

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

17 August, 2022
04
22/1400

SITE INFORMATION

RECEIVED	14 April, 2022
WARD	Wembley Central
PLANNING AREA	Brent Connects Wembley
LOCATION	Car Park next to 34 and Land next to 31 Rokesby Place, Wembley, HA0
PROPOSAL	Development of car park next to 34 Rokesby Place to create 2 x four bedroom dwellings with associated cycle and refuse storage, landscaping and reconfigured car parking area providing five new car parking spaces
PLAN NO'S	Please 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_159899</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.uk2. Select Planning and conduct a search tying "22/1400" (i.e. Case Reference) into the search Box3. 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. Affordable housing
4. Removal of parking permits for the new homes
5. Water Consumption
6. Restriction of PD rights for dwellinghouses
7. Drainage Strategy measures
8. Ecology measures
9. Restriction of upper floor windows
10. Refuse stores
11. Tree
12. External Materials
13. Construction Method Statement
14. Construction Environmental Management Plan
15. Tree Protection measures
16. Landscaping
17. Cycle Parking
18. Refuse

Informatives

1. CIL liability
2. Party Wall Act
3. Fire Statements
4. Noisy Works
- 5 and 6. Tree Standards

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

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

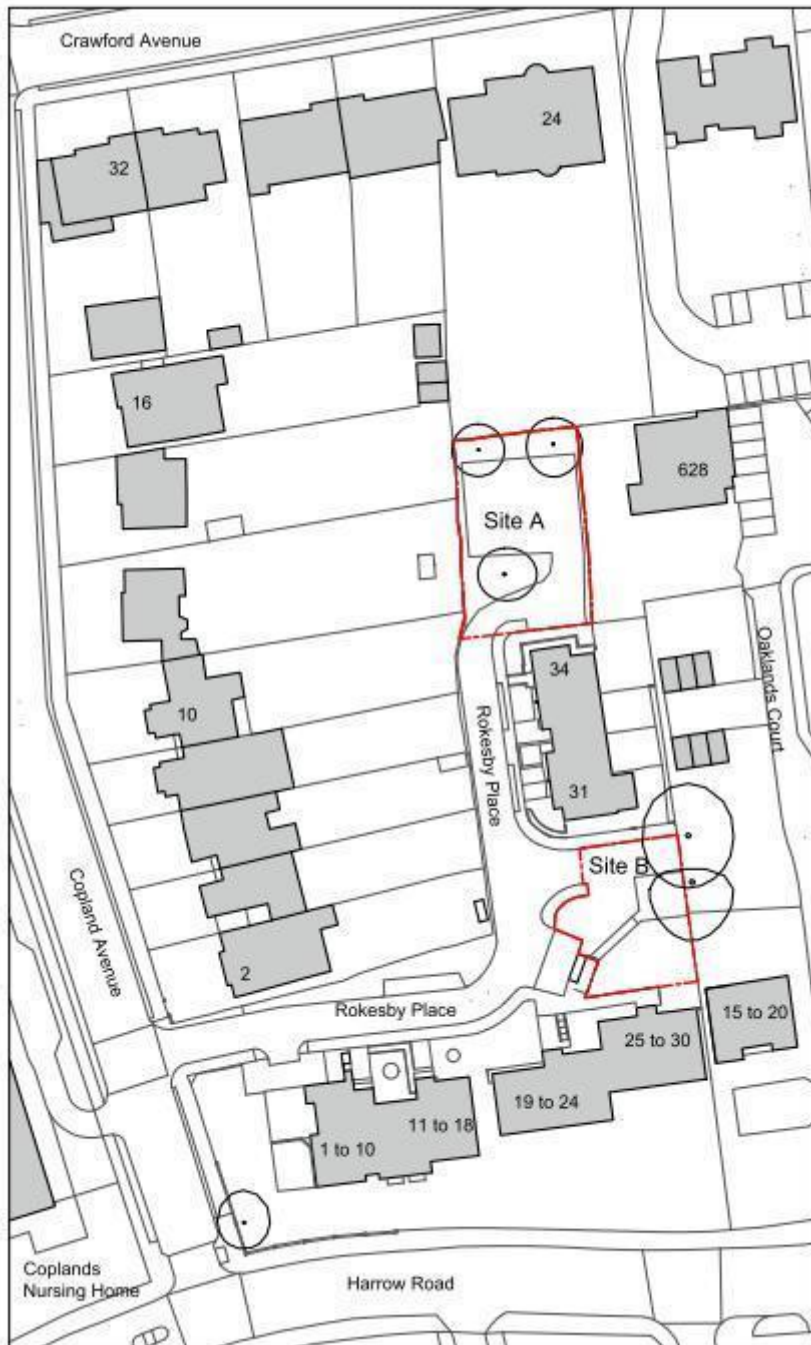
SITE MAP



Planning Committee Map

Site address: Car Park next to 34 and Land next to 31 Rokesby Place, Wembley, HA0

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This map is indicative only.

PROPOSAL IN DETAIL

Development of car park next to 34 Rokesby Place to create 2 x four bedroom dwellings with associated cycle and refuse storage, landscaping and reconfigured car parking area providing five new car parking spaces

EXISTING

The site is on a private residential car park to the northern side of 34 Rokesby Place with approximately 12 spaces at a dead-end street referred to as Site A and an adopted turning head with 2 informal parking space and soft landscaping adjacent to 31 Rokesby Place referred to Site B. Levels within the site at rear car park are generally flat and the site is adjoined by residential uses on all sides.

The surrounding area is residential in nature and is characterised by a variety of property type and heights from four storey flat roof blocks of flats to two storey hipped roof houses at the end of the street . Some parts of the proposal are adjacent to Flood zone 3a for surface water flooding. The site does not contain any listed building and is not located within a conservation area.

AMENDMENTS SINCE SUBMISSION

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

- Changes to the Site B Boundary
- Updated landscaping along Site B
- Urban Greening details changed based on further landscaping along Site B
- Submission of Ecological Impact Assessment
- Parking Beat Survey submitted to confirm the findings for parking within the area

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 16 the 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 priority location for new homes, and the general principle of residential development to provide additional new Affordable homes is supported in this location.

Highway impacts: The proposed houses would be situated on a car parking area that has 12 parking spaces. However, surveys undertaken for this application have shown that only one car was parked within this location. The proposal also includes changes to the road layout, including changes to the existing turning head within which 2 cars are shown to park within the parking survey. However, those changes result in the provision of 5 additional spaces. Therefore, while the proposal would result in a net loss of 9 parking spaces (14 removed but 5 new spaces added), the parking surveys show that the proposed works would displace three cars, but include the re-provision of 5 spaces. Thus, the submission shows that the proposal is not likely to result in a net increase in parking congestion elsewhere in the site or local streets. Nevertheless, the applicant has also submitted parking surveys for the surrounding streets which show that there is capacity to accommodate overspill parking, should this occur. The changes to the turning head would also enhance vehicular safety within the site. Secure, weatherproof cycle storage with capacity for 2 cycles for each proposed home is included in the proposal.

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 and play areas for all residents. Replacement trees are to be secured on the site to mitigate the loss of existing trees. The submission demonstrates that any 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.

RELEVANT SITE HISTORY

A number of objections have highlighted that the concerns raised within an earlier application have been addressed as part of this submission, in particular related to parking issues. In addition, some local residents have highlighted that the current application proposes a loss of trees that was not proposed within the earlier application.

An application was submitted in 2014 for the construction of a pair of semi detached homes within the car park with associated car parking and landscape works (LPA Ref: 14/4078). The application was presented to Planning Committee on 11th February 2015 where members voted to defer the application for further consideration of matters relating to access for emergency vehicles/servicing, provision of parking spaces, scope for disabled parking and the width of the pavement. The application was subsequently withdrawn by the applicant in April 2015.

Since the previous application was submitted, there have been significant changes to planning policy in the form of London Plan 2021 and Brent’s Local Plan 2019-2041. The current application has therefore been assessed in relation to current adopted policy, as set out within the report below.

CONSULTATIONS

78 individual addresses and the Sudbury Town Residents Association were consulted initially on 04/05/2022. The same addresses in addition to those who commented on the original consultation including the Rokesby Place Residents Association and Councillor Sheth (97 in total) were consulted on 1/07/2022 due to site boundary changes on 'Site B' to include improvements on site.

16 objections were received from individual addresses together with Councillor Sheth., objecting to the proposal on the following grounds:

Objection	Officer Comment
Highway considerations	
Highways having plans to install double yellow lines on the whole of adopted part of Rokesby Place, resulting in loss of 16-17 spaces . This is also to allow heavy vehicles to get access to build the two homes. As a result 6 car parks will remain with 2 for disabled parking. The level of parking is not sufficient.	The Council’s Highways and Infrastructure service consulted local residents on potential changes to the waiting restrictions (double yellow lines) within Rokesby Place in 2021. However, the residents were not supportive of these proposals and the changes were not progressed as a result. Parking provision is discussed further in the Remarks Section (para. 49-59)
Existing traffic congestion and lack of parking in the area due to parking being taken up by staff/visitors within the nearby Royal Mail Sorting Office and Police Station. Lack of available parking made worse by all year round and Event Day Controlled Parking Zones.	Parking capacity is discussed in the Remarks Section (para. 49-59)
The five garages underneath block 1-10 are not wide enough to fit modern size cars	Please refer to paragraph 55.

<p>nor the garages next to the houses. The four houses have below minimum of 4.8 metres in depth for off-street cars steep slope driveway over the standards of NHBC 2022. As such, these spaces should not be counted as available parking within the parking survey.</p>	
<p>No provision has been made for disabled parking for existing residents in Rokesby Place.</p>	<p>The proposal does not result in the loss of disabled parking and the proposed parking provision for the properties is assessed below. The Council's transportation department have been consulted which is included in the Remarks Section.(para. 49-59)</p>
<p>The parking survey has been taken overnight and misleading as it states a total of 116 out of 218 spaces within the surrounding streets are occupied and even with the loss of nine spaces the parking stress to 125 out of 218., However, with double yellow parking there would be a loss of more than 20 spaces. A day survey was taken by the resident in 200m radius which only one space was available Some of the parking spaces are also resident permit holders and event days only.</p>	<p>This is also further discussed in the Remarks Section (para. 49-59) Moreover, a CPZ is recommended by the Transport team.</p>
<p>Safety concerned due to lack of parking closeby for residents and the walk to home in a not well- lit street, in particular for female residents.</p>	<p>Lighting of the new proposal can be conditioned as part of this application. The scheme would result in the provision of two additional parking spaces based on the parking surveys for existing residents.</p>
<p>Amenity considerations</p>	
<p>Loss of privacy from the new homes</p>	<p>The impact on neighbouring properties privacy is discussed in the Remarks Section (para. 37-40)</p>
<p>Loss of privacy and green space to residents within Rokesby Place due to re-positioning of rotary clothes driers</p>	<p>The clothes rotary have been re-provided within Site B and privacy concerns discussed within Remarks para 37-40.</p>
<p>Extension on No.14 Copland Avenue is not shown on the plans</p>	<p>Even with the extensions, the scheme would comply with the 30 degree line as set out within Brent's SPD 1 design guide which have been confirmed via the drawings provided as there is a big gap between the rear windows and the proposal..</p>
<p>Loss of light and overshadowing on the garden of No.14 Copland Avenue effecting wildlife and trees</p>	<p>The proposed first floor element is set back from the boundary by 4.3 metres at narrowest section The proposal would see a minor breach of 45 degree for the roof shown on the section c-c which given the densely trees and depth of the rear gardens there wouldn't be a significant harm to No.14 garden and is acceptable in this instance.</p>
<p>Noise and air pollution caused by the proposed turning head</p>	<p>This would face the side wall of the No.31 Rokesby Place and there is already existing parking to the front and side of the premises and the extra 3 spaces would not significantly increase noise and pollution</p>
<p>Loss of communal amenity area and green space of the estate. There are 30 flats of which 6 are 3 bedrooms, 13 are two bedrooms, and 11 are one bedroom. Removing the green areas will result in residents not having access to any sufficient private spaces. The clothes</p>	<p>Whilst it is noted that there is a part loss of the existing grassed space, the scheme would provide a new communal amenity space next to the new homes and enhancement to the remaining space within site B including new drying facilities. The benefits of the scheme to provide two new affordable family sized homes</p>

drying amenity area is always used during dry weather be it winter or summer	would be considered to outweigh the harm of any loss of existing green space as discussed within para 67-69 below.
Brent Local plan states residents to be able to access amenity space direct from their living spaces which the flats have to come out of blocks and access the usable space which is proposed to be removed	This policy refers to new developments and for family dwellings and would not relate to the existing building and the estate.
Increased noise from buildings	Whilst it is acknowledged that there would be some disruption during construction works, a condition for a construction management plan is recommended to mitigate the impacts. It is not considered that the new homes would result in a significant increase in noise.
Loss of natural light to flats due to the new planting proposed as part of the development. This will also cause a maintenance issue due to inability to clean windows etc.	Please refer to para 72 within the main report
New landscaped areas will encourage more anti social behaviour	Please refer to para 68 with the remarks.
Local residents enjoy walking in Rokesby Place to help them with their mental health/general well being. The construction of the new homes would impact on the health and well-being of residents.	Whilst it is noted that there could be some disruption during the construction period for existing residents, the impact is limited. The proposal includes a new communal amenity space for existing and proposed residents within site A and enhancements to the existing communal amenity space in site B.
Plans do not show level difference across the site and whether the land would need to be altered, which in turn could result in further overlooking.	<p>Sections submitted with the application show the levels within the site and adjoining sites, and the SPD1 design parameters (e.g. the 30 and 45 degree lines) have been evaluated in relation to ground levels in adjoining properties. The potential for overlooking has also been assessed having regard to the relative levels between sites.</p> <p>The rear part of the site within car park is mostly levelled and there are adequate distances to the boundaries on first floor from habitable room windows. Moreover, there are 2 metre boundary walls on ground floor around the building towards the neighbouring properties that would prevent overlooking on to neighbouring gardens.</p>
Ecology/green space and tree considerations	
The proposal will result in the removal of trees on the site and not agree with the removal of 3 (Cherry tree, Lime tree) which would effect the wildlife. No confidence in the tree replacement per past history with Brent and these trees are valuable food source for wildlife on site which is contrary to previous recommendations in 2015 for their retention	<p>The Tree Officer has been consulted on the application to assess the impact on trees. This is included in the <i>Remarks</i> Section (para. 60-73)</p> <p>The proposed landscaping plans and the condition would take in to account the existing biodiversity of the site and would proposed 9 replacement trees. This was also assessed by Council's tree officers which recommended conditions attached to this application.</p>
Green areas facing the Harrow Road is not of good quality and not deemed as private amenity space with the exhaust fumes from traffic, alcohol bottles and not safe for sitting	Improvements are proposed in terms of landscaping on site B set away from Harrow Road frontage as well as Site A away from Harrow Road frontage. Both of these spaces will be well overlooked by the existing and proposed homes.

Hedgehogs was seen on 28 June 2022 and not according to page 18 at table 5 of the ecology impact assessment stating last sightings was in 2020	This application has condition attached for hedgehog passages and protection during construction per Ecology Impact Assessment Report.
A bat survey as there are present in summer in the garden of No.14 Copland Avenue	Please refer to paragraph 76 of Remarks below
Adding further seating and play area on Site B would encourage antisocial behaviour and not a welcomed proposition and loss of green space is not replaced	The seating and play areas will be well overlooked by existing and proposed homes. It is therefore not considered that there is a higher risk of anti social behaviour compared to other communal amenity areas that are overlooked by housing.
Other considerations	
The site is not Brownfield as it is not identified as one on Brent's Brownfield Register. Not agree that the site is run down and deliberating ignored by Brent Council for repair.	Please refer to para 7-8. Maintenance of the site by the Council is not dealt with through the planning application.
No consultation was taken place with the residents and neighbouring community before this application apart from a generic questionnaire	This relates to the applicants consultation rather than that carried out by the Council as part of this application. Further consultations from the council have taken place since the initial letters were sent out and all residents of Rokesby Place have been notified of the application.
Spread of fire to their close proximity and overdevelopment and the road is stretch is over 55 metre and reversing round tight bend	The application accompanies a fire statement for the proposal and the reversing of fire brigades was deemed acceptable and assessed by transport team.
Brent Council has historically failed to maintain existing properties – broken fences etc	This is not a planning related matter
A condition should be imposed to ensure that the homes are genuinely affordable.	A condition has been secured.
Large building on the land of 24 Crawford Avenue on the border and 16 Copland Avenue, hence overdevelopment of the this corner plot of land	Please refer to paragraph 39.
Severe ground water flooding	Assessed by Council's Flood Engineers and agree with the report submitted that would reduce water run-off by 50%
Loss of light and overshadowing on the garden of No.14 Copland Avenue effecting wildlife and trees	The proposal would marginally overlap with the garden of No.14 and the first floor element is set back from the boundary by 4.5 metres and compliant with Brent's 45 degree
The site is not within intensification corridor	Being set back from the main high road frontage, officers also consider that the site is not within an Intensification corridor.

Internal

Local Lead Flood Authority – raised no objections

Ecology Officer – raised no objections subject to recommendations as set out within the ecology report being secured.

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 Local Plan 2019-2041*

Key policies include:

London Plan 2021

Policy D3 Optimising site capacity through the design-led approach
Policy D4 Delivering good design
Policy D5 Inclusive design
Policy D6 Housing quality and standards
Policy D7 Accessible housing
Policy D12: Fire Safety
Policy H1 Increasing housing supply
Policy H2 Small sites
Policy G5 Urban greening
Policy G6 Biodiversity and access to nature
Policy SI 1 Improving air quality
Policy SI 12 Flood risk management
Policy SI 13 Sustainable drainage
Policy T2 Healthy Streets
Policy T3 Transport capacity, connectivity and safeguarding
Policy T4 Assessing and mitigating transport impacts
Policy T5 Cycling
Policy T6 Car parking
Policy T6.1 Residential parking
Policy T7 Deliveries, servicing and construction

Local Plan 2019-2041

DMP1 – Development Management General Policy
BD1 – Leading the way in good design
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
BH13 – Residential Amenity Space
BHC1: Brent's Heritage Assets
BG11 – Green and Blue Infrastructure in Brent
BG12 – Trees and Woodland
BSUI2 – Air Quality
BSUI3 – Managing Flood Risk
BSUI4 – On-site Water Management and Surface Water Attenuation
BT1 – Sustainable Travel Choice
BT2 – Parking and Car Free Development
BT3 – Freight and Servicing, Provision and Protection of Freight Facilities
BT4 – Forming an Access on to a Road

Other material considerations include:

National Planning Policy Framework 2021

Council's Supplementary Planning Document 1 "Brent's Design Guide" 2018

DRAFT Small Site Design Codes LPG - to be published 2022

DRAFT Good Quality Homes for All Londoners Guidance LPG - to be published 2022

* Local Plan 2019-2041

The Council adopted the new Brent Local Plan 2019-2041 at Full Council on 24 February 2022. The following documents have now been revoked:

" The Brent Core Strategy 2010

- " Brent Site Allocations Development Plan Document 2011
- " The Wembley Area Action Plan 2015
- " The Development Management Policies Plan 2016.

These documents are no longer considered Development Plan Documents for the purposes of determining planning applications within the area that the Council remains the Local Planning Authority and also their associated policies map.

DETAILED CONSIDERATIONS

Background

1. The proposed homes form a part of the Brent Council project that is aiming to deliver 5000 new homes over a five year period, 1000 of which are proposed to be delivered through the New Council Homes Programme. The aim of the New Council Homes Programme is to reduce the high housing waiting list and the number of residents living within temporary accommodation, by building new homes that meet the needs of Brent's residents. This site is one of the sites identified within the New Council Homes Programme to build on land already owned by the Council.
2. This application relates to a car park located at the northern end of Rokesby Place (referred to as site A) that will provide two no. four bedroom affordable homes and a communal amenity space for use by all residents within Rokesby Place, together with site B that currently contains an adopted turning head with 2 informal parking space and soft landscaping adjacent to 31 Rokesby Place, that will provide 5 car parking spaces, improvements to the turning head and enhancement to the remaining soft landscaped space.

Principle of development

3. 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. Brent's local plan policy BH1 reflects this target as well..
4. 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.
5. In response to the strategic policy position above, within Brent's Local Plan, the Council has set out priority areas for new housing under policy BH2. This policy identifies that new housing would 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.
6. The above position is reinforced in policy BH4 of Brent's 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). In these priority locations, the character of the existing area will be subject to change over the Local Plan period. Outside the 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. The site lies within PTAL 4 and therefore falls within a priority area for housing. The principle of the redevelopment of the site for increase in residential home is acceptable, this is subject to meeting material policy considerations as discussed below.
7. It is noted that the objections have highlighted that the site does not lie within an intensification corridor, nor that it should be defined as a brownfield site and that it is not on the brownfield register. The site indeed does not lie within an intensification corridor. However, as it has a PTAL of 4 (Public transport Access Level) it is within a priority location for new homes as identified within policy BH4.
8. Brownfield land is defined within the NPPF under Previously developed land) includes land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should

not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. The definition excludes residential gardens, and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape. It is therefore acknowledged that parts of the sites would not fall within previously developed land, and that the application would result in the loss of existing green space both within sites A and B.

9. Objectors have raised concerns regarding the loss of communal amenity area and green space of the estate, resulting in existing residents not having access to sufficient external amenity space. They have highlighted that the clothes drying amenity area is well used.
10. An area of approximately 160 sqm of green space is proposed to be changed to hard surfacing to accommodate the enhanced turning head and the parking spaces within site B. Site A has landscaped areas at either end of the car park, with a total area of approximately 145 sqm. These will be removed, but a new communal landscaped area of approximately 80 sqm will be re-provided. It is acknowledged that it is possible that some residents may be currently using some of the grassed area for recreational functions, and that this may have some local value despite not falling within the boundaries of a designated public open space. The existing residents within Rokesby Place would continue to have access to the remaining green space within site B which is proposed to be upgraded as part of this application. In addition a new shared garden would be provided for all residents in front of the proposed homes. The other existing grassed areas to the front and rear of 1 to 30 Rokesby Place would not be affected by the proposal, and it is noted that the houses at Nos. 31 to 34 Rokesby Place will continue to have their own private rear gardens. Furthermore, Barham Park is within a short minute walk from Rokesby Place, with the junction of Rokesby Place being approximately 120 m from the entrance to Barham Park and the far end of Rokesby Place (where the new homes are proposed) being approximately 240 m
11. Policy DMP1 seeks to retain existing green infrastructure including open space, high amenity trees and landscape features, and providing appropriate additional or enhancements where possible. Where the loss of open space is proposed, this would be required to be balanced against the benefits of the proposal. While the loss of the green space is acknowledged, the scheme would deliver the provision of two affordable family sized homes within the Borough for which there is an identified need. This is considered to outweigh the harm, particularly given the proximity to Barham 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 green space is outweighed by the benefits of the scheme as a whole, including the delivery of two affordable family sized homes.

Design, layout and appearance

12. The NPPF (2021) requires “Planning Policies and decisions should ensure that developments...are visually attractive as a result of good architecture, layout, appropriate and effective landscaping...Permission should be refused for development of poor design which fails to take the opportunities available for improving the character and quality of an area and the way it functions” (Paragraphs 127 and 130 of the NPPF, 2021)
13. Design should respond to contributing towards “a positive relationship between urban structure and natural landscape features Policy BD1 of the Brent’s 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.
14. Principle 3.1 of SPD1 requires new development to be of a “height, massing and façade design should generally respect the existing context and scale; facilitating good urban design”. SPD 1 3.2 principle also states ‘Development should ensure animated facades towards public routes and spaces, avoid blank walls and inactive frontage...’
15. The two proposed dwellinghouses would be flat roofed on the ground floor with asymmetrical sloped roof designs for the first floor which are generally reflective of the scale of the surrounding houses at No.31-34 Rokesby Place. The locality consists of a mixture of building types, styles and sizes which would be beneficial in mitigating any impact the development might cause on the character and appearance of the surrounding area. Furthermore, the proposal would relate acceptably to the domestic scale, character and appearance of the street scene, in view of its height and size.

16. The 2 attached L-shaped homes would be built over a mostly hardstanding parking to the rear of the street which is acceptable in terms of appearance with re-location of the parking spaces further down on a portion of a landscaped area adjacent to No.31 Rokesby Place.
17. The proposal includes the provision of an additional new shared garden in front of the proposed buildings that would be accessible to all residents. The new homes will allow for active frontage and natural surveillance over this shared space.
18. Building materials should be durable, attractive and respect local character. The use of durable and attractive materials is essential in order to create development that is appealing, robust and sustainable and that fits in with local character. The proposal would be in buff brick and precast concrete with matching mortar joints and roof tiles matching the existing dwellings on site. The proposal would have a strong approach in terms of materiality appropriate within the area reflecting the existing surrounding properties, however this would be conditioned as part of this application. The entrances to the homes are well defined in the form of recessed entrance porches.
19. In conclusion the proposed massing and height of the dwellings are acceptable and the proposal has been reviewed by the Urban Design officer who has advised that it makes a good response in terms of urban design and the positioning of the new dwellings.

Standard of accommodation

20. To ensure the quality of new housing, new development must meet with or exceed the minimum internal space standards contained within the London Plan policy D6. It goes on to say that all new homes should be provided with adequate levels of outlook, daylight and natural ventilation, which is supported by Council's Design guide SPD 1 (2018).
21. The proposal would create two dwellinghouses in a 4 bed 7 person configuration on two levels. House 1 has an internal floor space of 116.8 sqm and house 2 has an internal floorspace of 117.5 sqm, both exceeding the 115 sqm minimum space standard set out within the London Plan.
22. All bedrooms meet the space standard of 7.5 sqm for a single bedroom with a minimum width of at least 2.15 m and double bedrooms at least 11.5 sqm with at least 2.75 m width for the main bedroom and 2.55 m for the remaining ones.
23. House 1 would have outlook for habitable room windows from all four elevations and at first floor level outlook is provided to the bedrooms in an easterly direction with an obscured glazed window serving the bathroom to the west. House 2 has outlook to habitable rooms in a northern and southern direction at ground floor level, and outlook to habitable rooms at first floor level on the eastern and southern elevations, together with obscured windows to the landing and bathroom on the northern and western elevations.
24. It is noted that some habitable room windows to both houses at ground floor level are within a short distance to the boundary fencing. This includes the ground floor bedroom, living and kitchen windows to house 1 at 3.14m to 3.7 from the eastern and northern boundaries, and the bedroom and kitchen/living space for house 2 at around 3.15m from the eastern boundary. However, a number of these rooms are dual aspect with good outlook from another window. It is only the single bedroom for house 1 and a double bedroom for house 2 that rely on outlook from a single direction. However, these rooms in question are served by full height patio door to the double bedroom and a two casement window to the single bedroom. The double bedroom for house 1 on first floor level would also have outlook affected by it being sited within 3.35m of the flank wall of house 2. Once again, this bedroom is served by a two casement window. The daylight and sunlight report has confirmed each of these rooms would receive good levels of daylight. In addition, as the boundary fences are around 1.7m to 1.8m when viewed from the affected windows, the future occupiers would not experience an undue sense of enclosure. Overall, the new homes provide good quality accommodation with good levels of daylight and natural ventilation.
25. At ground floor level a landscape buffer of 0.9m is proposed between the ground floor habitable room windows and the pathway that accesses the new homes. A further separation distance of 2m is then maintained to the newly created shared communal amenity space.
26. An adequate internal storage of 3 sqm is also marked for each unit complying with the London Plan.

Floor to ceiling heights

27. The sections submitted show the scheme to have 2.5 metre of internal roof height for more than 75% of the dwellings in compliance with London Plan policy D6.

Accessible Homes:

28. In line with policy D7 of London Plan, the new homes are designated to be M4(2) compliant. The dwelling is designed to be step free from the street and to the garden. The plans also show clear access widths of 0.9 metres and more for most of the premises. The bedroom and bathrooms also have adequate clear zones, hence the proposal complies with D7 London Plan 2021 policy.

External amenity space

29. Policy BH13 sets out that all new dwellings will be required to have external private amenity space of a sufficient size and type to satisfy its proposed residents' needs. This is normally expected to be 50sqm per home for family housing (3 bedrooms or more) situated at ground floor level and 20 sqm for all other housing.
30. The BH13 requirement for external private amenity space established through BH13 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.
31. With regard to quality of the space, the supporting text to policy BH13 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.
32. 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 policy.
33. House 1 has a useable rear garden of around 59sqm and house 2 has a rear garden of around 50sqm, in line with policy BH13..It is noted that the rear gardens are predominantly hard surfaced with a landscape border and relatively narrow at around 2.4m wide. However, they are of sufficient size to layout out tables/chairs and make use of the spaces. In addition, the houses have access to the shared amenity space outside their front doors that is overlooked by both houses, and the houses are also within close proximity to Barham Park. Overall, the scheme is considered to provide sufficient external amenity space for the two homes in line with policy BH13.

Residential and impact on neighbouring amenities:

34. 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/ overbearing impact

35. 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. The sectional drawings shows compliance of the 45 degree measured 2 metres from the garden boundaries of No. 24 Crawford Avenue and South Meadow 628 Harrow Road. It should be noted that No. 24 Crawford Road has an outbuilding in the rear garden next to the car park to further mitigate the impact of the development. A section plan has also been provided from the rear garden of No. 12 Copland Avenue, which shows a very minor infringement of the top of the roof of the house 1 by 0.15m. However, it is unlikely that this minor breach would result in a harmful impact to the amenities of No. 12 Copland Avenue. The 30 degree rule is also shown to be met by the

surrounding properties as well.

36. There is also minor 45 degree infringement on the top of the roof of the house towards No.14 Copland Avenue as shown on Section C-C. Once again, this is a minor breach and it is unlikely that it would result in a harmful impact to the amenities of No. 14 Copland Avenue.

Privacy

37. Moreover according to SPD 1 design guide, directly facing habitable room windows will normally require a minimum separation distance of 18m, except where the existing character of the area varies from this. A distance of 9m should be kept between gardens and habitable room windows or balconies which would look towards those gardens, both for privacy protection and to ensure that the ability to develop the neighbouring sites is not compromised.
38. At ground floor level, whilst habitable room windows are within 9m of the boundary in relation to the northern, western and eastern boundaries, the height of the boundary fences at 1.7m to 1.8m high would restrict overlooking into the neighbouring gardens at No. 24 Crawford Avenue, 12 Copland Avenue and South Meadow, 618 Harrow Road. At first floor level house 1 has a window on the northern elevation at 3.8m from the boundary with No. 24 Crawford Road. This window serves a bathroom and would be conditioned to be obscured glazed and high opening. House 2 also has a window within 3.3m of the boundary with South Meadow, 618 Harrow Road. Once again, the window serves a bathroom and would be conditioned to be obscured glazed and high opening. The southern window to the master bedroom within house 2 overlooks the flank elevation of No. 34 Rokesby Place. However a distance of 9m is maintained to the boundary of No. 34 Rokesby Place and there are no windows within the flank elevation of No. 34 Rokesby Place. The first floor bedroom windows to house 2 are sited just under 9m from the boundary with No. 12 Copland Place (8.8m in part). The shortfall of 20cm is unlikely to be detrimental to the amenities of No. 12 Copland Road given that it is a very marginal shortfall. Furthermore, a distance of over 18m is maintained between directly facing habitable room windows in house 2 and the rear habitable room windows at No. 12 Copland Road.
39. An objection was received in regards to a development within the rear garden of No.24 Crawford Avenue close to the boundary of the site. This building has recently been granted planning permission (reference: 22/1587).
40. The proposal would not appear overbearing or result in significant overlooking of No.34 Rokesby Place and the proposal would be to the side of the dwelling and would not project to their rear building line or their private rear garden.

Daylight

41. To ensure good levels of daylight and sunlight, the use of the BRE's "Site Layout Planning for Daylight and Sunlight : a guide to good practice (BR209)" is supported. This guidance was updated on 8 June this year with the 2022 edition of this guidance. As this guidance was adopted after the submission of this application, the daylight and sunlight assessments submitted reflects the version of the guidance that was in place prior to June this year. While this version of the guidance has now been superseded, the information submitted does provide detailed technical information examining the impact of the proposal on surrounding properties, the assessment to existing properties was not updated under the new version of the guidance.
42. The application includes a Daylight/Sunlight report which sets out the impacts of the proposal on daylight and sunlight to neighbouring properties and gardens
43. 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.
44. 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.
45. The submission identifies properties 628 Harrow Road and, 34 Rokesby Place as closest to the proposal

and as such most likely to be impacted. The results of the report indicate that VSC would remain above the 27% target and would not experience a reduction of less than 0.8 times the former values for affected windows and in relation to NSL affected rooms would not experience a reduction of less than 0.8 times their former value and thus would satisfy BRE guidance..

46. The overshadowing on neighbouring amenities have also been identified within the submission on adjacent gardens of 16 Copland Avenue, 24 Crawford Avenue and 628 Harrow Road confirming that they will virtually remain unchanged from the existing position.. The vast majority of the gardens continue to receive at least 2 hours of sunlight on the 21 st of March with the scheme in place.
47. The daylight and sunlight amenity provided within the proposed residential accommodation has been assessed using the ADF (Average Daylight Factor) and APSH (Annual Probable Sunlight Hours) tests following the methodology of the BRE guidance. The results of the ADF assessment have shown that all 12 (100%) of the 12 habitable rooms exceed the targets for their specific room use and therefore fully comply with the BRE guidelines and British Standard guidance criteria.
48. The objectors have questioned why daylight and sunlight has not been tested for other properties that adjoin the site. Due to the distance from No. 24 Crawford Road and the homes on Copland Avenue to the proposed development, the height of the development would not breach 25 degree line from affected windows within the existing properties. Therefore, the BRE guidance sets out that there is no requirement to assess daylight implications to these properties. The rear gardens of Nos. 10 to 14 Copland Avenue are sited to the west of the application site and would continue to receive direct sun from the south. The applicant's daylight and sunlight consultant has confirmed that they will surpass the BRE criteria for overshadowing, as demonstrated by their analysis of the gardens to the north of the development.

Highways and Parking, Refuse, Cycle Parking

49. Rokesby Place comprised 30 flats (15 x 1-bed, 9 x 2-bed & 6 x 3-bed) and four houses. The houses have their own integral garages and driveways, although the driveways are below the minimum 4.8m in depth, so are likely to be too small to comfortably accommodate a car.
50. As the site is in an area of good public transport accessibility (PTAL), the maximum car parking allowance for the 30 existing flats under current London Plan standards would be between 15-22.5 spaces, with 2-3 further spaces allowed for the houses. The policy position on parking has shifted since the consideration of the earlier withdrawn application. The earlier application was assessed on parking standards set out within Brent's Unitary Development Plan 2004 (revoked in 2016), with the current policy position under policy BT2 highlighting that car parking standards are the maximum and car free development should be the starting point for all development proposals in places that are (or are planned to be) well connected by public transport, with developments elsewhere designed to provide the minimum necessary parking.
51. The current application results in the loss of 12 car parking spaces within the car park (site A) and 2 informal spaces within site B. Five car parking spaces will be reprovided within Site B resulting in an overall loss of 9 spaces within the site.
52. In relation to the proposed homes, the car parking standards allow up to 0.75 spaces for each dwelling. Given that the site lies within PTAL 4 and is within close proximity to the nearby intensification corridor which anticipates a significant amount of new homes to be delivered within the plan period, a condition is recommended for the new homes to not be entitled to parking permits within any existing or proposed CPZ within the vicinity of the site. This would be in line with policy BT2, and would mitigate the impact of parking from the proposed new homes.
53. Consideration also needs to be given to the displacement of parking from the existing site. A parking beat survey was undertaken on 24th and 30th November between 0030 - 0300. Within the surveys it identified 10 cars parked within Rokesby Place on 24th November with no cars parked within the area of parking to be loss within either sites A or B. On 30th November, 15 cars were parked within Rokesby Place with one of those cars parked within site A and two of those cars parked within site B. Based on the parking surveys, the loss of the parking spaces would result in the displacement of 3 cars. As the scheme includes five car parking spaces, sufficient spaces are proposed to be re-provided for those three cars, with two additional spaces available for other residents of the estate.
54. The proposal would also result in the provision of a usable turning head which will enhance road safety (the two cars parked within site B are situated within an area original intended as a turning head). The

turning head would be required to serve the street and therefore needs to be incorporated into the adopted length of Rokesby Place. This will require Highway Works to be undertaken prior to occupation of the development and the appropriation of the spur road as highway land rather than housing land. (n.b. the parking bays may also be adopted, or left in the control of the applicant).

55. It is noted that objectors have raised concerns with counting the garages/driveways to the houses and undercroft garage beneath flats 1 to 10 Rokesby Place as useable parking spaces, due to the limited width and depth of the garages and parking spaces, and gradient of the driveways. This scheme only affects parking within the northern car park and two bays next to No. 31 Rokesby Place as discussed above. No other parking spaces would be affected, and as highlighted above, there would be a surplus of two spaces, based on the observations of cars parked within sites A and B during the over night parking surveys. It was also noted that very little parking was observed in the adjoining Crawford Avenue, and that should over-spill parking occur, this could be accommodated.
56. Objectors have also raised concern proposed changes to the arrangement of double yellow lines within Rokesby Place will result in a further reduction in parking availability. The Council's Highways and Infrastructure Team have advised that consultation was undertaken in 2021 regarding potential changes to the double yellow lines within Rokesby Place, but that these proposals were not being progressed due to objections raised by local residents.
57. Each house would require a minimum of 2 cycle parking spaces located in a secure undercover lockable compound as close as possible to each of the house's entrances. The proposals include cycle stores to the rear of each house which can be accessed from a side gate to the gardens.
58. Each house would need a minimum of 2 x 240l bins, located no more than 20m away from where a refuse vehicle could park. Brent Council's waste guidance discourages the need for refuse vehicles to reverse, but doesn't set out what the maximum allowable distance should be. Nevertheless, reversing distances need to be minimised as much as possible, but in this case, a refuse vehicle will naturally reverse a short distance in front of Nos. 31-34 anyway when using the turning head, which would bring the rear of the vehicle to within about 20m of the proposed refuse store.
59. Further details regarding the cycle storage units are recommended to be secured through condition, and a condition is also recommended requiring the new homes to be "parking permit restricted" should a CPZ be introduced in the local streets in the future.

Trees and landscaping

60. Detailed arboricultural impact assessment, arboricultural method statement and tree protection plan has been submitted as part of this application together with comprehensive landscaping and tree replacement schemes. It should be noted that a tree protected under a Tree Protection Order is present to the rear of no. 31 Rokesby Place, just behind its boundary within Oaklands Close. The applicant has supplied an Arboricultural Impact Assessment (AIA), that has highlighted 13 trees, three groups and two hedges within and adjacent to the two sites that could be impacted by the proposed construction. Six of these trees have been categorised as category B trees, 11 as category C trees and one as category U. There is one tree that is adjacent to the property that has been indicated to be protected by a Tree Preservation Order (TPO), T16 (Ash).
61. As part of the application, it has been outlined for the removal of three category B trees (T1 Common Lime, T2 Bird Cherry, and T4 Sliver Birch) to allow for the proposed development to be undertaken. The loss of these trees will be mitigated for through replacement planting on the site. Other tree works have been outlined to facilitate the proposed development to take place. This is through the pruning of overhanging branches of G3 (Mixed) back to boundary line, with it being stated that the works will be undertaken in accordance with British Standard: 3998 (2010) 'Tree Work - Recommendations'
62. The installation of hard surfacing on current grass area on site B for a proposed car park has been outlined within the Root Protection Area (RPA) of T16 (Ash) and T17 (Oak). There have been suitable methods to mitigate the impact on the trees included as part of the AIA with the new hard surfacing being installed upon the existing ground level incorporating a load suspension system. Along with any kerbs or edges being surfaced mounted to avoid excavation with the trees RPAs.
63. The tree protection methods within the AIA, outline the use of protective fencing around G19 and the use of the pre-existing boundary fence as tree protective fencing from the construction for T16, T17 and the trees on the adjacent property surrounding site A. An Arboricultural Method Statement has not been

submitted yet, and this is recommended to be secured through condition before the development commences. This would explain any operations, including access, proposed within the RPA (or crown spread where this is greater) and demonstrate how the operations would be undertaken with minimal risk of adverse impact on trees to be retained. The AMS for this scheme should document how the materials will be stored to avoid leaching into tree RPAs, as well as any requirements for suitable ground protection within the site, in accordance with British Standard: 5837 (2012) 'Trees in relation to demolition, design and construction - Recommendations'.

64. To mitigate against the tree loss on the site. Moreover, the proposal would plant 6 additional trees on the extended parking bays marked as Site B. The species is suitable for their proposed location; however, no scheme of maintenance has been provided for the establishment of the planned trees. A schedule in accordance with BS: 8545:2014 Trees: from nursery to independence in the landscape - Recommendations should be submitted and approved by the Local Planning Authority which will be conditioned with this application.
65. A landscape design report has outlined the planting of three multi-stem *Amelanchier lamarkii* within site A to mitigate against the tree loss on the site. Moreover, the proposal would plant 6 additional trees on the extended parking bays marked as Site B. The species is suitable for their proposed location; however, no scheme of maintenance has been provided for the establishment of the planned trees. A schedule in accordance with BS: 8545:2014 "Trees: from nursery to independence in the landscape - Recommendations" should be secured through condition.
66. To summarise there are no Arboricultural objections to this application, however before the scheme can progress an Arboricultural Method Statement and a schedule of new tree planting aftercare with associated maintenance would be required. which would be conditioned as part of this application.

Landscaping works:

67. Site A will include a new communal amenity space. The space has been designed with a proposed rain garden and play trail, amenity grass land and seating. The area will include 3 new trees and hedge planting. The remaining open space within site B will be enhanced with re-provision of rotary clothes dryers, seating and informal play equipment. The landscaping enhancements include new tree planting, hedging and ornamental planting.
68. Objectors have raised concerns with the impact of the new planting upon their outlook and light and the inability to clean windows. The risk of anti social behaviour has also been highlighted with the provision of seating facilities within the landscaped area. In response to these concerns, a separation distance of around 3.9m would be maintained between the enhanced landscape space and the windows of the ground floor flats. The space between would not be affected by this proposal which is currently hardstanding and grass. The buffer space would still allow access to maintain the flats and the ability to clean windows. A condition is recommended on the species of soft landscaping that would provide an appropriate buffer from the flats but at a suitable height to allow adequate levels of daylight and sunlight to the existing flats. It is also recommended that the landscape condition includes a management and maintenance plan of the landscaped spaces.
69. Concerns in relation to anti social behaviour is noted. It would appear from the objections that site B is already used as an informal communal amenity space. As it is well overlooked, it is not considered that the addition of new seating would increase the risk of anti-social behaviour. Likewise, the new communal amenity space within site A would also be overlooked by the new homes.

Urban Greening Factor:

70. BH4 also requires all minor residential developments (less than 10 dwellings) to deliver an Urban Greening Factor of 0.4 on site. A landscape strategy has been submitted as part of this application confirming the Urban Greening Factor would meet the 0.4 on site in lieu of loss of existing green areas.
71. Permeable hard landscaping would be provided at the front and garden areas of the proposed development. Improvements to the front of the proposed residential units with communal play space and landscaping would create a more welcoming pedestrian environment. The extended Site B would also be landscaped to create seating places along with tree, hedges and ornamental planting as well as re-provision of rotary Clothes dryers
72. 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 and aiming to enhance the biodiversity to the site.

73. Overall, the proposed landscaping is considered to improve elements of the site to the rear which are at present of a poor and unwelcoming environment whilst minimising impacts on nearby ecology assets. The landscaping is considered to be acceptable.

Biodiversity / Ecology

Environmental impact, sustainability and energy

74. Minor developments should seek to reduce potential overheating and reliance on air conditioning system through good design. For residential development, a Water Efficiency Assessment will be required providing evidence the development will need the target of 105 litres or less per head per day, excluding an allowance of 5 litres or less per head per day for external water use. Given the small number of units proposed, it is assumed that individual boilers are proposed. These should be of low emission.

Ecology:

75. The Ecological Impact Assessment submitted and prepared by ecologists for Waterman Infrastructure & Environment Limited is dated June 2022. The Ecological Impact Assessment includes a desk study using access to biological records, a field survey; and an assessment of the presence / absence of invasive plants. A Preliminary (Bat) Roost Assessment was prepared by an ecologist who held a Natural England Class 2 Licence.
76. In relation to bats, no structures (natural or artificial) were found on site that could be of use to roosting bats; and no further survey was recommended. Bats are likely to use the sites' airspace for foraging and commuting.
77. Section 5 of the EIA describes features that could / should be included in the proposed development to enhance biodiversity (and human amenity). Those include bat boxes (5.8), bird nest boxes at 5.12 and deadwood and habitat for invertebrates at 5.15. This is attached as condition with this application.
78. The recommendations in section 5 and section 6; and the Construction Environment Management Plan would be included in the Conditions. There was comment about observations of Hedgehogs using the current site for foraging and commuting. The location maps show that the new development would sit in the centre of an area of other residential gardens and land holdings. As such the development could continue to provide foraging and commuting routes for Hedgehogs. It is recommended that the proposal via a Condition to include passage gaps for hedgehogs on boundary and any internal landscaping boundaries. Such adaptations are now widely available within the landscape industry.

Construction Management Plan

79. The development is within an Air Quality Management Area and located very close to other residential premises. Construction therefore has the potential to contribute to background air pollution levels and cause nuisance to neighbours. . As such a condition is attached to this application to minimise the impact on local air quality and protect the amenity of neighbours during construction.

Flood Risk

80. In line with BSUI4:(On Site Water Management and Surface Water Attenuation) minor schemes should make provision of an appropriate SuDS scheme where feasible. The rear car park within which the houses are proposed (site A) is in an area of low risk of flooding, as is the majority of the area where the additional car parking is proposed (site B). However, the sections of Rokesby Place in close proximity are liable to surface water flooding (Surface Water Flood Risk Zone 3a) and this of flood risk extends into small elements of site B. The proposal is accompanied by a Drainage Strategy which demonstrates an improvement in drainage from the current site to achieve a peak flow output of 0.6 l/s for a 1 in 100 year event which is in line with greenfield rates. This would be achieved through permeable hard landscaping as well as the soft landscaping provision improving the SuDS on current site surfaces and rain gardens. The scheme also includes water butts for irrigation to allow run off from the roof to be re-used. .
81. The Local Lead Flood Officer has reviewed the submitted Drainage Strategy and has advised that the proposals are acceptable. The implementation of the measures set out within the Drainage Strategy will

be secured through condition.

Fire Safety

82. Policy D12A of the London Plan now requires all minor development proposals to achieve the highest standard of fire safety and requires submissions to demonstrate that they:

- 1) *identify suitably positioned unobstructed outside space:*
 - a) *for fire appliances to be positioned on*
 - b) *appropriate for use as an evacuation assembly point*
- 2) *are designed to incorporate appropriate features which reduce the risk to life and the risk of serious injury in the event of a fire; including appropriate fire alarm systems and passive and active fire safety measures*
- 3) *are constructed in an appropriate way to minimise the risk of fire spread*
- 4) *provide suitable and convenient means of escape, and associated evacuation strategy for all building users*
- 5) *develop a robust strategy for evacuation which can be periodically updated and published, and which all building users can have confidence in*
- 6) *provide suitable access and equipment for firefighting which is appropriate for the size and use of the development.*

83. In support of the application a Fire Statement has been prepared by OFR. The report sets out how the dwelling would be fitted with an automatic fire alarm and detection system and would be provided with structural fire resistance no less than 60 minutes. The location of the fire service vehicle will be such that the hose length from the fire service vehicle to any point within any room in the dwellings will not exceed 45m. A fire hydrant will be provided within 90m of the of the entrance of the dwellings. The report confirms that overall services and appliance access to the dwelling would be in line with Building Regulation guidance and London Fire Brigade Guidance and as such compliant with policy D12A of London Plan 2021.

Equalities

84. 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:

85. The proposal would provide a well-designed development to the area which would occupy two affordable family sized homes. The site lies within a priority location for housing. Whilst there is a loss of green space on site, the proposal would result in a number of significant benefits, including improvements to open spaces and the provision of new affordable family sized homes to meet identified need.

86. The overall height and mass would relate appropriately to the existing buildings within the vicinity of the application site and suitable relationships would be achieved with the neighbouring properties surrounding the site.

87. The quality of accommodation is considered to be of a high standard for any potential occupants. The scheme would result in the loss of 14 parking spaces and re-provision of 5 spaces. Parking surveys have been provided which show that there will be sufficient re-provision of car parking within the site to accommodate the number of vehicles parked within the spaces to be lost, and that the surrounding streets also have capacity for overspill parking should this occur.

88. It is considered 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.

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 22/1400

To: Maddox and Associates Ltd
33 Broadwick Street
London
W1F 0DQ

I refer to your application dated **13/04/2022** proposing the following:

Development of car park next to 34 Rokesby Place to create 2 x four bedroom dwellings with associated cycle and refuse storage, landscaping and reconfigured car parking area providing five new car parking spaces

and accompanied by plans or documents listed here:
Please see condition 2

at **Car Park next to 34 and Land next to 31 Rokesby Place, Wembley, HA0**

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

Date: 09/08/2022

Signature:

Gerry Ansell
Head of Planning and Development Services

Notes

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

DnStdG

SUMMARY OF REASONS FOR APPROVAL

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

National Planning Policy Framework 2021
London Plan 2021
Brent's Local Plan 2019-2021
Brent's Supplementary Planning Document 1 - Design Guide for New Development 2018

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

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

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

1189-05-P-0200
1189-05-P-0201
1189-05-P-0202
1189-05-P-0203
1189-05-P-0100
1189-05-P-1002 A
1189-05-P-1003
1189-05-P-1004
1189-05-P-2000
1189-05-P-2001
1189-05-P-2002
1189-05-P-2003
1189-05-P-2004
1189-05-P-3000 A
1189-05-P-3001
1189-05-P-3002
1189-05-P-0001 A
1189-05-P-0010 A
1189-05-P-1000 A
1189-05-P-1001 A
LN00659-L-100
LN00659-L-101
LN00659-L-101

Supporting documents

WIE18009-105-R-8-2-1-AIA - Arboricultural Impact Assessment
WIE18009-100-R-1-3-1 - SUDS Report
WIE18009-102-R-5-3-1-EcIA - Ecological Impact Assessment

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

- 3 The 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 BH5.

- 4 Occupiers of the residential development, hereby approved, shall not be entitled to a Residents Parking Permit or Visitors Parking Permit to allow the parking of a motor car within the existing all year round or Wembley Stadium Event Day Controlled Parking Zone ,or any future Controlled Parking Zone (CPZ) that is introduced in the locality within which the development is situated, unless the occupier is entitled to be a holder of a Disabled Persons Badge issued pursuant to Section 21 of the Chronically Sick and Disabled Persons Act 1970. For the lifetime of the development this restriction shall be included in any licence transfer lease or tenancy agreement in respect of the residential development.

Details of the wording to be included in the licence transfer lease or tenancy agreement shall be submitted and approved in writing by the local planning authority prior to the licence lease or tenancy agreement being entered in to and the approved details shall thereafter be used in all such licence lease or tenancy agreements.

On, or after, practical completion but prior to any occupation of the residential development, hereby approved, written notification shall be submitted to the Local Highways Authority confirming the completion of the development and that the above restriction will be imposed on all future occupiers of the residential development.

Reason: In the interest of highway flow and safety.

- 5 The building shall be designed so that mains water consumption does not exceed a target of 105 litres or less per person per day, using a fittings-based approach to determine the water consumption of the development in accordance with requirement G2 of Schedule 1 to the Building Regulations 2010.

Reason: In order to ensure a sustainable development by minimising water consumption.

- 6 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

- 7 The works shall be carried out in accordance with the approved Drainage Strategy (WIE18009-100-R-1-3-1 dated July 2022) unless otherwise agreed in writing by the Council.

Reason: To ensure that risks from flooding are effectively mitigated

- 8 The measures and recommendations set out in the 'WIE18009-102-R-5-3-1-EcIA – Ecological Impact Assessment (Dated June 2022)' shall be implemented in full throughout the development.

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

mitigated.

- 9 Any upper-floor window located in a wall or roof slope forming a North and East elevation of the two new homes must be—

- (i) obscure-glazed, and
- (ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed;

and shall be permanently maintained in that condition thereafter unless the planning consent is obtained from the Local Planning Authority.

Reason: To ensure the development does not unduly impact the privacy of the adjoining occupiers.

- 10 The refuse areas shown on the drawings hereby approved shall be provided and made available prior to the occupation of the residential units. They shall be maintained as such thereafter.

Reason: To ensure that the residential units are high quality and that the development does not prejudice the enjoyment by neighbouring occupiers of their properties.

- 11 Prior to the commencement of the development hereby approved (including demolition and all preparatory work), a scheme for the protection of the retained trees, in accordance with BS 5837:2012, including a tree protection plan(s) (TPP) and an arboricultural method statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority.

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

Reason: To satisfy the Local Planning Authority that the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality, in accordance with policy BG12 of Brent's Local Plan 2019-2041, and pursuant to section 197 of the Town and Country Planning Act 1990.

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

- 12 Prior to development commencing, a Construction Ecological Management Plan shall be submitted to and approved in writing by the Local Planning Authority, setting out how the construction process will be managed so as to protect the existing ecology of the site and off-site receptors, in accordance with the recommendations of the approved Preliminary Ecological Assessment.

Reason: In order to ensure that the development results in no net loss to biodiversity and impact upon wildlife.

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

- 13 Prior to the commencement of the development a Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority outlining measures that will be taken to control dust, noise and other environmental impacts of the development. The development shall thereafter be carried out in accordance with the approved details.

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

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

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

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

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

- 15 Prior to the commencement of works (other than demolition, site clearance, laying of foundations or any other below ground work) 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 9 replacement trees within the site, with the use of native and/or wildlife attracting species as per the recommendations made within the Ecological Impact Assessment
- (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) and including passage gaps for hedgehogs
- (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 Ecological Impact Assessment, including the use of insect nest boxes/ dead wood piles, nest boxes for bird species on the building facade as well as on the retained and planted trees and bat boxes in areas of minimal light spill
- (v) details of play space and features provided within the site
- (vi) details of external lighting and overspill diagram
- (vii) a schedule of landscape maintenance for a period of 5 years. which shall include details of the arrangements for its implementation and sufficient specification to ensure successful establishment and survival of new planting. .

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 new tree(s) that die(s), are/is removed, become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Replacement planting shall be in accordance with the approved details (unless the Local Planning Authority gives its written consent to any variation).

Reason: Required to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and biodiversity benefits and to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality in accordance with (Insert relevant policies here).

- 16 Prior to first occupation of the site details of proposed cycle storage for the dwelling 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

INFORMATIVES

- 1 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at www.brent.gov.uk/CIL.
- 2 The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk
- 3 The 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.
- 4 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	
- 5 The following British Standards should be referred to:
 - a) BS: 3882:2015 Specification for topsoil
 - b) BS: 3936-1:1992 Nursery Stock - Part 1: Specification for trees and shrubs
 - c) BS: 3998:2010 Tree work – Recommendations
 - d) BS: 4428:1989 Code of practice for general landscaping operations (excluding hard surfaces)
 - e) BS: 4043:1989 Recommendations for Transplanting root-balled trees
 - f) BS: 5837 (2012) Trees in relation to demolition, design and construction - Recommendations
 - g) BS: 7370-4:1993 Grounds maintenance part 4. Recommendations for maintenance of soft landscape (other than amenity turf).
 - h) BS: 8545:2014 Trees: from nursery to independence in the landscape - Recommendations
 - i) BS: 8601:2013 Specification for subsoil and requirements for use
- 6 The following British Standards should be referred to:
 - a) BS: 3998:2010 Tree work – Recommendations
 - b) BS: 5837 (2012) Trees in relation to demolition, design and construction - Recommendations
- 7 In relation to Condition 14 (Landscaping works) the applicants are encouraged to use species of trees which would contribute to improving surface water flooding on site

Any person wishing to inspect the above papers should contact Mahya Fatemi, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 2292