposal forms part of the Council's Development Programme to deliver 1000 council homes by 2024 as part of its Housing Strategy. The programme aims to make the best use of existing land and under-utilised/vacant garage sites across the site. This scheme forms part of phase 3 of the programme. The redevelopment of the site to provide 8 new homes within a residential area would contribute to the borough's housing stock and is considered acceptable in principle, subject to other material planning considerations as discussed below.

6. An objector has commented that the site is not a brownfield site. The majority of the site was occupied by garages or the former British Royal Legion Hall and these elements of the site therefore are previously developed land. The element of the site at the end of Lidding Road comprised the access to the former British Legion Hall together with grassed areas adjacent to this access and landscaped areas adjacent to the Brook. This area is not considered to be a brownfield part of the site. However, the three flats proposed in this location sit within a street frontage and are considered to appropriately terminate Lidding Road.

Affordable Housing

7. The application is not classified as a Major Development (i.e. at it does not propose 10 or more homes) and as such there is no policy requirement for affordable units to be provided on site, as it does not meet the threshold for on site affordable housing as set out in policy H4 of London Plan 2021 and policy DMP15 of Brent's Development Management Policies . Policy BH5 of the emerging Local Plan seeks a contribution towards the provision of off-site affordable housing for developments of between 5 to 9 new dwellings.
8. In this case, the proposal would be 100% affordable units at London Affordable Rent which would be a significant benefit of the scheme. Brent Council would be responsible for the maintenance and management of the properties. A condition is recommended to secure the homes as affordable housing as noted above.

Layout, Design and Appearance

9. Policy BD1 of the Draft Local Plan sets out that all new development must be of the highest architectural and urban design quality. Innovative contemporary design will be supported where it respects and complements historic character but is also fit for the future. 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.
10. Policy CP17 seeks to ensure that the development in suburban areas should be of a scale and character that respects the suburban character of Brent.
11. The scheme would be designed with three groups of buildings to accommodate eight new homes. Plot 1 would be located to the south of Lidding Road and would accommodate three flats. Plots 4 to 6 would be located to the east of plot 1 and would accommodate three new houses. Plots 7 and 8 would be located to the rear of 5 to 7 Brookfield Crescent and would accommodate two new houses. Each of the buildings would be designed at two storeys with pitched roofs. The external materials would consist of brickwork for the walls and clay tiles for the roofs.
12. The proposed units would be of a more contemporary design than the surrounding traditional suburban housing nearby. However, given the type of accommodation proposed, and the limitations of the site, it is considered that contemporary designs would be more appropriate at this site.
13. The proposals are based on site-specific design principles that have been developed through comprehensive research and site analysis; these have been successfully translated into a scheme that carefully balances the site constraints against an ambition for good quality housing and amenity space.
14. Each building has its own distinct character, yet all are easily read as part of a unified scheme within the area. Each gives definition to a different part of the site and its surroundings helping to reintegrate it into the suburban fabric.
15. A strong approach to materiality has been set out in the submission drawings and includes typical construction details to illustrate the design intent for key elements of the building envelope. Consequently, this gives confidence that the scheme will deliver high quality and robust buildings
16. Notwithstanding the above, approval of final materials and key construction details is sought via planning condition.
17. The proposal includes some larger areas of hardsurfacing to allow vehicles to turn within the access road. While there may be some opportunities to reduce the size of these slightly, given the nature of the access road and relationship with the adjoining buildings, it is considered that these will contribute positively to the shared surface environment providing good quality materials are used.

18. The scheme has been assessed by the Council's Urban Design Officer who considers the scheme to be an exemplar infill scheme in terms of design.
19. It is acknowledged that objections have been received regarding the design of the proposal which differs from that of the surrounding houses. However, the design of the homes and gardens responds to the shape of the site and makes effective and efficient use of the land whilst minimising potential impacts to the amenity of neighbours. In this instance a more contemporary design is considered to be an appropriate response to the site specific context and the proposal is considered to represent a high standard of design.

Neighbouring Residential Amenity

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

Outlook

21. SPD1 states that the building envelope of new development should be set below a line of 30 degrees from the nearest rear habitable room window of adjoining existing property, measured from height of two metres above floor level. Where proposed development adjoins private amenity / garden areas then the height of new development should normally be set below a line of 45 degrees at the garden edge, measured from a height of two metres.
22. Sectional drawings have been provided with the application which demonstrate that these requirements would be complied with, both in terms of 30 and 45 degree lines when measured from the properties on Brookfield Crescent and Lidding Road.

Daylight

23. The application includes a Daylight/Sunlight report which sets out the impacts of the proposal on daylight and sunlight to neighbouring properties and gardens
24. The report uses the Vertical Sky Component (VSC) test which measures the amount of visible sky outside a property. Guidance states that an undue impact is considered to be where the VSC levels drop below 27% or are reduced to 0.8 times their existing value.
25. For the assessment of Sunlight the report uses the APSH test which calculates the percentage of statistically probable hours of sunlight received by each window in both summer and winter months represented as APSH (Average Probable Sunlight Hours) and WPSH (Winter Probable Sunlight Hours). BRE guidelines suggest that main living rooms should achieve at least 25% of annual sunlight hours with 5% in the winter period.
26. The submission identifies properties 10-16 and 25-31 Lidding Road as closest to the proposal and as such most likely to be impacted. The results of the report indicate that VSC would remain well above the 27 benchmark in all locations and as such would satisfy BRE guidance.

Privacy

27. SPD1 requires a minimum distance of 9m from habitable room window to neighbouring private external amenity spaces and a minimum distance of 18m between directly facing habitable room windows. The proposal does not directly face the rear windows of adjoining properties.
28. Plot 8 would feature windows which directly face those on the rear elevation of properties on Brookfield Crescent. However, the distance between these windows would be 32.6m, exceeding the above guidance and in any case would be a secondary window which can be obscure glazed to avoid privacy impact. Clear glazed windows on this plot would face south towards the private rear garden of No. 8 Brookfield Close. However this distance would be 9m, meeting the above requirement.
29. Plots 4, 5 and 6 would be located less than 9m from the rear gardens of properties on Lidding Road. However, at first floor, the windows facing this garden would be secondary windows serving stairwells and would be obscure-glazed. As such, there would be no undue impact on neighbouring privacy from

the proposed units into the garden areas for the maisonettes within Lidding Road.

Other Concerns

30. Objectors have raised concerns over the loss of some of the green space from the southern side of the site adjacent to the Wealdstone Brook.
31. It is acknowledged that it is possible that some residents may be currently using some of the grassed area for recreational functions despite the proximity to Woodcock Park, and that this may have some local value despite not falling within the boundaries of a designated public open space. Policy CP18 seeks to protect open space of local value from inappropriate development. The policy seeks to preserve open spaces for the benefit, enjoyment, health and wellbeing of Brent's residents, visitors and wildlife. Support will be given to the enhancement and management of open space for recreational, sporting and amenity use and the improvement of both open space and the built environment for biodiversity and nature conservation. Where the loss of open space is proposed, this would be required to be balanced against the benefits of the proposal.
32. The proposal would result in part of the wide grassed verge area to the south of Lidding Road to accommodate the new parking turning area off Lidding Road and the building footprint, pathways and parking for the three flats within plots 1 to 3. However, no buildings are proposed within the SNIC and wildlife corridor. This element of the proposal would improve the existing parking arrangement (increasing the aisle width between the parking spaces) and would provide a turning head for servicing vehicles. This is not necessary to make the development acceptable in planning terms as the three homes that would be serviced from this location would be accessed via a road from which homes are already serviced (Lidding Road). However, the proposed works represent a benefit for the servicing of both existing and future residents.
33. Notwithstanding that, there would be some loss of soft landscaped publicly accessible area as a result of the proposal. While the loss of the grassed verge area is acknowledged, this improvement is considered to outweigh the harm, particularly given the proximity to Woodcock Park which provides a large area of open space in very close proximity and access to this park would remain unrestricted for nearby residents. On balance, the loss of this grassed area is outweighed by the benefits of the scheme as a whole, including the delivery of eight affordable homes and the improvements to the parking and servicing arrangements as discussed above.
34. Objectors note that historically the rear access to the garages suffered from anti-social and criminal behaviour including fly-tipping which was mitigated by the installation of a security fence/gate where the road adjoins Gooseacre Lane. Concerns have been raised that the loss of this gate would result in an increase in anti-social behaviour as a result.
35. These comments are acknowledged. However, the route to the garages at present is a dilapidated and unused route which lacks any natural surveillance and is poorly overlooked. As a result of the redevelopment, the route would become a more open and accessible road which would benefit from surveillance from the proposed units and from pedestrian and car traffic from users of the site. It is acknowledged that the gate/fence provides security benefits for the site as it exists at present but it is considered that this would no longer be necessary once the site is developed.
36. Objectors have questioned whether the development would include CCTV. As noted above, the application site would experience a significant improvement in terms of natural surveillance as a result of the development compared to the existing situation and it is not considered necessary or reasonable to require the development to also provide a CCTV system.
37. Objectors have questioned whether any proposed lighting may result in impacts on neighbouring properties. Lighting will need to be considered in terms of impacts on local ecology, residential amenity and safety (including transportation safety). The application submission confirms that the lighting can be provided to the access road and homes while mitigates potential impacts on ecology and protected species.
38. The Ecologist recommends several methods such as the use of low UV bulbs and low level lighting which can be used in a potential scheme. The use of low level lighting would also minimise the level of potential impact on surrounding properties. A condition is therefore attached requiring details of any lighting to be submitted and approved before implementation.

Mix of Units and Standard of Accommodation

39. Policy CP2 seeks an overall target of 25% of new homes within the Borough to be family sized (three bedrooms or more).
40. Emerging policy BH6 of Brent's Draft Local Plan seeks for 1 in 4 homes to be family sized. In this case, the proposal exceeds these requirements and the proposal is considered to be compliance with policy CP2.
41. The proposal would provide eight new homes comprising of three flats (1x1 bedroom, 1x2 bedroom and 1x3 bedroom) and five houses (1x2 bedroom and 4x3 bedroom). Therefore 5 of the 8 proposed homes would have 3 bedrooms (accounting for 62.5%) and would therefore exceed the above policy requirement.
42. So as to ensure that these flats are not re-purposed to become homes in multiple occupation (HMOs), resulting in the further loss of single family homes to meet an identified need, and to ensure a satisfactory standard of accommodation, a condition is attached to restrict the use of the flats as single family dwellinghouses (C3 use class) and prevent the conversion of the use of the flats to homes in multiple occupation (C4 use class).

Standard of Accommodation

43. Policy D6 of The London Plan (2021) requires new housing to be of high quality design and provide adequately sized rooms with comfortable and functional layouts which are fit for purpose and meet the needs of Londoners without differentiate between tenures.

Unit	Size	Proposed GIA	Minimum GIA*
Plot 1	3B5P (Flat)	96.7sqm	86sqm
Plot 2	2B3P (Flat)	70sqm	61sqm
Plot 3	1B2P (Flat)	65.3sqm	50sqm
Plot 4	2B4P (House)	88.5sqm	79sqm
Plot 5	3B5P (House)	104.1sqm	93sqm
Plot 6	3B5P (House)	96.4sqm	93sqm
Plot 7	3B5P (House)	105.1sqm	93sqm
Plot 8	3B5P (House)	99.5sqm	93sqm

44. All of the proposed units would meet or exceed the minimum space standards as required by the London Plan and all units would be provided with purpose built internal storage. All of the habitable rooms would meet the minimum sizes and widths required and all would have external windows providing good levels of daylight and outlook. Floor to ceiling heights would meet the minimum 2.5m across 75% of the GIA of all units.
45. In addition, the submitted Daylight and Sunlight Report identifies that all of the proposed units would achieve acceptable levels of internal daylight with the exception of 2 habitable rooms which would fall slightly below BRE targets. However, the shortfalls would be relatively minor with the kitchen/dining room of Plot 8 having a ADF score of 1.79 compared to a target of 2 and the kitchen/dining of plot 5 having an ADF score of 1.89 compared to a target of 2. All homes have at least two aspects. The overall quality of the units is considered to be acceptable.
46. The private amenity spaces would likewise receive good levels of daylight, particularly in the summer months.

Accessible homes

47. Policy D7 of London Plan seeks for at least 10% of new dwellings to be designed to M4(3) 'wheelchair user dwellings' and the remainder to be designed to M4(2) 'accessible and adaptable dwellings'. Therefore in this case, policy D7 seeks for all eight homes to be designed to M4(2) requirements.

48. Plot 1, 7 to 8 have been designed with step free access from street level to meet policy M4(2) requirements. However plots 2, 3, 4 to 6 do not have stepped access from street level. Plots 2 and 3 are located above plot 1 and only have stepped access to the first floor. No lift would be proposed to allow step free access to these flats. However, policy D7 recognises that there are exceptional circumstances where the provision of a lift to a dwelling entrance may not be achievable. This would only apply for buildings that are four storeys or less. Additionally a clear width of 1.35m would be maintained at the bottom of these stairs allowing sufficient space for the implementation of a chair-lift as per M4(2).
49. Plots 4 to 6 are raised above ground level as a result of needing to raise ground levels to avoid flood risk. However, the front gardens of plots 4-6 have been designed to allow sufficient space for a wheelchair ramp to be installed if necessary in the future, which in turn would not compromise the wider flood impacts on the site.
50. Overall, the layout of the units is considered to be of good standard and would be acceptable.

External Amenity Space

51. Policy DMP19 establish 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 20 sqm studio, one or two-bedroom home and 50 sqm for family housing (homes with 3 or more bedrooms). Policy BH13 of Brent's Draft Local Plan also requires 20sqm for all studio, one and two-bedroom homes, but only requires 50sqm for three bedroom homes at ground floor only. Therefore any three bedroom homes above ground floor level, would requires 20sqm.
52. The policy requirement in relation to external private amenity space is for it to be of a "sufficient size and type", which may be achieve even when the "normal expectation" of 20 / 50 sqm 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 spaces may also be considered when weighing a shortfall against the normal expectation.
53. 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 1.5 m.
54. London Plan policy D6 specifies that where there is no higher local standard, a minimum of 5 sqm of private amenity space should be provided for 1-2 person dwellings and an extra 1 sqm should be provided for each additional occupant. The minimum depth and 1.5 m is reconfirmed in the emerging policy.

Unit	Unit Size	Proposed Amenity Space	DMP19 Requirements
Plot 1	3B5P	52.1sqm	50sqm
Plot 2	2B3P	6.1sqm	20sqm
Plot 3	1B2P	5.2sqm	20sqm
Plot 4	2B4P	70.1sqm	20sqm
Plot 5	3B5P	50.6sqm	50sqm
Plot 6	3B5P	57.6sqm	50sqm
Plot 7	3B5P	54.1sqm	50sqm
Plot 8	3B5P	146.8sqm	50sqm

55. The proposed units would all have access to private gardens or balconies, all of which would meet the minimum depths and sizes required by London Plan policy D6. Plots 2 and 3 would fall below the 20sqm target for private amenity space within DMP19, with a total shortfall of 29 sqm. However, these two flats are adjacent to the landscaped area within the site which is accessible to residents (and the general public) and is considerably larger than the level of shortfall. While it also serves an ecological function, it will also provide space that is usable by residents. The flats would be sited in close proximity to Woodcock Park which is a large open space.
56. As such, although two flats within the proposal fall below the numerical target for private external amenity space expressed within policy DMP19, having regard to the proximity to nearby open spaces and the quality and quantity of on-site provision, would nonetheless provide external space that is sufficient in size and type to satisfy the needs of future residents and it is therefore considered to accord with DMP19.

Fire Safety

57. Policy D12a of The London Plan (2021) requires all new development to take account of fire safety in design. The applicant has submitted a Fire Statement which identifies the potential fire risks and sets out passive and active safety measures and identifies escape routes and access for emergency vehicles.

Highways and Parking, Refuse, Cycle Parking

58. The access road to the garage is from Hillview Avenue in between its junctions with Brookfields Avenue and Gooseacre Lane. According to 2013 parking surveys, Hillview Avenue and Gooseacre Lane are not considered to be heavily parked. However Brookfields Avenue and Lidding Road are considered to be heavily parked due to their narrow widths.
59. The site has poor access to public transport (PTAL 1b).

Car Parking and access road into the site

60. The maximum car parking allowance for the eight proposed dwellings is 10.5 car parking spaces. The proposal would include 10 car parking spaces for the proposed development and so is within these maximum allowances.
61. Plots 1 to 3 would have their main entrance fronting Lidding Road and the proposal includes the provision of two car parking spaces accessed from Lidding Road itself on either side of the block, set behind a new footway.
62. Plots 4-8 are all proposed to be accessed from the garage access road, with parking provided for the units from this access and a further turning head provided at the end of the access road for service and emergency vehicles.
63. With some larger areas of hardstanding proposed for turning and vehicle access, there is a risk that some of the areas within the site may be used for further car parking unless measures to prevent this are put in place. As such, a parking management plan is recommended to be secured through condition. While on-site management would not be feasible due to the small scale of the development, other measures could be introduced to reduce the potential for parking outside of the designated parking bays.
64. The technical drawings include tracking diagrams, which demonstrate that refuse and fire service vehicles can access the site and turn around, which would be acceptable. Objectors have commented that Thames Water may require access to the site to deal with blockages. The service road is accessible for a range of vehicles and there is no reason to believe that Thames Water could not maintain any of their sewers as a result of this proposal.
65. A number of highway works are proposed to improve the junction between the garage access road and Hillview Avenue, providing radius kerbs and tactile paving. As part of these highway works a suitable worded condition is recommended to secure the following: Amendments to the junction of the garage access road with Hillview Avenue to include the provision of new radius kerbs, tactile paving and a raised entry table

External lighting

66. It should be noted that all routes to the proposed dwellings, including the existing garage access road

and any footpaths, would need to be well lit so that they can be useable and safe for pedestrians throughout the day and year.

67. As noted previously, any lighting scheme will need to be sensitively designed so as to not impact local wildlife or local amenity, with recommendations for the lighting scheme discussed within the ecology section above.

Wider highway improvements on Lidding Road

68. Lidding Road is an existing adopted highway with a carriageway width of 4.1m, which widens out to approximately 13m at its southern end for a length of approximately 18m to allow perpendicular car parking and a turning area. However, the turning area is routinely obstructed, particularly as cars park at 90 degrees on both sides of the turning area, despite its limited width.
69. The proposals include revisions to this arrangement by widening the northern part of the Lidding Road carriageway to 4.8m to enable cars to park parallel to it and widening the southern part of Lidding Road to 16m in order to provide perpendicular parking on both sides. This extent of the highway works lie outside the red edge site plan of the application site. The road is also to be extended southwards within the existing area of grassland to provide a turning head clear of the parking bays.
70. Lidding Road has a capacity for 10 on-street car parking spaces, but surveys carried out in September 2020 identified 18 cars parked on Lidding Road (6 in the northern stretch and 12 in area designed for 10 cars plus a turning head). The results of this survey are similar to overnight parking surveys carried out in 2013, which is why Lidding Road is noted as being a heavily parked street. Cars parked on the northern 4.1m stretch obstruct larger vehicles such as emergency and service vehicles, so provision of extra space to accommodate parking and the safe passage of larger vehicles is supported in principle.
71. The total number of on-street car parking spaces proposed is 20, which is slightly more than the demand identified in either the latest survey or the 2013 survey, although this does now include two spaces for the new dwellings, although it should be noted that these would not be able to be allocated.
72. As part of any forthcoming application the following highway works would need to be secured through a suitably worded condition:
- Construction and adoption of the proposed new turning head at the southern end of Lidding Road with associated parking restrictions;
 - Widening of the carriageway of Lidding Road to the front of nos. 7-23 to 5.5m in order to accommodate parallel on-street parking bays with associated waiting restrictions on the western side of the street.

Cycle parking

73. The proposals require a minimum of 15.5 cycle parking spaces located in secure undercover lockable storage areas. Sheds are shown for each of the dwellings and details of the sheds would be conditioned to any forthcoming consent.

Noise and construction management

74. Regulatory services have highlighted that the site is within a residential area, but noted the presence on non-residential uses nearby. In order to ensure an acceptable standard of accommodation, they have recommended that a condition is attached requiring details of the sound insulation measures for the new homes. Objectors have raised concern regarding noise from cars accessing the homes. The previous use of the site was garages, which would have resulted in noise. However, it is understood that the garages have not been used for some time. The level of noise associated with the homes is considered likely to be low given the small number of cars that would park within the site. Similarly, the frequency of servicing vehicles (e.g. refuse trucks or delivery vans) is also not likely to be at a level that would result in significant noise disturbance.
75. Conditions requiring a Construction Management Plan and a Construction Logistics Plan are also recommended to ensure that the impacts of the development in terms of noise and dust are effectively controlled throughout development to protect neighbouring amenity.

Flood Risk and Drainage

76. Policy SI 12 of The London Plan requires development to ensure that flood risk is minimised and mitigated. Similarly Policy DMP 9A states that proposals should demonstrate that they will be resilient to all surfaces of flooding and should not increase the risk of flooding elsewhere. This is re-iterated in draft policy BSUI3.
77. The proposal site includes land within Floodzone 3a for fluvial flooding, and along the edge of the Wealdstone Brook within floodzone 3b for fluvial flooding. The applicant has submitted a Flood Risk Assessment which sets out the identified risks of flooding on the site and surrounding locations.
78. Plots 1 to 3 and 7 to 8 are located outside of Floodzone 3a and 3b. Plots 4 to 6 are located within flood zone 3a. No buildings are proposed within floodzone 3b, nor would there be any hardstanding within floodzone 3b. The Environment Agency originally objected to the proposal on the grounds that it was located within functional flood zone 3b. However, they since confirmed that the site is not in the 1 in 20 flood extent, nor is the site designed Flood Zone 3b. They have confirmed that they wish to remove their objection.
79. The submitted details indicate that the proposal would result in a significant betterment to the current brownfield discharge rates, which equates to the following improvements: 73% in a 1 in 1, 89% in a 1 in 30, 92% in a 1 in 100. The discharge rates demonstrate that the proposal would offer a significant betterment to the current development in place which in turn will improve the flood risk locally.
80. The flood risk assessment clearly demonstrates mitigation through Flood Resistance Measures which is proposed to include, for Plots 1 to 6, a flood resistant damp proofing into the construction of the ground floor. Surface Water Flood Routing As shown in the EA Flood Risk from Surface Water mapping, a surface water flow path crosses the site from north to south, into Wealdstone Brook which mitigates the flood risk to the proposed Plots 1 to 6 and ensures that flood risk is not increased outside of the site boundary.
81. In the event of a flood at the site the residents within the properties will not be at risk due to the flood levels within the site for a 1-in-100-year flood event + 35% allowance for climate change shows a level of 37.75m AOD. The development proposes to raise the Plots 1 to 6 by 300mm above that flood level, making it 38.05m AOD. The proposed FFLs are above this flood level and therefore acceptable.
82. The assessment demonstrates the finished floor level is raised 300mm in 1 in 100 event with a 70% allowance scenario and therefore is safe for the residents at the first floor level.
83. The flood risk assessment and its mitigation measures have been assessed by the Local Lead Flood Risk Authority who consider that flood risks have been effectively mitigated and that the development offers an overall betterment to drainage on the site.
84. Objectors have commented that the site currently suffers from flooding due to the local sewer pipes that run through the site and this has been confirmed by the Council's drainage team. Concerns have been raised that the development would be impacted by an increase in these issues.
85. The local sewers are owned and maintained by Thames Water and as such Thames Water is responsible for the maintenance of this system.
86. The submitted drainage strategy provides a significant betterment in terms of surface water discharge to the sewer. Additionally, the details submitted show confirmation from Thames Water that the network has sufficient capacity to cope with the new development, both in terms of surface water and foul water.
87. Overall, it is therefore considered that the development would result in an improvement in terms of surface water drainage when compared to existing circumstances and that it is acceptable in terms of flood risk and potential impact on the local sewerage system.

Trees and Landscaping

88. Policy G7 states that existing trees of value should be retained where possible and that adequate replacements should be sought where loss of trees is acceptable. This is reinforced in Policy BGI2 of the Draft Local Plan.
89. The application has been accompanied by an arboricultural assessment and arboricultural impact assessment. These reports note that the application site contains 34 individual trees, 8 groups of trees

and 3 hedgerows. The development would require the removal of 15 individual trees, 5 groups of trees, 2 further groups of trees to be partially removed, 1 hedgerow to be removed and 1 further hedgerow to be partially removed. The supplied Tree Survey identifies that all of the individual trees are either Category C of low quality or Category U and would be unsuitable for retention beyond 10 years. In particular it is noted that several of the groups of trees are located in poor environments with hard standing in the root zones and contain dead trees. The submitted Arboricultural assessment indicates that 6 of the 7 groups are classified as providing 'limited contribution' to the area. This has been assessed by the Council's Tree Officer who agrees with the conclusions.

90. A tree replacement scheme has been submitted and would result in 38 new trees being planted at the site and are of a species and type considered to be acceptable by the Council's Tree Officer.
91. In order to ensure that retained trees are protected throughout development, a condition is recommended requiring an Arboricultural Method Statement and tree protection plans to ensure that all retained trees are adequately protected throughout the duration of the construction works.
92. Most of the existing soft landscaping at the southern side of the site would remain left in its natural state with two new pathways on the western end to provide a link to the neighbouring park.
93. Permeable hard landscaping would be provided at the front of plots 4-6 to provide parking spaces for future residents. Improvements to the access route to Gooseacre Lane would include the use of soft landscaping and new trees lining this route to create a more welcoming pedestrian environment.
94. As noted previously, there would be some loss of green space as a result of the proposal. However, the part of the site where new building works would take place is not designated as space of high ecological importance. A buffer zone would be maintained from the development to the nearby SINC and there would be the aforementioned increase in number of trees. A condition has been added requiring a detailed landscaping plan to be submitted to ensure that the type and mix of plants proposed maximise ecological benefits to the site.
95. Overall, the proposed landscaping is considered to improve elements of the site which are at present of a poor and unwelcoming environment whilst minimising impacts on nearby ecology assets. The landscaping is considered to be acceptable.
96. Policy G5 of The London Plan and Policy BGI1 of the Draft Local Plan require developments to contribute to Urban Greening and a target Urban Greening Factor (UGF) of 0.4 is recommended. The applicants have submitted details which demonstrate that the proposal would have a UGF score of 0.42 which would accord with this policy requirement.

Ecology and impacts on the SINC

97. The land adjacent to Wealdstone Brook is a designated Site of Importance for Nature Conservation (SINC). Policy G6 of The London Plan states that SINCs should be protected. It goes to state the following under part B:

Where harm to a SINC is unavoidable, and where the benefits of the development proposal clearly outweigh the impacts on biodiversity, the following mitigation hierarchy should be applied to minimise development impacts:

- 1) *avoid damaging the significant ecological features of the site*
- 2) *minimise the overall spatial impact and mitigate it by improving the quality or management of the rest of the site*
- 3) *deliver off-site compensation of better biodiversity value.*

98. Part D sets out that development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain. This should be informed by the best available ecological information and addressed from the start of the development process.
99. The applicant has provided an Ecological Appraisal which included a desk study and walkover survey. The appraisal identified that the following habitats within the site and their value in ecological terms:
 - Amenity grassland in the south west of the site, scrub within the eastern portion of the site and introduced scrub beneath the trees in the western portion of the site - these habitats are well represented locally, have low species diversity and can be easily recreated post development. Any

- loss of these habitats would be considered to have minimal impact on the ecology of the local area.
 - Species poor intact hedgerow located in the south west of the site within the area of amenity grassland -the hedgerow lacks species diversity and can easily be replaced if lost. Furthermore, the hedgerow is not classed as a Habitat of Principal Importance.
 - Garage buildings and hardstanding - low or negligible species diversity and can be easily recreated post development.
 - Scattered Trees - The mature and semi-mature trees on site are of intrinsic value as they cannot be easily replaced in the short to medium term. Therefore any losses should be compensated for in line with the mitigation hierarchy. Retained trees could be adversely impacted during construction, and protection measures are recommended.
 - Semi-natural broadleaved woodland - The woodland on site meets the criterion to be classified as a Habitat of Principal Importance and, although it is limited in extent, the woodland has intrinsic value due to the maturity of the trees and as it provides connectivity to the wider landscape. This habitat type cannot be easily replicated if lost and, therefore, should be retained and protected where possible. If loss of this habitat cannot be avoided, then appropriate mitigation and compensation measures will need to be implemented.
100. As noted within the "Trees and Landscaping" sub section above, a number of trees would be removed within the site to facilitate the development. The ecology report identifies that trees should be retained where possible, and if retention is not possible, appropriate replacement planting should be incorporated into the soft landscape scheme in accordance with the ecological mitigation hierarchy. It advises that only native and/or wildlife attracting species should be planted.
101. The report goes on to advise that biodiversity enhancement measures should be incorporated into the landscape scheme to work towards delivering net gains for biodiversity. Such planting should be of value to wildlife.
102. The ecology report has also considered the impact of the proposal upon protected species.
- Badger, otter and water vole, and amphibians - not a notable consideration in relation to the proposed development with no badger records or evidence of badgers observed during the site visit and no further recommendations are made.
 - Hedgehogs - notable consideration in relation to the proposed development, and to prevent harm to this species during construction works, a recommendation regarding the protection of foraging terrestrial mammals is made during construction works .
 - Reptiles - site has suitable refuge and foraging habits for reptiles, and whilst the risk of causing adverse impacts to reptiles to low, some suitable terrestrial habitat will be cleared by the proposed development, recommendations are made within the ecology report.
 - Birds - Numerous other notable bird species were also identified within the desk study, as well as various bird species being observed on site at the time of survey. The woodland, scattered trees and dense scrub provide suitable habitat for nesting birds within the survey area. If works are undertaken in the bird nesting season, there is potential to impact on nesting birds and recommendations are made within the ecology report. .
103. The ecology report has also considered the potential impacts on bats and this is further considered within a preliminary bat roost assessment. The reports highlight that the desk study provided records of at least three species of bat, the closest of which was of an unidentified bat located 80 m west.
104. The garage buildings presented no value to roosting bats and no evidence of roosting bats was recorded. However, a number of the trees provide suitable opportunities for roosting bats, containing features such as cavities and woodpecker holes. The trees with a high suitability for bats included T22 and T8. Three further trees, T19, T20 and T32 were identified as having low bat roosting potential due to the age of the trees and the presence of light ivy cover.
105. As T22 is proposed to be removed and has high bat roosting potential, further surveys are required in the form of dusk emergence and dawn re-entry surveys. In the event that a roost is discovered, a Natural England licence application may be required.
106. The woodland, scattered trees and dense and scattered scrub provide suitable foraging and commuting opportunities for bats which is well connected to areas of suitable habitat within the wider landscape, including the vegetated corridor of Wealdstone Brook located adjacent to the southern site boundary and the habitats within Woodcock Park to the west.

107. Recommendations have therefore be made in relation to external lighting to be designed to minimise potential disturbance including avoiding the installation of new lighting in proximity to key ecological features, such as the boundaries adjacent to Woodcock Park North and the Wealdstone Brook. Lighting for the road has been discussed above, including the ecological recommendation such as the use of low UV bulbs and low level lighting.
108. In the interests of enhancing the net gain in biodiversity within the site, the report recommends the use of hedgehog passes under fence lines, nest boxed for bird species such as house sparrow, dense scrub for species such as song thrush, and bat boxes for species such as pipistrelle. The creation of deadwood habitat for stag beetles is also recommended.
109. The report has identified species and habitats that may be vulnerable to the impacts of the development and further identifies methodology that can be used to mitigate impact of the development on native species.
110. Although adjacent to the SINC, the proposal would not involve development within the SINC area which is also an identified flood zone. Nonetheless the Appraisal identifies that some vegetation would be lost adjacent to the SINC and indirect impacts are possible. The appraisal therefore recommends that a Construction Ecological Management Plan (CEcMP) should be compiled for the site. A condition has been added to require this is submitted prior to the commencement of works.
111. All mitigation measures are to be secured through condition.

Equalities

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

Conclusion

113. 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.
114. The proposal will bring forward the provision of eight new affordable homes including 5 family sized homes within a disused site.
115. The application is therefore recommended for approval subject to the conditions set out in this report.

CIL DETAILS

This application is liable to pay **£261,547.04** * under the Community Infrastructure Levy (CIL).

We calculated this figure from the following information:

Total amount of eligible* floorspace which on completion is to be demolished (E): 0 sq. m.

Total amount of floorspace on completion (G): 726 sq. m.

Use	Floorspace on completion (Gr)	Eligible* retained floorspace (Kr)	Net area chargeable at rate R (A)	Rate R: Brent multiplier used	Rate R: Mayoral multiplier used	Brent sub-total	Mayoral sub-total
(Brent) Dwelling houses	726	0	726	£200.00	£0.00	£216,503.57	£0.00
(Mayoral) Dwelling houses	726	0	726	£0.00	£60.00	£0.00	£45,043.47

BCIS figure for year in which the charging schedule took effect (Ic)	224	323
BCIS figure for year in which the planning permission was granted (Ip)	334	
TOTAL CHARGEABLE AMOUNT	£216,503.57	£45,043.47

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

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

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



Application No: 21/3248

To: C/O Agent
JLL
30 Warwick Street
London
W1B 5NH

I refer to your application dated **24/08/2021** proposing the following:

Demolition of the existing garages and redevelopment to provide 3 self-contained flats and 5 dwellinghouses; with associated car parking, cycle storage, refuse storage, amenity space and landscaping

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

at **Lidding Road Garages, Lidding Road, Harrow**

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: 07/12/2021

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 material accordance with the:-
London Plan 2021
Brent Core Strategy 2010
Brent Development Management Policies 2016
Emerging Local Plan
National Planning Policy Framework 2021

- 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):

1843 P-01 C – Proposed Ground Floor Plan

1843 P-02 C – Proposed First Floor Plan and Sections

1843_P-03 – Proposed Floor Plans

1843_P-05_REV A – Visualisations

1843 P-10 D – Proposed Site Plan

1843 P-11 A – Existing Site Plan

1843_P-20 REV A – Proposed Elevations

1843_P-25 REV B – Detail Elevations Sections and Materials

1843_SLP-01_A – Site Location Plan

C154334-03-01_REVA – Tree Survey Plan

GW - BR035 - P- 100 REV B – Hard Landscaping

GW - BR035 - P- 200 REV – Trees Removed/Retained

GW - BR035 - P- 300 REV C – Tree Planting Plan

GW - BR035 - P-302 – Planting Plan Sheet 2

GW - BR035 - P- 303 REV CA – Planting Plan Sheet 3

GW - BR035 - P-304 – Planting Plan Sheet 4

GW - BR035 - P-305 – Planting Plan Sheet 5

GW - BR035 - P-306 – Planting Plan Sheet 6

GW - BR035 - P-307 – Planting Plan Sheet 7

Supporting Documents:

RT-MME-154334-03 Rev B - Preliminary Arboricultural Assessment (Dated August 2021)

RT-MME-154334-04 Rev A – Arboricultural Impact Assessment (Dates August 2021)

RT-MME-154334-01 Rev B – Preliminary Ecological Appraisal (Dated October 2021)

RT-MME-154334-02 Rev B – Preliminary Bat Roost Assessment (Dated October 2021)

Flood Risk Assessment and Drainage Strategy (Dated 12 November 2021)

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

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

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

- 4 The windows in the first floor bathrooms, hallways and landing on the northern elevation of plots 4 to 6, the eastern elevation of plot 7 and the north eastern elevation of plot 8 shall be constructed of obscure-glazing which is un-openable below 1.7m above the internal finished floor levels.

These shall be retained as such unless otherwise agreed in writing by the Council

Reason: To minimise any direct overlooking or loss of privacy to neighbouring properties.

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

Reason(s):

In view of the restricted nature and layout of the site for the proposed development, no further enlargement or increase in living accommodation beyond the limits set by this consent should be allowed without the matter being first considered by the Local Planning Authority.

- 6 The development shall provide 8 self-contained residential units (1 X 1bed, 2 x 2bed and 5 x 3bed) to be used as residential units (Use Class C3) as shown on the approved plans, unless otherwise approved by the Local Planning Authority

Reason: In the interests of proper planning and for the avoidance of doubt

- 7 The 8 residential dwellings hereby approved shall be provided as affordable housing in perpetuity, and shall be delivered as London Affordable Rented units with rents set as follows;
- (a) Up to 80% of the local Open Market Rent (including Service Charges where applicable); and
(b) Excluding Service Charges, no higher than the benchmark rents published by the GLA annually in accordance with the Mayor's Funding Guidance.

The London Borough of Brent will have 100% nomination rights in perpetuity. In addition, the Owner shall enter into a Nomination Agreement with the London Borough of Brent prior to occupation of the affordable housing units.

Reason: To ensure the delivery of affordable housing within the development and to comply with Policy DMP15.

- 8 The works shall be carried out in accordance with the approved Flood Risk Assessment and Drainage Strategy (Dated 12 November 2021) unless otherwise agreed in writing by the Council

Reason: To ensure that risks from flooding are effectively mitigated

- 9 Prior to the commencement of works, an Arboricultural Method Statement shall be submitted to and approved in writing by the Council. This shall include details of site supervision and tree protection measures to be carried out at all stages where development takes place in proximity to the root protection areas or crown spreads of retained trees and hedges throughout the duration of the development.

The works shall be carried out in accordance with these approved details throughout the construction phases.

Reason: To ensure that retained trees are protected throughout development.

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

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

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

- 11 Prior to commencement of development,, further details shall be submitted to and approved in writing by the Local Planning Authority demonstrating how the measures and recommendations set out in the 'RT-MME-154334-01 Rev B – Preliminary Ecological Appraisal (Dated October 2021)' and RT-MME-154334-02 Rev B - Preliminary Bat Roost Assessment (Dated October 2021) will be implemented, including (but not limited to) details of any further inspections and surveys recommended within this survey and the submission of a Construction Ecological Management Plan. The approved measures shall be implemented in full.

Reason: In order to ensure that any potential effects on protected species are adequately mitigated.

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

- 12 Prior to the commencement of works (other than demolition or site clearance) details of the following shall be submitted to and approved in writing:
- (a) materials to be used in the external appearance of the development including samples to be pre-arranged to viewed by the Local Planning Authority
 - (b) details of window reveals, head and cill details and eaves details to be provided at scale 1:10

The works shall be carried out in accordance with these approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposals would have an acceptable appearance.

- 13 Prior to the commencement of works (other than demolition or site clearance) details of a hard and soft landscaping scheme for the development shall be submitted to and approved by the Local Planning Authority. Such details shall include:
- (i) A planting plan, including the provision of a minimum of 33 replacement trees within the site, with the use of native and/or wildlife attracting species as per the recommendations made within the Preliminary Ecological Appraisal dated October 2021 Rev B
 - (ii) details of garden wall, fences or other form of boundary treatment to be provided within the site (including details of external materials and heights);
 - (iii) details of surfacing materials to be used for hardstanding, together with any delineation of car parking spaces or pedestrian pathways
 - (iv) details of wildlife enhancements within the site as per the recommendation sets out within Preliminary Ecological Appraisal dated October 2021 Rev B, including the use of hedgehog passes under fence lines, nest boxes for bird species such as house sparrow, dense scrub for species such as song thrush, bat boxes for species such as pipistrelle and the creation of deadwood habitat for stag beetles
 - (v) details of bin stores for the proposed dwellings to accommodate residual, dry recycling and organic waste

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

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

Reason: To ensure a satisfactory appearance and setting for the proposed development and ensure that it enhances the visual amenity of the area.

- 14 Within three months of commencement of the development, the developer shall enter into an agreement with the Local Highways Authority to carry out the following works:
1. construction and adoption of the proposed new turning head at the southern end of Lidding Road with associated parking restrictions.
 2. widening of the carriageway of Lidding Road to the front of nos. 7-23 to 5.5m in order to accommodate parallel on-street parking bays with associated waiting restrictions on the western side of the street;
 3. Amendments to the junction of the garage access road with Hillview Avenue to include the provision of new radius kerbs, tactile paving and a raised entry table;

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

Authority.

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

- 15 Details of external lighting including the height, type, position, angle and spread of any external lighting to minimise light spillage and glare outside the designated area, shall be submitted to and approved in writing by the Local planning authority prior to first occupation of the development hereby approved. The external lighting shall be erected and maintained in accordance with the approved details

Reason: To protect the amenity of existing and future residents, in the interest of highway safety and ecology (including protected species).

- 16 Prior to first occupation of the site details of proposed cycle storage for the dwellings shall be submitted to and approved in writing by the Council which shall demonstrate that cycle parking shall be provided to meet London Plan standards through the provision of secure, weatherproof cycle storage facilities. The development will be carried out in accordance with the approved details and thereafter maintained and retained

Reason: To encourage sustainable methods of transport

- 17 Prior to the occupation of the dwellings hereby approved, a car park management plan shall be submitted to and approved in writing by the Local Planning Authority setting out details of measures to prevent car parking on land not identified for car parking, and thereafter implemented in accordance with the full details throughout the lifetime of the development.

Reason: In the interests of highway safety.

- 18 All residential premises shall be designed in accordance with BS8233:2014 'Guidance on sound insulation and noise reduction for buildings' to attain the following noise levels:

Time	Area	Maximum noise level
Daytime Noise 07:00 – 23:00	Living rooms and bedrooms	35 dB LAeq (16hr)
Night time noise 23:00 – 07:00	Bedrooms	30 dB LAeq (8hr) 45 dB LAm _{ax}

A test shall be carried out prior to first occupation of the dwellings hereby approved to show that the required noise levels have been met and the results submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory standard of accommodation for future residents.

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 Given the age of the buildings 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.
- 4 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.
- 5 The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:
 - on or within 8 metres of a main river (16 metres if tidal)
 - on or within 8 metres of a flood defence structure or culvert (16 metres if tidal)
 - on or within 16 metres of a sea defence
 - involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.

For further guidance please visit

<https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03702 422 549 or by emailing enquiries@environment-agency.gov.uk. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

- 6 Construction/refurbishment and demolition works and ancillary operations which are audible at the site boundary shall be carried only between the hours of:
 - Monday to Fridays 08:00 to 18:00
 - Saturday 08:00 to 13:00
 - At no time on Sundays or Bank Holidays

Any person wishing to inspect the above papers should contact Liam McFadden, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 3299

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COMMITTEE REPORT

Planning Committee on
Item No
Case Number

15 December, 2021
05
21/2705

SITE INFORMATION

RECEIVED	13 July, 2021
WARD	Mapesbury
PLANNING AREA	Brent Connects Kilburn
LOCATION	Land rear of 65, Teignmouth Road, London
PROPOSAL	Retrospective application for demolition of garage and proposed construction of a single-storey residential unit (Use Class C3), provision of cycle and refuse storage, associated landscaping and renewed boundary fencing (revised description)
PLAN NO'S	See condition 2
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_156110</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 "21/2705" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab

RECOMMENDATIONS

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

Conditions

1. Timescales for the commencement of the development
2. Built as per the approved drawings
3. External facing materials
4. Cycle parking and refuse provided prior to occupation
5. Removal of permitted development rights - extensions, alterations and outbuildings
6. Removal of permitted development rights – to Use Class C4 HMO
7. Air source heat pump- noise levels
8. Footway reinstatement
9. Tree protection measures – referral to document approved on 19/4130.
10. Landscape scheme- submission of details of planting and boundaries

Informatives:

1. CIL liable; notice will be sent.
2. Removal of crossover to be funded by applicant
3. Building near boundary
4. Party Wall Act 1996.
5. Code of Construction Good Practice

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

SITE MAP

	Planning Committee Map Site address: Land rear of 65, Teignmouth Road, London © Crown copyright and database rights 2011 Ordnance Survey 100025260
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This map is indicative only.



PROPOSAL IN DETAIL

To rebuild the previous garage as a one-bedroom dwellinghouse, incorporating a new side extension adjacent to the boundary of 94 Dartmouth Road. There would be no change to existing access arrangements, with the site fronting onto Lydford Road.

The proposal is identical in size, siting and scale to the previous consent to convert the garage into a house with extensions and alterations to the structure, with the exception of minor amendments to some details.. The submission follows the demolition of the garage, which has occurred during the works to construct the dwelling. The applicants have stated that the demolition was not intentional.

The ground floor would consist of a lounge/kitchen/diner, and one double bedroom with en-suite bathroom. The total area (gross internal area) would be 50.5m². The bedroom area would be 14.6m².

The building would be extended further south compared to the previous garage, by a further 1.52m wide at the frontage, extending to 2.1m wide to the rear. The height on the boundary with 94 Dartmouth Road would be 2.6m. The front (east) elevation would have glazing, behind timber louvred shutter doors.

The north, side elevation, would have one window, one timber door with side window, and a set of patio doors, all in timber/ aluminium composite in a dark beige tone. Details have been provided of the relationship with the wall; there would be a small external cill to the window, with the window frame itself minimally recessed by 2cm. The patio doors would be in the same material, up one step 20cm high, set in by 6cm.

To the west, a ground door would lead to a small area of permeable paving, of 2.6m² and adjacent to this would be a water butt. There would be no windows placed in this, or the south, elevations.

The south elevation would form part of the boundary with no. 94, and would be 2.6m high. Whereas previously (in the garage) this elevation had three windows, only visible from the garden of 94a, for the rebuild consisting of dwelling, it would not have windows on this elevation.

The frontage would consist of a pedestrian gate, 2m, and fencing repaired and replaced to match the existing, at a height of 3.3m as existing.

The landscaping would consist of quarry paving path to front with soft landscaping to front of glazing and to corner segueing into the soft landscaping of the side garden, with patio to side.

Covered cycle storage would be provided for one cycle. Frontage would contain housing for refuse and recycling bins and air source heat pump.

Materials other than those already mentioned would be: Bricks: Northcot, Costwold blend; timber door to be painted in RAL 7033 cement grey; Paving: Wienerberger aquata grey; Roof tiles: Dreadnought, Rustic Red; north elevation to be painted in white. A soldier course brickwork line would be included above each door and window on the north elevation.

EXISTING

The application site was previously occupied by detached garage, located on the west side of Lydford Road, between Teignmouth Road and Dartmouth Road. It is at the rear of 65 Teignmouth Road, which occupies a corner plot at its junction with Lydford Road in Mapesbury

Conservation Area. The previous garage had a footprint of 44.3sqm, and the plot has a curtilage of 194sqm. There are a number of mature trees within the garage plot and the site is bounded by timber fencing at its frontage and access onto Lyndford Road.

The Mapesbury Conservation area is characterised by large detached and semi-detached Edwardian properties (some of which have been sub-divided into flats) two storeys in height, with generous front and rear gardens. Its turn of the century town-houses are of high architectural quality with intricate detailing. Front elevations have articulate entrances and porches, dwellings are set back in the plots and front gardens are bounded by low rise walls or hedges.

The applicant has advised that the build had started for the previous consent 19/4130 for the conversion and extension of the garage, but that the garage collapsed in the process of site preparation. The applicant has submitted a statement explaining that this was accidental.

AMENDMENTS SINCE SUBMISSION

30/9/21: Labelling revised on proposed plans, addendum to Design Access and Heritage Statement added, details of roof hip-irons and bonnet hip tiles added.

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:** 8 objections have been received and these have been considered and discussed within the report.
2. **Principle:** Permission was previously granted for the conversion of the garage to a house with extensions and alterations. The proposal now involves the retrospective permission for the demolition of the previous garage and construction of the proposed dwelling as the garage was demolished without permission. However, the proposed garage is identical to the previous approval other than minor period detailing addition to the roof, with plans and elevations that were approved within the previous consent, to convert and extend the garage. While it is specified within the conservation area design guide that garden buildings must have an ancillary use to the main house and garden and that permission will not be granted for separate dwellings, the garage previously had its own curtilage and the previously approved conversion and extension were not considered to result in any harm to the conservation area. The current proposal also is not considered to result in any harm to the conservation area.
3. **Design and impact on the Conservation Area:** As discussed above, the proposed building would reflect the previous garage as extended and altered through the previous consent. The drawings are identical to those approved by the planning committee through the previous consent save for some minor amendments to detailing. While there will typically be some visual differences between a new building and the original building due to the use of newer materials and construction techniques, the existing building contained limited period detailing and any differences will be minor and would not be considered to be harmful to the character of the conservation area. Although a new building, with its similarity in scale and design to the original garage as extended and altered through the previous consent, it would not appear in the streetscene as significantly different.
3. **Neighbouring amenity:** The development has been assessed against the guidance in SPD 1 and would be compliant. There would not be a significant impact on the overall living conditions of the neighbouring occupiers.
4. **Trees and landscaping:** An Arboricultural impact assessment was submitted which sets out that no trees are proposed to be lost, with one Category C tree proposed to be pruned. A

condition is recommended to ensure that the works are carried out appropriately with the required tree protection measures implemented, to prevent any adverse impact on the health and longevity of the surrounding trees.

5. Highways and Transportation: As with the previous consent, the garage was not previously used as such for some years, and its loss as parking is acceptable. Cycle parking is proposed within the garden of the dwelling and the reinstatement of the crossover to footway and extension of the parking bay is recommended to be secured through condition.

RELEVANT SITE HISTORY

95/0499: Demolition of existing garage and erection of a two bedroom house, alteration to existing vehicular access with access off Lydford Road and provision of 2 parking spaces. Refused, appealed, dismissed 2/4/96.

19/4130: Conversion of garage into a residential unit (Use Class C3) and works to include a single storey extension, 2 rooflights, provision of cycle and refuse storage, associated landscaping and alterations to boundary. Granted, 10/9/20.

CONSULTATIONS

10 nearby and adjacent occupiers were consulted, and Mapesbury Residents' Association. A site notice was erected and an advert placed in the local newspaper. Objections from 8 parties were received, including the Mapesbury Residents' Association. The submissions can be summarised as follows:

Nature of objection	Discussed in section:
The proposal should have at least 50% soft landscaping and a clear path to the front door.	Design
The garage was demolished without planning permission / due to failure to take adequate precautions during construction.	Land use and Principle of Development
The proposal should not be built on the boundary of 94a Dartmouth Road	Neighbour Amenity
The proposal harms the character of the Conservation area by way of the subdivision, fencing and the paved areas The new development does not attempt to make any positive contribution to this character and distinctiveness the area with regard to "the green and open street scene".	Design
The development exceeds the criteria for an outbuilding within the Mapesbury Conservation Area Design Guidance	Land use and Principle of Development
The Article 4 Direction is in place and requires planning permission to build in back gardens	Land use and Principle of Development
The outbuilding is too large for the existing garden	Design/ neighbour amenity/ Land use and principle of development

Concern re permitted development rights to extend- these should be removed	As with the previous consent, this would be prevented via condition
The application would create an undesirable precedent	Land use and Principle of Development
No 37 Lydford Road was not built in accordance with its permission and this was used as a precedent in the planning statement	The application is being assessed on its merits. While no.37 Lydford Road was mentioned in the planning statement submitted with the application, this is not a factor in the assessment.
Relevant policies have not been quoted in the application (SPG20/SPG17/Nationally Described Space Standard)	SPG17 has been replaced by SPD1. All relevant policies and guidance have been considered in the assessment.
The planning service should work more closely with Building Control to ensure supervision of works	The onus is on the applicant and their construction team to ensure that the works are carried out in accordance with the planning permission, and any breaches in planning control may be subject to enforcement against the owners of a site. Site owners are able to choose whether to seek Building Regulations approval from the Council's Building Control service or from an Approved Inspector.
The documentation has been reused from the previous application	The proposal would result in a similar development as the previous application, so although re-labelling of some drawings was required, this is acceptable.

Borough Heritage, Transportation and Tree Officers were also consulted and their responses are considered within the assessment.

POLICY CONSIDERATIONS

For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the Development Plan in force for the area is the 2010 Brent Core Strategy, the 2016 Brent Development Management Policies Document and the 2021 London Plan. The key policies applicable to this proposal are:

Brent Development Management Policy 1- General Planning Policy, 7- Brent's Heritage Assets, 12- Parking and 19- Residential Amenity Space

London Plan 2021: Policies D4-Delivering Good Design, D6: Quality and Design of Housing; H1 Increasing housing supply, T5 Cycling, T6 Car parking, T6.1 Residential parking, HC1- Heritage conservation and growth

Core Strategy 2010: CP17- Protecting and Enhancing the Suburban Character of Brent.

Also relevant is the Listed Buildings and Conservation Areas Act 1990.

Draft Local Plan

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 from the draft Local Plan are:

DMP1: Development Management General Policy
BSUI4: Onsite water management and surface water attenuation
BH13 Residential Amenity Space
BHC1: Brent's Heritage Assets
BT2 Parking & Car Free Development

Other material considerations include:

Supplementary Planning Guidance:
Brent SPD1 - Design Guide for New Development
Mapesbury Conservation Area Design Guidance

Other Brent Guidance
Waste planning guide

Other GLA guidance:
London Cycling Design Standards

NPPF 2021

DETAILED CONSIDERATIONS

Land Use and Principle of Development

1. A residential use in a residential area is acceptable in land use planning terms. However, a key principle in this instance is the effect of the proposal on the conservation area; whether it would preserve or enhance the character or appearance of the Conservation Area, or cause harm. It is noted that the land on which the previous garage was located is a separate entity on the property register and the site visit indicates that it has been physically sectioned off for some considerable time. Nevertheless, the garage and associated land would have once formed part of a residential garden, and the Mapesbury Design Guide states that the Council will not grant permission for a 'new and separate dwellinghouse', within a back garden. The original permission 19/4130 consisted of the repurposing, refurbishment and extension of the

previous garage building to create a one-storey dwelling, and would have resulted in the creation of a dwelling within a garden. However, having considered the proposal, it was found that the development would not have resulted in harm to the Conservation Area and permission was granted. That proposal was for alterations and extensions to an existing structure which were considered to improve its appearance and bring it back into use without resulting in harm. However, the building was demolished rather than refurbished, converted and extended.

2. The applicant has stated that the garage, whilst site preparation was taking place, was found to be unstable and collapsed. However, the reason why the garage was demolished cannot be considered when evaluating this planning application, and the Council must assess whether or not planning permission should be granted for the new building.
3. The proposal would be similar in appearance to the proposal approved under granted consent 19/4130. The difference is that 19/4130 stated on the drawings 'existing roof tiles and structure repaired and replaced where required' whereas the new application would use tiles reclaimed from the roof, and specifies bonnet hip tiles and scrolled hip irons. Apart from the modest addition to the previous garage adjacent to no. 94, no garden space is being lost. The proposal also includes a new gate, repaired fence, and the refurbishment of the building. There would not be a significant or noticeable change to the massing which would be apparent from the street, and the open character of the existing garden to the rear of no. 65 and the garden of the site itself, would not be compromised.
4. The proposal would result in a building similar to appearance to the previous garage, which would also supply one good quality residential unit, without any significant further coverage of land beyond that of the original garage. The existing garden between the site and 65 Teignmouth Road would remain and would be landscaped. This landscaping would include boundaries, and would be reserved by condition, the intention being that an appropriately soft appearance would be required particularly to the boundary with 65 Teignmouth Road.
5. Reference is made by objectors to the Article 4 direction, which requires that the construction of outbuildings in rear gardens requires planning permission. Article 4 directions restrict the ability to undertaken works under "permitted development", with planning permission required for the development that is covered by the Article 4 direction. Whether or not planning permission is granted or refused is not dictated by the Article 4 direction, and every application must be considered individually, on its own merits.
6. In summary it is considered that while the proposal would result in the replacement of the former garage with a new house within what was original a back garden, which in itself is contrary to the design guide, this will not result in harm to the character of the conservation area for the reasons set out above and this is not considered to be contrary to policies DMP7 or HC1. The proposal would result in the creation of a new home in a residential area, which is considered to be acceptable in principle, subject to the consideration of other material planning considerations.

Design and Character / Context including Heritage Considerations

7. The site is within the Mapesbury Conservation Area and therefore the consideration of design must have regard to the status of the area as a designated heritage asset. As discussed above, the proposal reflects the previous consent for extensions and alterations to the garage and conversion to a house with the exception of minor amendments to some details. However, as the building has been demolished and is proposed to be re-built, there are likely to be some changes to the original appearance of the building when compared to the original structure associated with modern construction techniques and materials. Nevertheless, the original building contained limited period detailing and the previous consent also included the refurbishment and repair of many elements of the building together with an extension and new fenestration.

Statutory Background and the NPPF

8. Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (“Listed Buildings Act”) confirm that special attention shall be paid to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses (s.66) and preserving or enhancing the character or appearance of that area (s.72). As confirmed by the Court of Appeal (Civil Division), the decision in *Barnwell Manor Wind Energy Ltd v East Northamptonshire District Council* [2014] EWCA Civ 137 confirmed that where an authority finds that a development proposal would harm the setting of a listed building or the character and appearance of a conservation area, it must give that harm “considerable importance and weight”. Further case law has reconfirmed the Barnwell decision and the considerations to be undertaken by a planning authority: *The Forge Field Society & Ors, R v Sevenoaks District Council* [2014] EWHC 1895 (Admin), *Pugh v Secretary of State for Communities and Local Government* [2015] EWHC 3 (Admin).
9. Section 16 of the NPPF (“Conserving and enhancing the historic environment”) (para. 189) advises Local Planning Authorities to recognise heritage assets as an “irreplaceable resource” and to “conserve them in a manner appropriate to their significance”. In determining applications, LPA’s are advised at para.197 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.
10. It is considered that the contribution of the previous garage building was of significance within the Conservation area, however the replacement with the building of similar mass and form, would make a positive contribution to local character.
11. When considering the impact of a proposed development on the significance of a designated heritage asset, it is advised at para.199 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.201). Where there is less than substantial harm, the harm is to be weighed against the public benefits of the proposal (NPPF, para.202) 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.203). It is also advised at para. 207 that not all elements of a Conservation Area will necessarily contribute to significance.
12. Policy HC1 of the London Plan (“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.
13. The heritage asset that this application involves is the Mapesbury Conservation Area.
14. 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 or enhancing the character or appearance of a conservation area (s.72).

Assessment Against Significance of Heritage Assets

15. In terms of the assets significance, an assessment of the site, main property and has been made. This site is to the rear garden of a well-proportioned and detailed detached house dating from the inter-war period in the vaguely Arts and Craft style which is situated within the Mapesbury Conservation Area - a heritage asset. Mapesbury is one of the largest of the Conservation Areas in Brent and is characterised by largely unaltered town-houses from between 1895-1920. It retains many original features including windows, pargeting and brackets. The main dwelling is a handsome property and it contributes positively to the conservation area as well as the streetscene.
16. The garage previously present is not considered to have been a significant contributor to the character of the Conservation Area. It was old, but it is unclear whether it was original as it appears on the 1935 OS maps but not the 1915 OS maps. While the design guide encourages the retention of original garages, it does not preclude their loss. However, when addressing this, it is specified that the Council may consider proposals for a replacement if the garage is too small to accommodate a car, whereas the proposed use is not for parking. The appearance of the garage did not have any aged characteristics or design features which could not be easily recreated to have a neutral impact on the appearance of site and conservation area. The loss of the garage is not considered to noticeably denigrate the overall character of the Conservation Area. In relation to replacement garages, it is specified within the Design Guide that these must be in keeping with the house and should have a steep pitched roof with wooden side hung doors that incorporate top hung windows. It is then specified that a decorative gable-end with half timbering will ensure that the garage will preserve the character of the Conservation Area and that it should be set back from the front wall of the house. However, the existing garage on site does not reflect a gable fronted design and it is situated within a rear garden that adjoins a road, and it is proposed to re-construct the building in the same design, size and location as the previously consented building including the previously consented extensions and alterations. The proposal would recreate the proportions and roof features, and recreate the appearance of the previous garage from the surrounding views. Externally within the submitted plans and elevations, the proposal appears identical to the previous consent, but naturally is likely to result in some differences in appearance given that re-construction is proposed. Nevertheless, this is not considered likely to result in harm to the conservation area.
17. The borough Heritage Officer was consulted on the proposal and returned no objections to the proposal, noting that the development very similar in appearance to that already approved and to the original garage. The materials would be of a natural and traditional appearance, and the new windows proposed, although contemporary in design, have good proportion and will not be especially visible. Although the elevations and construction of the proposal would be new, the previous building did not have significant or particularly prominent historic features, aged characteristics or patina and the replacement would not result in a loss of the historic character in the appearance of the site. The fence would preserve the appearance of the site as if it were an entrance to a garage still, which is the aim of the proposal's design vernacular. As many of the materials as possible would be reused. Overall it is considered that the visual impact of the change would not be overtly obvious and hence would not be consequential to the appearance of the Conservation Area.
18. It should be noted that it is specified within the design guide that "The Council will not grant planning permission for the creation of a new and separate dwellinghouse: the building must have an ancillary use to the main house and garden". The proposal is clearly not in line with this statement as permission is sought for a new dwellinghouse. However, having considered the impacts associated with the proposal which looks to reconstruct the building with the previously approved extensions, the proposal is considered acceptable as it would bring the site into use providing a dwelling without resulting in harm to the conservation area.

19. The proposal as before, includes a lawned area to the side garden. Of a total curtilage of 130m² approx, 77m² would consist of soft landscaping (lawn and low planter). This is slightly more than 50% and confirms to adopted policy. A landscaping condition will be imposed requiring a full plan to ensure planting is suitable and sufficient and that boundaries are appropriate, which addresses the objection received in this respect.
20. Overall the proposal is unchanged in terms of the physical form and visual impact from the previous consented proposal, and it is considered that similar to the previous consented proposal, it would be a sensitively composed development that would enhance the conservation area. The materials recovered from the previous garage would be re-used in the building of the dwelling. Details of external facing materials have been submitted with the application, and the later submission though condition is not required.

Standard of Accommodation

21. The acceptability or otherwise of any new dwelling is assessed against the requirements of the National Housing Technical Standards, and London Plan, policy D6, Quality and Design of Housing Developments.
22. The area required for a 1-bedroom, two person unit is 50m². The unit would satisfy this requirement, giving a GIA of 50.6m² and the bedroom exceeds minimum requirements. Accommodation would be double aspect with an open and spacious layout.

External Amenity Space

23. 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 20 sqm studio, one or two-bedroom home and 50 sqm for family housing (homes with 3 or more bedrooms).
24. The DMP19 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 50 sqm 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.
25. 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 1.5 m.
26. London Plan (2021) policy D6 specifies that where there is no higher local standard, a minimum of 5 sqm of private amenity space should be provided for 1-2 person dwellings and an extra 1m² should be provided for each additional occupant.
27. The proposal would provide 100m² external amenity space, which is sufficient in size and type to satisfy the needs of future residents and fully accords with Brent policy DMP19 and London Plan policy D6 in relation to the provision of external amenity space.

28. A comment was received regarding CP18- a Core Strategy policy- 'Protection and Enhancement of Open Space, Sports and Biodiversity'. The site in question is a garden and not open space, and the proposal does not result in a loss of open space.

Residential Amenity

29. The size and siting of the building is as previously approved (through the conversion and extension consent), with the majority of the proposed development within the same envelope as the previous garage building and a small element of additional massing in the location and form of the extension that was previously approved. The size and siting of that development was previously considered to be acceptable by the Planning Committee.
30. The new wall to the border of 94 Dartmouth Road would be at the far end of that property's amenity space, and also would be bordered along most of its length by that property's garage. It is considered that the 2m of wall at 2.5m high on one side, and 1m of wall on the other side, would not cause a significant overbearing impact, or feeling of enclosure. No windows would be included in this elevation, as in the previous consent, so there is no privacy impact upon the occupiers of 94 Dartmouth Road.
31. Concerning no. 67, Teignmouth Road, the rear of the building would face the side of that property's existing garden shed, and apart from this small extension which would be set back from the boundary by 1.6m, there would be no change in the relationship. The kitchen door would look out to the rear boundary along the back of no. 67's shed. It is not considered there would be any significant impact on this neighbour.
32. Regarding the north elevation, the side of the property (where the entrance would be) would be 20m away from the rear wall of 65 Teignmouth Road. This would be at ground floor level and is not considered therefore to introduce any significant negative impact in terms of privacy. Generally speaking in terms of foot traffic, use of garden, etc, the reasonable use of the site, considering the small scale of the development, is unlikely to result in any significant impact on surrounding properties.
33. The building would not be changing in massing or height when compared to the previous garage, from the point of view of 65 Teignmouth Road, so there would not be any material impact in terms of overshadowing or feeling of enclosure. Overall the proposal is acceptable in terms of residential / neighbour amenity.
34. An Air Source Heat pump is proposed. It has been appropriately located within bin and cycle storage enclosure and to ensure that any noise from it is maintained at an appropriate level a condition has been recommended.

Transport: - Parking, Servicing and Access

35. As with the previous consent, the proposal would result in the loss of the garage, but this has not been used for off-street parking for some time. A covered cycle storage unit has been proposed within the garden to ensure sufficient levels of cycle parking. A condition has been recommended requiring the removal of the existing crossover to the site and its reinstatement to footway, with full height kerbs together with an extension to the adjoining on-street parking bay to provide additional on-street parking capacity, which is to be funded by the applicant prior to occupation of the development. The proposal is considered to accord with adopted and emerging policy in relation to transportation and highways.

Flooding

36. The site is within a critical drainage area, as identified in the West London Strategic Flood Risk Assessment. The amount of additional footprint of built form would be limited to the side extension element only. The rest of the site would be either soft landscaped or permeable as marked on the drawings. As such it is considered that the proposal would not cause an increased risk of flooding or surface water drainage problems.

Landscape and Trees

37. Due to the presence of trees on site, and this being a conservation area, an arboricultural implications assessment, tree protection plan and arboricultural method statement were provided for the previous application, and a compliance condition carrying over the required adherence to these is included. The report and method statement were previously consulted on with the Borough Tree Officer, who is satisfied with the methodology. The demolition and reconstruction can be carried out within the same requirements and therefore have no greater impact on trees, with no trees proposed to be lost, and the pruning of one category C tree proposed.

Fire Safety

38. Policy D12A is now applicable to applications for planning permission, which looks to ensure that developments achieve high standards of fire safety and include suitably positioned unobstructed outside spaces for fire appliances and evacuation points, are design to incorporate appropriate features including fire alarm systems and fire safety measures, are constructed in an appropriate way to minimise the risk of fire spread, provide suitable and convenient means of escape and have a robust evacuation strategy. Fire safety information has not been included within the submission. However, the proposal is for a single storey building within a street frontage with open areas to the front and side of the proposed building and there is no reason to believe that the proposal could not achieve approval under the Building Regulations.

Public Sector Equality Duty

39. 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.

Conclusion

40. The proposal would provide a good quality residential unit without resulting in harm to the significance of the conservation area or materially harming the amenities of adjoining occupiers. The proposal would result in a new home being provided in a site which was once the garden of a building. While this is contrary to the design guide, this is not considered to result in any harm to the conservation area for the reasons discussed above and is considered to accord with adopted policy. The proposal involves the demolition of the previous garage (which has already occurred), but its loss is not considered to be harmful to the conservation area. The proposed replacement building reflects the size, siting and design of the previously consented development and the new building is considered to have an appropriate appearance within this conservation area setting. The proposal is considered to preserve the character and appearance of the Conservation Area and it is recommended that consent is granted.

CIL DETAILS

The proposal is liable to pay CIL as set out below despite providing less than 100sqm of new floorspace

because the proposal comprises at least one new residential unit, in accordance with Reg 42(2) of the CIL Regulations 2010 (as amended), the provisions of which supersede the provisions of Reg 42(1) 'exemption for minor development'.

This application is liable to pay **£18,108.06** * under the Community Infrastructure Levy (CIL).

We calculated this figure from the following information:

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

Total amount of floorspace on completion (G): 50.6 sq. m.

The calculation includes the cycle and bin store which is considered CIL liable.

Use	Floorspace on completion (Gr)	Eligible* retained floorspace (Kr)	Net area chargeable at rate R (A)	Rate R: Brent multiplier used	Rate R: Mayoral multiplier used	Brent sub-total	Mayoral sub-total
(Brent) Dwelling houses	50.6		50.6	£200.00	£0.00	£15,044.46	£0.00
(Mayoral) Dwelling houses	50.6		50.6	£0.00	£60.00	£0.00	£3,063.60

BCIS figure for year in which the charging schedule took effect (Ic)	224	330
BCIS figure for year in which the planning permission was granted (Ip)	333	
TOTAL CHARGEABLE AMOUNT	£15,044.46	£3,063.60

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

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

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



Application No: 21/2705

To: Mr Olive
Michael Olive Architects
2A Duke Street
Aspley Guise
MK17 8EF

I refer to your application dated **13/07/2021** proposing the following:

Retrospective application for demolition of garage and proposed construction of a single-storey residential unit (Use Class C3), provision of cycle and refuse storage, associated landscaping and renewed boundary fencing (revised description)

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

at **Land rear of 65, Teignmouth Road, London**

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

Date: 07/12/2021

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 material accordance with:

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

National Planning Policy Framework 2021

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

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

- 2 The development hereby permitted shall be carried out in accordance with the following approved drawings and documents:

19100_E01_E: LOCATION PLAN
19100_E02_D: PRE-EXISTING SITE PLAN
19100_E03_D: PRE-EXISTING GROUND FLOOR AND ROOF PLANS
19100_E04_D PRE-EXISTING ELEVATIONS
19100_P00_A: PROPOSED SITE PLAN
19100_P01_H: GROUND FLOOR ROOF PLANS PROPOSED
19100_P02_F: PROPOSED ELEVATIONS
19100_P03_E: PRE-EXISTING AND PROPOSED SECTIONS
19100_P04_E PRE-EXISTING AND PROPOSED STREET ELEVATIONS
19100_P05_C: PROPOSED DOOR AND WINDOW DETAILS
19100_P06_B: MATERIALS PALETTE: PROPOSED
Design access & heritage statement, 19100_LRSDAHS_01 revC
Addendum to Design, Access & Heritage Statement
Arboricultural report and method statement (Greenwood, November 2019).

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

- 3 The development shall be constructed using external facing materials and detailing that accord with the drawings and documents hereby approved including 19100_P06_B Rev B "Material Palette - Proposed" 19100_P05_C Rev B "Door & Window Detail - Proposed" unless alternative materials are submitted to and approved in writing by the Local Planning Authority and the development is completed in accordance with the subsequently approved materials.

Reason: To ensure a high standard of materials and detailing having regard to the character and appearance of the conservation area.

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

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

- 5 No extensions, alterations or outbuildings shall be constructed or undertaken within the curtilage of the dwelling subject of this application, notwithstanding the provisions of Classes A - H of Part 1 Schedule 2 of the Town & Country Planning (General Permitted Development) Order 2015 (as amended), or any order revoking and re-enacting that Order with or without modification, unless

a formal planning application is first submitted to and approved by the Local Planning Authority.

Reason: To ensure a satisfactory standard of accommodation, an acceptable level of impact to the amenities of surrounding occupiers and in the interest of the character and appearance of the building and conservation area.

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

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

- 7 The air source heat pump shall not be installed unless the rating level of the noise emitted from the fixed mechanical plant together with any associated ancillary equipment on the site is 10dB below the existing background level at any time. The noise levels shall be determined at the façade of any noise sensitive property. The measurements and assessments shall be made according to BS4142:2014.

Reason: To safeguard the amenities of the adjoining occupiers in accordance with the with London Plan (2021) and Brent's Development Management Policies (2016)

- 8 The development hereby permitted shall not be occupied unless the following highways works have been carried out in full:
- Removal of the existing crossover to the site and its reinstatement to footway, with full height kerbs; and
 - an extension to the adjoining on-street parking bay.

Reason: To provide an appropriate provision of pedestrian access to the site and to ensure that the development does not result in levels of on-street parking that are detrimental to highway flow and safety.

- 9 The proposed development shall only be carried out in accordance with the tree protection and method details set out with the Arboricultural Impact Assessment (Greenwood Arboriculture, 19 November 2019) and all tree protection and other measures set out within the Assessment (including the appendices) shall be carried out in full throughout the construction of the development.

Reason: To ensure the safe and healthy retention of all retained trees both within and in close proximity to the application site

- 10 The areas so designated within the site shall be landscaped in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority before any above ground works commence on site, the landscape work to be completed during the first available planting season following completion of the development hereby approved. The submission must include all hard and soft landscaping, the frontage to include a minimum of 50% soft landscaping, hedged boundaries between the proposal and adjoining properties, and positioning of cycle storage and air source heat pump.

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

Reason: To ensure a satisfactory standard of appearance and setting for the development and to ensure that the proposed development enhances the visual amenity of the locality, and preserves the character and context of the Conservation area, in the interests of the amenity of the occupants of the development and to provide urban greening and preserve the character of the garden within the Mapesbury Conservation area.

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 Removal of the existing crossover to the site and its reinstatement to footway, with full height kerbs together with an extension to the adjoining on-street parking bay, is to be funded by the applicant prior to occupation of the development. The applicants must contact transportation@brent.gov.uk or call on 020 8937 5600 to arrange the highways works, to a specification to be agreed by the Highways Authority, with all works to be at the applicants' expense in accordance with Section 184 of the Highways Act 1980.
- 3 The applicant must ensure, before work commences, that the treatment/finishing of flank walls can be implemented as this may involve the use of adjoining land and should also ensure that all development, including foundations and roof/guttering treatment is carried out entirely within the application property.
- 4 The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk
- 5 The applicants are reminded of the requirements of the Code of Construction Good Practice, which requires that no activities shall be carried out and no commercial vehicles may arrive, depart, be loaded or unloaded within the general site, except between the hours of 0800 and 1800 Mondays to Fridays, 0800 and 1300 Saturdays and at no time on Sundays or Bank Holidays, in order to comply with the Environmental Protection Act 1990 with regards to noise and nuisance. Please see <https://www.ccscheme.org.uk/ccs-ltd/code-of-considerate-practice-2/>

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