

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

11 June, 2024
05
23/3833

SITE INFORMATION

RECEIVED	5 December, 2023
WARD	Welsh Harp
PLANNING AREA	Brent Connects Willesden
LOCATION	Tirzah Mansion, 26 Salmon Street, London, NW9 8PN
PROPOSAL	Demolition of dwellinghouse and erection of a three and part four-storey residential building comprising 13 flats, provision for car parking, cycle and refuse storage, amenity space and associated landscaping
PLAN NO'S	See condition
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_167189</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 "23/3833" (i.e. Case Reference) into the search Box3. Click on "View Documents" tab

RECOMMENDATIONS

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

1. Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance.
2. Notification of material start 28 days prior to commencement.
3. Affordable housing – payment in lieu contribution towards off-site affordable housing within the borough (£41,000). An early and late stage review mechanism in the form of a financial contribution towards the provision of off-site affordable housing within the Borough in the event that a greater surplus is identified.
4. Sustainability and Energy;
 - Detailed design stage energy assessment based on Part L 2021 of Building Regulations with a minimum 35% reduction on site. Initial carbon offset payment to be paid prior to material start if zero-carbon target not achieved on site.
 - Post-construction energy assessment. Final carbon offset payment upon completion of development if zero-carbon target not achieved on site.
 - Be seen' energy performance monitoring and reporting
5. Highways Works / Highway related;
 - Healthy Streets contribution (£29,000) towards highway improvements in the vicinity of the site
6. Indexation of contributions in line with inflation from the date of committee resolution
7. Any other planning obligation(s) considered necessary by the Head of Planning.

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

That in the event that the Section 106 Agreement is not completed, the Head of Planning is delegated authority to refuse the application due to the lack of a completed Section 106 Agreement.

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

Conditions _ _

Compliance

1. 3 years consent
2. Approved Drawings
3. Number of Units
4. Obscure Glazing
5. Water Consumption
6. Sustainable Drainage Measures
7. NRMM
8. Parking, Refuse Storage and Cycle Storage
9. Communal amenity spaces
10. Travel Plan Measures

Pre-commencement

11. Construction Method Statement
12. Construction Logistics Plan

Post-commencement

13. Site Investigation
14. Accessible Homes
15. External materials
16. Design Specifications
17. Hard and Soft Landscaping
18. Balcony screens
19. SuDS as built and maintenance details

Pre-occupation or use

20. Plant Noise


Informatives

1. Building Adjacent to Boundary
2. CIL Liability
3. Party Wall Act
4. Fire Informative
5. London Living Wage
6. Quality of Imported Soil
7. Thames Water Details

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

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

SITE MAP

	Planning Committee Map
Brent	Site address: Tirzah Mansion, 26 Salmon Street, London, NW9 8PN
	© Crown copyright and database rights 2011 Ordnance Survey 100025260



This map is indicative only.

PROPOSAL IN DETAIL

The proposal seeks full planning permission for the comprehensive redevelopment of the site to provide a 4-storey building, comprising 13 residential units (Use Class C3).

The proposal includes the following mix of homes:

Size	No.	Percentage
Studio	3	23.1
1 bedroom 2 person	2	15.38
2 bedroom 3 person	2	15.38
2-bedroom 4 person	2	15.38
3-bedroom 4 person	2	15.38
3 bedroom 5 person	2	15.38

The scheme would also include ancillary cycle parking and refuse stores.

Summary of amendments since submission

Amended and additional plans and documents were received during the course of the application, these include the following key changes:

1. Re-alignment of the proposed central-most parking spaces to be directly adjacent to the public footway, allowing for a clear route to the communal amenity space in the north-western corner;
2. Re-configuration of Unit 01_03 to comprise a studio layout and removal of habitable windows facing towards No. 24 Salmon Street;
3. Re-configuration of Unit 02_03 and removal of habitable windows facing towards No. 24 Salmon Street, with additional window to the rear.

EXISTING

The site area equates to 0.11 hectares and sits on the corner of Salmon Street and Queens Walk. The site is roughly square in plan and slopes from the south to the north.

The site is currently occupied by a two-storey, detached, single family dwellinghouse facing onto Salmon Street. The total footprint of the building measures approximately 160sqm. Salmon Street is a London Distributor Road and the Salmon Street Intensification Corridor is located approximately 60m to the south-east.

The site is not located within a conservation area and there are no listed buildings within the sites curtilage. It is however located north-eastwards of the St. Andrews Conservation Area by approximately 50m.

The neighbouring sites include a single family dwellinghouse at No. 24 Salmon Street to the south, and another single family dwellinghouse at No. 43 Queens Walk to the east. To the north is Krishna Court, a residential building comprising 7 dwellings separated by the Queens Walk Highway and further single family dwellinghouses to the west, separated by the Salmon Street highway.

SUMMARY OF KEY ISSUES

Site Designations

Relevant site designations:

Air Quality Management Area

Nearby to:

St. Andrew's Conservation Area - approximately 50m
 Forty Lane Intensification Corridor - approximately 60m

Land Use Details

Site area (ha):	0.11ha
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Residential details:			
	Use Description	Use Class	Unit Mix
Existing	Single Family Dwellinghouse	C3	1 x 5 bedroom unit
Proposed	Dwellinghouses	C3	4 x 3 bedroom units 4 x 2 bedroom units 2 x 1 bedroom units 3 x studio units

Parking

	Car Parking Spaces (General)	Car Parking Spaces (Disabled)	% EVCP	Bicycle Spaces	
				Short stay	Long stay
Proposed	6	1	100%	2	24

Environmental performance

	Policy target	Proposed
Energy		
Percentage of on-site carbon savings beyond Part L of Building Regulations (2021)	35%	63.86%
Percentage of on-site carbon savings achieved through energy efficiency measures	Residential - 10%	31.65%
Off-site reduction (%) and/or carbon offset contribution	Shortfall to net-zero (Residential)	£13,671
Sustainability		
Urban Greening Factor (UGF)	0.4	0.56
Biodiversity Net Gain (BNG)	Positive	Net gain

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: 25 properties were consulted on this proposal and 2 site notices were erected in close proximity to the application site. Objections have been received from 27 individual people, raising a range of issues / grounds of objection. These are summarised in detail below in the 'Consultation' section. A number of consultees (internal and external) have provided comments, as set out within the 'Consultation' section also.

Principle of residential redevelopment of the site: The loss of the existing family sized dwellinghouse is considered to be acceptable, as the proposed development would secure a net increase in dwellings within the site including the provision of 4 new family sized dwellings, in compliance with Policy BH4. The proposal would provide new homes that would meet an identified need within the borough on a “small site” in accordance with London Plan policies H1 and H2 and Brent policy BH1 and BH4. The residential use is supported in principle and considered to be in accordance with key strategic and local policies relating to housing provision.

Affordable Housing and housing mix: The Financial Viability Appraisal that was submitted with the application contended that the scheme would be unviable if affordable housing is provided. This has been reviewed and a surplus of £41,000 identified by industry experts instructed by the Council. A section 106 agreement would be entered into to incorporate a payment in lieu for the provision of off-site affordable housing. This would include an early and late-stage review mechanism which would uplift the contribution figure in the event that a greater surplus is identified. The application is therefore policy compliant. The proposal includes 4 three-bedroom homes, which meets the requirements of policy BH6.

Design, layout, and height: The site is not within a “priority area” for housing as defined within Brent Policy BH2 and as such, it is set out in small sites policy BH4 that “greater weight will be placed on the existing character of the area, access to public transport and a variety of social infrastructure easily accessible on foot when determining the intensity of development appropriate”. The building height and massing proposed, with a maximum of 4 storeys, is taller and larger than the existing buildings in the surrounding area. The surrounding area is generally residential in character, largely comprising of 2 storey dwellings with pitched roofs. Nevertheless, a number of these properties benefit from loft conversions, with visible extensions to the roof such as dormer windows. 3 storey properties including Krishna Court and Cherrylands Close are also located further north along Salmon Street. Having a proposed building of this size and presence is considered appropriate having regard to the open setting of the corner plot, at the convergence of Salmon Street and Queens Walk. The tallest portions of the development would mainly occupy the central portions of the site, thereby being focused away from the residential properties to the east and south of the site. The site is also located approximately 60m from the Salmon Lane Intensification Corridor to the south, whereby Policy BD2 identifies that up to 5 storeys could be acceptable. The building is considered to be of good design quality, relating well to its context and would enhance the character and appearance of the surrounding area. Whilst officers consider that this is an acceptable solution for the development of the site it could also be reasonably concluded that a development that conforms more with the prevailing building heights and massing would be better suited to this location. However, on balance the scheme as submitted is considered acceptable. The proposed development is not considered to be harmful when viewed from locations within the nearby Conservation Area.

Quality of the resulting residential accommodation: The flats would have good levels of outlook and day light and the arrangement of the building within the site, achieve good levels of separation distances between the homes. The proposal accords with internal floor space standards set out within policy D6 of London Plan 2021 and the amount of external amenity space meets the requirements of policy BH13.

Neighbouring amenity: The overall impact of the development is considered acceptable in relation to neighbouring properties having regard to daylight, sunlight, outlook and privacy.

Highways and transportation: The proposed development would provide 7 on-site parking spaces. This falls below maximum allowances set out in Policy T6 of the London Plan (10.75 spaces). It has been demonstrated that overspill parking may be accommodated on the adjacent Queens Walk. Electric Vehicle Charging Points (EVCP) and blue badge parking spaces would be provided whilst the number of cycle parking proposed would encourage sustainable travel patterns in accordance with London Plan standards. Servicing arrangements are acceptable. Some highway works and public realm improvements would be secured as summarised within the Section 106 Heads of Terms above and detailed within ‘Transport’ the remarks section below.

Environmental impact, sustainability and energy: The measures outlined by the applicant achieve the required improvement on carbon savings within London Plan policy. Subject to appropriate conditions, the scheme would not have any detrimental impacts in terms of air quality, land contamination, noise and dust from construction, and noise disturbance to existing/future residential occupiers.

Landscape, ecology, biodiversity and flooding/drainage: It has been demonstrated there would be a net increase in trees on site, and no high value trees would be lost. The site is not close to any designated ecological assets and is not likely to form habitat for any protected species. A net gain in biodiversity is to be achieved as a result of development and the scheme will achieve an Urban Greening Factor of 0.56. Flood

risk has been assessed and a range of SuDS measures are proposed to address surface water management with an 84.6% betterment over existing runoff rates. No objection has been received from Thames Water, and the objection from the LLFA has been resolved.

Fire safety: It is considered that the submitted fire statement sufficiently addresses the matters set out within policy D5 and D12 of London Plan. It should also be noted that the development would still be subject to building regulations where a detailed assessment of fire safety would be carried out.

RELEVANT SITE HISTORY

No relevant planning history.

CONSULTATIONS

A total of 25 letters were sent out to the neighbouring properties within the vicinity of the application site on the 20/12/2023. Re-consultation letters were also sent out to the neighbouring properties within the vicinity of the application site on 28/03/2024. The further consultation period was due to the submission of additional details within the submitted Daylight and Sunlight Assessment. Specifically, this included testing on the Daylight and Sunlight levels to the rear windows of No. 43 Queens Walk.

Two site notices were erected within the vicinity of the site on the 22/12/2023.

A press notice was printed on the 04/01/2024.

At the time that this report was finalised, a total of 27 objections had been received.

Summary of Objections

Comment	Officer Response
Design, Character and Impact on the Street Scene	
The proposed development is not in keeping with other properties in the immediate area.	Refer to Design, Character and Impact on the Street Scene sections of the report.
The proposed development detracts from the character of the established residential area.	Refer to Design, Character and Impact on the Street Scene sections of the report.
The proposal should be set back and in line with No. 24 Salmon Street.	Refer to Design, Character and Impact on the Street Scene sections of the report.
The height of the proposal would be very imposing within the area.	Refer to Design, Character and Impact on the Street Scene sections of the report.
The surrounding area mainly comprises family homes and this would detract from	Refer to Design, Character and Impact on the Street Scene sections of the report. The proposed development would provide 3x

this concept.	family sized homes.
Insufficient greenery proposed to be in line with surrounding properties.	Refer to Tree Considerations, Urban Greening and Ecology sections of the report. 12x trees would be planted and the proposal would achieve an Urban Greening Factor Score of 0.56, which exceeds policy requirements.
The entire block that includes 26 Salmon Street, down to Tudor Gardens, Tudor Court and on to Queens Walk is still totally compromised of the original style housing from the late 1920s. This should be preserved.	The existing building is not considered to be of a special architectural character that would warrant its protection. Furthermore, it is not a listed building, and is not located within a Conservation Area.
It's bulk, height and uniform red brick exterior is really unattractive and neither in keeping with or complementing the surrounding environment.	Refer to Design, Character and Impact on the Street Scene sections of the report.
The planning department should explore alternative options that more closely align with the neighbourhood.	Each planning application is assessed on a case by case basis against the Development Plan. Refer to the below report for the Council's assessment.
Impact on Nearby Residents	
Overlooking and loss of privacy concerns to nearby neighbours.	Refer to Impact on Neighbouring Occupiers sections of the report.
Loss of outlook for nearby neighbours.	Refer to Impact on Neighbouring Occupiers sections of the report.
The Daylight Sunlight Report outlines that one of the windows at No. 24 Salmon Street would not meet the VSC and NSL requirements. The Council should get an independent assessment of the detrimental effect this proposal could have on neighbouring premises.	The window which does not meet BRE targets forms part of a bay window and is the pane facing the proposed development. The minor shortfall is therefore considered to be acceptable as the central pane facing directly outwards would achieve a score of 0.89x its former value. The opposite flank pane would also continue to receive unfettered access to daylight and sunlight. Furthermore, the distribution of daylight within the front room would retain a No-Sky Line value of 1x its former value, exceeding guidance.

The proposal would lead to more noise disturbance within the area.	The application site is located within a generally residential area. The proposed residential intensification is therefore considered to be acceptable from a noise perspective.
Overshadowing to neighbouring properties and a loss of sunlight.	Refer to Impact on Neighbouring Occupiers sections of the report.
Loss of light would have implications on wellbeing and health.	The proposed impact on daylight/sunlight is assessed below in the Impact on Neighbouring Occupiers section of the report.
Parking and Highways Considerations	
Car parking along Salmon Street and Queens Walk would be compromised.	Refer to Transport and Highway Considerations section of the report.
Queens Walk is already heavily parked in the mornings to drop children off at the local private school and nursery.	Refer to Transport and Highway Considerations section of the report.
The impact on local car parking would compromise road safety and to the parents and children using the nearby educational facilities.	Refer to Transport and Highway Considerations section of the report.
The proposal allows 7 car parking spaces, which is not even one car per flat. This would cause congestion on Queens Walk.	Refer to Transport and Highway Considerations section of the report. 2021 Census data indicates that parking levels are likely to be sufficient and the proposed development would result in a negligible demand for on street parking.
The proposal would lead to increased traffic congestion.	Refer to Transport and Highway Considerations section of the report. The trip generation data provided outlines that trips to and from the site would not be significant and would not have any noticeable impact on the local highway or public transport networks.

<p>Reliance on the private vehicle would be even greater, given the poor public transport links in this location.</p>	<p>Whilst public transport access to the site is low (PTAL rating of 2), there are six bus services passing within 640 metres (8 minutes' walk) of the site. Furthermore, 2021 census data predicts a car ownership of eight cars for the entire development, seven of which could be accommodated on site.</p>
<p>The turning into Queens Walk is already tight, and an entrance to a large development will increase accidents.</p>	<p>Brent's Highways Officers raised no concerns in this regard. Furthermore, the trip generation data provided outlines that trips to and from the site would not be significant and the proposal would not have any noticeable impact on the local highway.</p>
<p>Impact on foot traffic.</p>	<p>Brent's Highways Officers raised no concerns in this regard. Furthermore, the trip generation data provided outlines that trips to and from the site would not be significant enough to have any noticeable impact on the local footway.</p>
<p>Other Matters</p>	
<p>Objection to the loss of the existing dwelling built by Mr Salmon, whom the street is named after.</p>	<p>The existing dwelling is not considered to be of a special architectural interest which warrants protection. The building is not listed, and does not form part of a Conservation Area.</p>
<p>The development would affect nearby house prices in the future.</p>	<p>This is not a material planning consideration.</p>
<p>Concerns over the impact on sanitation and environmental pollution.</p>	<p>Thames Water were consulted on the proposal and raised no objections. Furthermore, please refer to the Sustainability section of the report.</p>
<p>The development would serve no purpose to the local community.</p>	<p>A significant number of new homes are required in Brent, and the proposal would help to meet that demand, including the provision of family sized homes. Furthermore, a financial contribution would be provided to improve pedestrian connectivity within the local area. Please refer to the Transport and Highways Consideration section of the report for more</p>

	detail.
The flats over the road at No. 44 Queens Walk are still on the market, showing the lack of interest for flats in these roads. Concerns this would also be the case for the proposed development.	Brent has a significant housing need as set out within the Local Plan, and this proposal would contribute towards achieving housing targets.
The proposed flats are less accessible for multi-generational families.	Refer to the Accessibility section of the report.
The size of the proposed flats are not suitable for growing families.	Each of the flats proposed would meet London Plan Policy D6 space standards. Furthermore, 4x family sized homes would be provided.
There would not be enough garden space for the flats.	Refer to the External Amenity Space section of the report.
Accessibility to nearby public transport links is not suitable in this location for small flats.	Whilst public transport access to the site is low (PTAL rating of 2), there are six bus services passing within 640 metres (8 minutes' walk) of the site. This is considered to be suitable for the density of development proposed.
The development does not comply with the Brent Local Plan (para 6.2.41) as this area is not prioritised for additional housing. In these areas, the intensity of development is likely to be less and the existing character is not expected to significantly change.	Refer to Design, Character and Impact on the Street Scene sections of the report.
No. 44 Queens Walk is being marketed as a hotel due to its lack of interest in purchasing the flats. Is it the intention to provide another hotel at the corner of Queens Walk and Salmon Street	The proposed development would be for 13x residential dwellings. The use of such a property as a hotel would require planning permission.
Family sized homes at upper floor levels do not provide suitable access to a private garden.	Refer to the External Amenity Space section of the report. These units would benefit from a suitably sized balcony alongside communal amenity space.
The Daylight and Sunlight report states that two of the thirteen flats do not meet the direct sunlight requirement in the main living	The results of the Daylight Sunlight report outline that the main living area within each of the proposed units would achieve the

<p>area. The people who live in those flats will only get the direct sunlight requirement in one of the bedrooms. This is a consequence of squashing too many flats in one building.</p>	<p>recommended levels of Annual Probable Sunlight Hours (25%) and Winter Probable Sunlight Hours (5%).</p>
<p>It would be both unethical and immoral for the planning department and planning committee to be influenced by the proposed highways financial contribution in the response to this application.</p>	<p>The financial contribution referenced is required to make the proposed development acceptable in transport terms. This is discussed below, alongside an assessment of each other aspect of the proposal.</p>
<p>The site could instead be used to build a pair of 4 bedroom semi-detached houses or three town houses, providing garden space for families. These would be of more benefit to the local community.</p>	<p>The Council are not able to assess alternative proposals. Please see the below report for an assessment into the scheme proposed.</p>
<p>Concerns over the precedent such an application could set. Quiet residential streets are being transformed into high density living spaces. This could lead to the gradual loss of open space and burying of traditional houses.</p>	<p>Each planning application is assessed on a case by case basis.</p>
<p>The existing garden and trees would be destroyed.</p>	<p>Refer to Tree Considerations, Urban Greening and Ecology sections of the report. 12x trees would be planted and the proposal would achieve an Urban Greening Factor Score of 0.56, which exceeds policy requirements.</p>
<p>The proposal would disrupt the tranquillity and atmosphere of the area.</p>	<p>The application site is located within a generally residential area. The proposed residential intensification is considered to be acceptable from a noise perspective.</p>
<p>The unitary development plan calls of a percentage of family units, the proposed mix of apartments fails to adhere to this with no valid reason other than to overdevelop the site.</p>	<p>The Unitary Development Plan no longer comprises part of the Brent's Development Plan. This has since been indirectly replaced by the current Local Plan (2019-2041). Furthermore, the proposed family housing provision would comply with Policy BH4 of the Brent Local Plan.</p>
<p>The proposal would create additional demand for school spaces.</p>	<p>The proposal is not considered likely to have a significant impact on school places, which are monitored by another team in the Council.</p> <p>School places are considered as part of the development of the Local Plan with evidence set out within the Infrastructure Delivery</p>

	Plan.
Construction-related activities may result in heightened noise levels.	A Construction Method Statement and Construction Logistics Plan would be required by condition to reduce any potential noise harm from the proposed works.
The proposed construction would have an unacceptable impact on the nearby school by way of noise, dust and disruption.	A Construction Method Statement and Construction Logistics Plan would be required by condition to reduce any potential harm from the proposed works.
Questions raised as to whether the title deeds have been investigated.	Certificate A has been signed on the application form provided identifying that the applicant is the sole owner of the land in question.

Internal/External consultation

Environmental Health - no objections raised. Conditions are recommended in relation to air quality and construction management.

Local Lead Flood Authority - objection raised in relation to the surface water drainage strategy provided with submission. Objection removed following the submission of a revised Drainage Strategy. Discussed in more detail within the below report.

Thames Water – No objections raised subject to informatives.

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 H4 Delivering affordable housing
Policy H5 Threshold approach to applications
Policy H6 Affordable housing tenure

Policy H7 Monitoring of affordable housing
Policy S4 Play and informal recreation
Policy HC1 Heritage conservation and growth
Policy G5 Urban greening
Policy G6 Biodiversity and access to nature
Policy G7 Trees and woodlands
Policy SI 1 Improving air quality
Policy SI2 Minimising greenhouse gas emissions
Policy SI3 Energy infrastructure
Policy SI4 Managing heat risk
Policy SI 12 Flood risk management
Policy SI 13 Sustainable drainage
Policy T2 Healthy Streets
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
BH4 – Small Sites and Small Housing Developments in Brent
BH5 - Affordable Housing
BH6 - Housing Size Mix
BH13 - Residential Amenity Space
BHC1 - Brent's Heritage Assets
BGI1 - Blue and Green Infrastructure in Brent
BGI2 - Trees and Woodland
BSUI1 - Creating a Resilient and Efficient Brent
BSUI2 - Air Quality
BSUI4 - On-site Water Management and Surface Water Attenuation
BT1 - Sustainable Travel Choice
BT2 - Parking and Car Free Development
BT3 - Freight and Servicing, Provision and Protection of Freight Facilities
BT4 - Forming an Access on to a Road

Other material considerations include:
National Planning Policy Framework 2021
National Planning Practice Guidance

Council's Supplementary Planning Document 1 "Brent's Design Guide" 2018
Council's S106: Supplementary Planning Document 2022
Brent Waste Planning Guide 2013
Residential Amenity Space & Place Quality – SPD – 2023
Sustainable Environment & Development – SPD – 2023

DETAILED CONSIDERATIONS

Principle of Development

1. The National Planning Policy Framework emphasises the provision of new homes as one of the key roles of the planning system. The London Plan proposes a substantial increase in housing targets across London, including a target for Brent of up to 2,325 new homes per year. Policy BH1 of Brent's Local Plan also reflects the London Plan target.
2. Policy H2 of the London Plan relates to small sites. This policy highlights that boroughs should pro-actively support well-designed new homes on small sites (below 0.25 hectares in size) through both planning decisions and plan-making in order to amongst other considerations achieve the minimum targets for small sites as part of overall housing targets and increase the contribution of small sites to meet London's housing needs. This site is 0.24 hectares in size and therefore would be defined as a

small site under policy H2 of London Plan.

3. In response to the above strategic policy position, Policy BH4 of Brent's Local Plan sets out local planning policy on small sites. This sets out that small housing developments (below 0.25 hectares or 25 dwellings in size) delivering a net addition of self-contained dwellings through the more intensive and efficient use of sites, where consistent with other policies in the development plan, will be supported within the priority locations of PTAL 3-6, intensification corridors, or a town centre boundary through:
 - a) the infill of vacant or underused brownfield sites
 - b) residential conversions, redevelopment, extensions of dwellings, or infill within the curtilage of a dwelling
 - c) the redevelopment of flats, non residential buildings and residential garages,
 - d) upward extensions of flats and non residential buildings
4. 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 easily accessible on foot when determining the intensity of development appropriate.
5. In this case, the site is not located within a priority area for new homes. However, the small sites policy does not preclude other sites from coming forward for redevelopment but stresses the need for greater weight will be placed on the existing character of the area, access to public transport and a variety of social infrastructure easily accessible on foot when determining the intensity of development appropriate. These matters are discussed in more detail below.

Affordable Housing

6. London Plan Policies H4, H5 and H6 set out the Mayor's commitment to delivering 'genuinely affordable' housing. Policy H6 requires affordable housing provision to include a minimum of 30% low cost rented homes, allocated according to need and for Londoners on low incomes (Social Rent or London Affordable Rent); a minimum of 30% intermediate products; and 40% to be determined by the borough based on identified need.
7. Brent's Local Plan Policy BH5 supports this approach and sets a target of 70% of affordable homes being for social rent or London Affordable Rent and the remaining 30% being for intermediate products. This split marries up with London Plan Policy H6 by design, with Brent having considered that the 40% based on borough need should fall within the low cost rented homes category.
8. Where an application does not meet the above requirements set out in Part C of Policy H5, it must follow the Viability Tested Route. This requires detailed supporting viability evidence to be submitted in a standardised and accessible format as part of the application.
9. Given that the level of affordable housing proposed is under the 35% threshold as set out within the London Plan and Brent Local Plan, a Financial Viability Appraisal (FVA) was submitted with the application. This identified a Site Value Benchmark of £1,650,000, and a Residual Land Value of £1,015,000 creating a deficit of £635,000. As such, it was concluded that the proposed scheme would not viably deliver any affordable housing contributions.
10. During the course of the application, the Financial Viability Assessment was scrutinised by industry experts on behalf of the Council. The Council's consultants concluded the Benchmark Land Value to instead be £1,305,000 and following sensitivity tests, the scheme to result in a surplus of £41,000.
11. Policy H5 strongly encourages affordable housing to be provided on site, and affordable housing must only be provided off-site or as a cash in lieu contribution in exceptional circumstances. Nevertheless, the Council accepts that the identified surplus would not be large enough to provide affordable housing on site. If this were to be possible, the Council also recognise that there can be challenges to finding registered providers (RPs) that will take on small affordable housing packages contained within a single core development. Therefore, on a without prejudice basis, the Council has accepted to include a clause within the S106 that would allow a £41,000 payment in lieu (subject to indexation) for the provision of off-site affordable housing elsewhere in the borough. In line with policy, an early and late stage review would be secured via s106 agreement. The proposal is therefore considered to comply with policies H4, H5 and H6 of London Plan 2021 and policy BH5 of Brent's Local Plan 2019-2041.

Housing Mix

12. Policy BH6 of the Local Plan sets out that the council will seek to deliver a target of 25% of new homes as family sized (3 bedrooms or more) dwellings. For every four dwellings included within developments at least one must be 3 bedrooms or more. The proposed residential development would include 4 x 3 bedroom homes which delivers 1 in 4 of the homes within the development as family sized, and therefore complies with policy BH6.

Design, Character and Impact on the Street Scene

13. The NPPF emphasises that good design involves responding to local character and history and reflecting the identity of local surroundings and materials, while not discouraging appropriate innovation. Policy D3 of London Plan highlights the need for all development must make the best use of land by following a design-led approach that optimises the capacity of sites, including site allocations. Optimising site capacity means ensuring that development is of the most appropriate form and land use for the site.
14. Policy DMP1 requires the scale, type and design of development to complement the locality. This is reinforced in policy BD1 which seeks for new development to 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.

Height and Massing

15. Policy BD2 identifies that in intensification corridors and town centres outside conservation areas and areas of distinctive residential character developments of a general building height of 15 metres above ground level could be acceptable.
16. It is set out within Brent policy BH4 that outside of the priority locations for housing, "greater weight will be placed on the existing character of the area, access to public transport and a variety of social infrastructure easily accessible on foot when determining the intensity of development appropriate".
17. As noted above, the application site is not located within a priority location for additional housing. In this regard, Policy BH4 requires greater weight to be placed upon the existing character of the area when determining the density of development appropriate. The area surrounding the property mainly comprises of traditional two storey detached and semi-detached properties with mid to large sized garden areas. A number of these properties benefit from loft conversions, with visible extensions to the roof such as dormer windows. Krishna Court to the opposite street corner on Queens Walk comprises three storeys, whilst Cherrylands Close to the north also comprises a taller development, with accommodation in the heightened roofspace (second floor level). The site is also located approximately 80m from the Salmon Lane Intensification Corridor to the south, whereby Policy BD2 identifies that up to 5 storeys could be acceptable. The policy accepts that the character of these streets will change and that heights of proposals do not necessarily have to reflect existing adjacent properties. The anticipation is that over time, if the policy is successful, those buildings are also likely to be replaced with more intense development.
18. The proposal would be larger both in height and massing than the existing buildings within the context and does diverge to a degree from that character. The proposed development would contain a maximum height of 12.15m (four storeys), with the third and fourth floors generally sloping in towards the centre of the site from first floor level, adopting an appearance typical of an enlarged residential roof. The building would also contain a reduced height of 9.15m (three storeys) to its eastern and western portions, creating an appropriate transition with the immediately adjacent two-storey properties along Salmon Street and Queens Walk. Whilst the four storey element of the proposed development would be taller in height than the properties within the locality, this increased height would be focused to the north-western corner of the building, which is considered to be supported by the open setting of the corner plot location.
19. Furthermore, whilst not located within the Intensification Corridor itself, it is noted that the character of the surrounding area is expected to change, with greater densities of development likely, to which this development would respond well to. The overall acceptability of the height and massing is evident in a number of the views provided within the Design and Access Statement. The application is therefore considered to comply with Policy BH4.

Architecture and Materiality

20. SPD1 states that the use of durable and attractive materials is essential in order to create development that is appealing, robust and sustainable and fits in with local character.
21. As noted above, the surrounding area is generally comprised of traditional two-storey detached and semi-detached properties. The proposed development would typologically defined as more of a large house, with pitched roofs and dormer windows taking visual cues from the locality. As such, the architectural language would reflect the general character of the area.
22. A strong approach to materiality has been set out within the Design and Access Statement submitted as part of this application. The development would mainly comprise of a red multi brick base with a dark red/brown roof tile introduced for the upper floors. The materials would pick up several details from the surrounding context, which is welcomed. The facades are well-composed, with good proportions that establish a clear hierarchy across the scheme and define a coherent base and crown from ground floor to roof level. Nevertheless, as part of any consent, detailed bay studies would be required by condition to include indicative technical sections illustrating how specific elements of the façade may be constructed, such as typical windows, typical parapets, typical balconies etc. Details of finalised materials would also be required via a planning condition.
23. Overall, the proposed approach to architecture and materiality is considered to be well designed, incorporating visual cues from the surrounding area.

Layout

24. The proposal would feature a forward projection of No. 24 Salmon Street by approximately 13.7m. Whilst not typical of the established front building line along Salmon Street, it is considered that this may be supported by the generous separation distance between the two properties, the lower natural ground level on site, and the articulation proposed to the street facing facade, which would reduce the visual prominence of this projection when viewed from Salmon Street. The success of the proposed massing and layout is contextualised by a proposed viewpoint from further south along Salmon Street which was received as part of a revised Design and Access Statement during the course of the application (Section 4.11).
25. Neighbouring property No. 43 Queens Walk benefits from a building typology with a large projecting bay feature to its frontage. The proposed development would project forward of the immediately neighbouring front building line by 2.95m, which would be just short of the projecting bay feature. Given the prominence of the neighbouring bay, which occupies approximately half of the property, this relationship is considered to be acceptable. The north-western corner of the proposed development would project beyond the aforementioned bay window by approximately 4.7m which has been achieved due to the openness and width of this corner plot, and set in from the shared boundary by approximately 8.4m. This relationship has been evidenced by a contextual view of the scheme from further east along Queens Walk in Section 4.11 of the Design and Access Statement.
26. An entrance lobby would be positioned towards the central portion of the Queens Walk facing facade. It is considered that this would be well read, providing a welcoming experience for any future residents. Appropriate signage to navigate this would be secured via condition. A new access point to the eastern end of the Queens Walk boundary would be used to access the site.
27. Overall, the proposed layout is considered to be acceptable, and where deviating to a degree from the established pattern of development in the surrounding area, is acceptable in light of the site's characteristics.

Relationship with the St. Andrews Conservation Area

28. The site is situated approximately 50m from the St. Andrew's Conservation Area to the south-east. The Conservation Area is defined as a designated heritage asset.
29. Paragraph 194 of the National Planning Policy Framework (NPPF) 2023, states that when determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. The NPPF goes on to say in paragraph 195 that Local Planning

Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

30. Paragraph 199 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. In the case of where development leads to less than substantial harm to the significance of a designated heritage asset, paragraph 202 of the NPPF highlights this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. Policy HC1 of the London Plan development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. Policy BHC1 of the Local Plan further re-emphasises the matters above. Policy BP4 further reveals the importance of conserving and enhancing heritage assets within this part of the Borough.
31. The St. Andrew's Conservation Area Character Appraisal outlines the importance of the setting of the Conservation Area, with the undulating nature creating a variety of different views. Tudor Close gently falls from the top down to Tudor Gardens which creates a picturesque view of the New Church. The topographical character means that perambulations around the roads and avenues are full of revealed views as significant corners are turned within the Conservation Area.
32. The proposed development would be located a significant distance away from the heart of the St. Andrew's Conservation Area, thus there would be no direct visual relationship with the Southern part of Old Church Lane or the 15 listed buildings. Furthermore, the development does not fall within the framed view of the spire of St Andrew's New Church - its most significant element and focal point. As such, there would be no harm to these assets or the heart of the conservation area. Furthermore, the proposed development is not on the junction and entrance to the St. Andrew's Conservation Area (Old Church Lane) and therefore does not impact key views in this respect.
33. The development would marginally be seen from a number of properties in Tudor Close that back onto the site from their rear windows and back gardens. It would also be glimpsed from Tudor Close. Section 4.10 of the Design and Access Statement submitted includes two view studies conducted from Tudor Close which is the nearest road within St Andrew's Conservation Area and where there could be an impact on the setting of the Conservation Area.
34. View 01 shows that a small part of the proposed scheme's pitched roof would be visible from this view, which would likely be read as one of a number of pitched roof buildings on Salmon Street. View 02 shows that the building would be entirely obscured by the context and would therefore not be visible. There are viewpoints through to the site between the properties, but this also appears to be very marginal given the distance and tree screening. The proposal would only be seen as 'backdrop' in oblique views. The Council's Principal Heritage Officer has reviewed the information submitted and concludes that there would be no harm to the St. Andrew's Conservation Area. Moreover, any perceived harm could be mitigated against by the public benefits of the scheme. The application is therefore considered to comply with Paragraph 199 of the NPPF, and Policy BHC1 of the Brent Local Plan.

Impact on Neighbouring Residential Amenity

Separation Distance and Privacy

35. Any development is required to maintain adequate levels of privacy and amenity for existing residential properties, in line with the guidance set out in SPD1. SPD1 recommends that 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 rooms or balconies.

No. 24 Salmon Street

36. Planning permission was granted in 1996 for the demolition of the existing dwelling on the plot of No. 24 Salmon Street, and its replacement with a two-storey dwellinghouse (ref: 96/0544). This permission was implemented on site, and the approved dwellinghouse remains in situ. No further extensions to the

building have been undertaken since construction.

37. The proposed development would be sited adjacently to the front to mid portion of the property at No. 24 Salmon Street, and a large portion of the front forecourt. At ground floor level, there would be 5x windows facing No. 24. Whilst these would each be within 9m of the joint boundary, section drawings were provided during the course of the application which demonstrate these sightlines to be broken up by the proposed boundary treatment. As such, no harmful overlooking would occur. At upper floor levels, amendments were received during the course of the application to remove the habitable flank windows within the southern façade of the south-western corner of the building. These were instead replaced with obscure glazed windows, and the impact of this on daylight/sunlight/outlook is discussed below. As the replacement windows would be obscure glazed, no harmful overlooking would occur. Finally, Units 01_04 and 02_04 would have habitable windows set 8.35m from the joint boundary. Whilst this is in breach of SPD1 guidance, it is recognised that they would not be overlooking any good quality amenity space. Furthermore, the divergence from guidance is considered to be minor given the circumstances. Therefore, the proposed relationship is considered to be acceptable on balance. Furthermore, the windows in question would not directly face any habitable windows.
38. In terms of balconies, the proposed balcony for Unit 03_01 would directly face the front forecourt of No. 24. However, it would be located 12.4m from the joint boundary, and complies with guidance in this regard. Otherwise, there are no balconies proposed at first or second floor which would directly face No. 24 Salmon Street. Whilst the flanks of the balconies for units 01_03 and 02_03 would be sited 9.7m from the joint boundary, the separation distance would be in compliance with SPD1. The proposed development is therefore considered to achieve an appropriate level of privacy for the residents of No. 24 Salmon Street, and would not unduly hinder any future development potential on this site.

No. 43 Queens Walk

39. The proposed development would be sited adjacently to the neighbouring dwellinghouse at No. 43 Queens Walk, which does not benefit from any flank windows facing the site. At ground floor level, there would be 4x windows within 9m of the joint boundary. However, as demonstrated by the section drawings provided during the course of the application, these would not result in any undue levels of overlooking as a result of the boundary treatment proposed. At first floor level, there would be 2x windows facing No. 43. The first of these within Unit 01_04 would serve a bathroom, and would therefore be conditioned to be obscure glazed and non-opening below 1.7m from internal floor level. As such, no overlooking would occur. Within Unit 01_03, a habitable window would directly face the rear garden of No. 43. However, this would be set away from the joint boundary by 9.6m and complies with SPD1 in this regard.
40. At second floor level, Unit 02_04 would benefit from 2x habitable windows facing No.43, and within 9m of the joint boundary. However, as these are small in size, and would be secondary to larger windows which would not result in unacceptable levels of overlooking, it would be acceptable to condition these to be obscure glazed and non-opening below 1.7m. The same is true for the bathroom window proposed in this unit. Otherwise, the rear facing window within Unit 02_03 would be set away from the joint boundary by 10.1m, and therefore complies with SPD1. Finally, at third floor level, there would be no windows directly facing No. 43.
41. With regard to balconies, there would be none proposed that would directly face No. 43 Queens Walk. Nevertheless, it is noted that a small portion of the balcony for Unit 01_04 would be set 5.9m from the joint boundary, overlooking the front forecourt to some degree. Screening to mitigate this impact would be conditioned. The proposed development is therefore considered to achieve an appropriate level of privacy for the residents of No. 43 Queens Walk, and would not unduly any future development potential on this site.

Sites to the North and West

42. There are a number of residential units to the other side of Salmon Street and Queens Walk which would directly face the proposed development. However, the proposal would maintain a minimum separation distance of 18m from these sites, and as such would not give rise to undue levels of overlooking/loss of privacy.

Summary

43. In conclusion, the proposal would be considered to achieve an acceptable level of amenity in relation to neighbouring occupiers. Whilst some elements of the scheme do not fully comply with SPD1, the impact

of this could be successfully mitigated by appropriate conditions, and the proposal would therefore comply with policy DMP1.

Outlook and Daylight

44. The building envelope of the proposed 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. SPD1 further highlights the 1:2 rule for two storey extensions for commercial developments next to residential as well as between residential developments applies.

No. 24 Salmon Street

45. The proposed development would be located adjacently to the front to mid portion of the main property at No. 24, and a generous portion of the front forecourt. Drawing no. AL(02)220 Rev B demonstrates compliance with the 45 degree rule in relation to this property. Based upon officer observations of the site, the property is noted to benefit from flank habitable room windows at ground floor level. A 30 degree line was therefore measured on the section drawings from these windows, and there would be a minor breach to this rule. However, based upon the documents available under application 96/0544, it would appear that the rooms that these windows serve are likely to also contain windows to the front and rear elevations, and thus the flank wall windows are unlikely to be the sole windows to a habitable room. As such, it is considered that a good level of outlook would be maintained. Furthermore, the Daylight Sunlight Assessment submitted with the application assesses the ground floor layout on a worst case scenario basis, incorporating the two central flank windows to form one room without any front or rear glazing. As discussed in more detail below, the resultant impact on daylight/sunlight is within BRE recommendations. The overall impact is therefore considered to be acceptable.

No. 43 Queens Walk

46. There are no windows contained within No. 43 Queens Walk that directly face the development site. Nevertheless, it is noted that the proposed building would project beyond the rear building line of the property and into the rear garden by approximately 3.2m. The closest portion of the neighbouring property is comprised of a garage conversion, with a habitable room window at rear ground floor level. These works were approved under application ref: 13/0615 and have since been implemented on site. The proposed development would be set 4.15m from the midpoint of this window and therefore fails to comply with the 1:2 rule. However, it is noted that this window was not an original feature of the property, and when the 1:2 rule is taken from the main property, the proposal would comply with SPD1. The building would project beyond the closest rear window at upper floor level by approximately 2.2m and would be set away from the midpoint by approximately 7m. Furthermore, there is a thick line of vegetation between the two properties, which would significantly limit views of the proposed development when viewed from the neighbouring house. As set out above in line with policy D3 of London Plan the development seeks to optimise the capacity of the site to deliver additional homes within the Borough. The associated benefits including the delivery of new homes is considered to outweigh the limited harm in this instance in relation to the neighbouring property. The overall impact is therefore considered to be acceptable.

47. It is also noted that the proposed development would breach the 45 degree rule when measured from the rear amenity space (56 degrees). However, there is already a breach of the 45 degree rule when measured with regard to the existing property on site (48 degrees). Whilst the degree of impact is marginally worse than the existing situation, it is noted that the proposed development would only extend beyond a small portion of the rear garden at No. 43. There would also be a thick line of vegetation between sites which would continue to screen views of the proposed development when viewed from the amenity space. As discussed above, the benefits associated with the development including the delivery of new homes are considered to outweigh the limited harm in relation to neighbouring amenity.

Daylight + Sunlight Assessment

48. BRE guidance outlines two detailed methods for calculating daylight within properties neighbouring a proposed development: the Vertical Sky Component (VSC) and the No-Sky Line (NSL) tests. The VSC test measures the amount of sky that is visible to a specific point on the outside of a property, which is directly related to the amount of daylight that can be received. It is measured on the outside face of the external walls, usually at the centre point of a window. The NSL test calculates the distribution of daylight

within rooms by determining the area of the room at desk / work surface height (the 'working plane') which can and cannot receive a direct view of the sky and hence 'sky light'. The working plane height is set at 850mm above floor level within residential property.

49. For the above methods, the guidance suggests that existing daylight may be noticeably affected by new development if windows achieve a VSC below 27% and are reduced to less than 0.8 times their former value; and / or levels of NSL within rooms are reduced to less than 0.8 times their former values.
50. To assess impacts on sunlight to existing south-facing windows and amenity spaces, an assessment of Annual Probable Sunlight Hours (APSH) is recommended. Adverse impacts occur when the affected window receives less than 25% of total APSH including less than 5% in winter months, or when amenity spaces receive less than two hours sunlight on 21 March or less than 0.8 times their former value.
51. The NPPF also supports a flexible approach to applying standards in order to allow for an efficient use of sites.
52. A sunlight and daylight assessment has been provided with the application assessing the impact of the development on the neighbouring properties within the vicinity of the application site. The report concludes that there would be no direct impact on the neighbouring properties within the vicinity of the application site.
53. No. 24 Salmon Street to the south has flank windows facing towards the site, and windows to the front, which would be affected by the siting of the proposed development. Whilst the internal layout of the unit is assumed, the VSC assessment takes the approach that the two-central ground floor windows facing the site form an individual room, without any front or rear facing glazing. On this basis, the results of the VSC assessment for this property show that 8 of 9 windows assessed would exceed BRE targets (i.e. above 27% VSC or 0.8 times the former values). One ground floor window (W5) would retain 0.74 times its former value however this forms part of a large bay window to the property's frontage, with the main centre window achieving 0.89 times its former value. The windows mentioned above within the central portion of the property would meet BRE guidelines, despite being measured on the worst-case scenario basis. The overall impact is therefore considered acceptable with only a minor shortfall in the BRE guidance. The NSL assessment shows full compliance. With regard to sunlight, the results of the APSH assessment show that the downstairs living room would retain levels of both annual and winter sunlight, well in excess of BRE targets (i.e. 25% APSH / 5% WPSH or 0.8 times the former value).
54. No. 43 Queens Walk has windows to the rear and front which would be impacted by the proposed development. The results of the VSC and NSL assessments for this property demonstrate full BRE compliance with VSC values of 0.93 times the former value and above. With regard sunlight, all relevant rooms would retain levels of annual and winter sunlight in excess of BRE standards. The rear garden of this property has also been tested, and the results identify that 72% of the amenity area would receive at least two hours of direct sun on the 21st March in both the existing and proposed conditions. As a result, the BRE guidelines would be fully satisfied.
55. The Daylight Sunlight Assessment submitted also measures the proposed impact on 23-27 Salmon Street, 42 Queens Walk and the Krishna Court Development which are all residential units separated from the site by the public highway. It is concluded that the residents of these properties would enjoy both daylight and sunlight levels in compliance with BRE requirements.
56. In conclusion, the assessment demonstrates that neighbouring properties together with their rear gardens would continue to receive good levels of daylight and sunlight with the proposed development in place, in line with BRE guidance. The proposal would accord with policy DMP1.

Quality of Accommodation

57. Policy D6 of the London Plan sets out standards for housing quality. It requires new homes to be of high quality design and provide adequately sized rooms with comfortable and functional layouts. Policy D6 requires new housing developments to maximise the provision of dual aspect dwellings and normally avoid the provision of single aspect dwellings. A single aspect dwelling should only be provided where it is considered a more appropriate design solution to meet the requirements of Part B in Policy D3. Optimising site capacity through the design-led approach than a dual aspect dwelling, and it can be demonstrated that it will have adequate passive ventilation, daylight and privacy, and avoid overheating.

Daylight and Sunlight

58. A daylight and sunlight report was submitted with the application assessing the internal arrangement of the proposed residential units. Following amendment to the internal layout of units 01_03 and 02_03 to ensure the dwellings would not overlook No. 24 Salmon Street, a revised DSA was submitted. The Illuminance Method daylight results show that all 36 rooms tested would adhere to the BRE guidelines, including the revised units noted above. The Sunlight Exposure results show that of the 13 units tested, all adhere to the BRE guidelines, which is acceptable.
59. For the sunlight quality to the proposed amenity areas, the ground floor gardens have been assessed. It is noted that the upper levels of the proposed development would obtain higher levels of daylight and sunlight. The assessment of the two hour sun contour assessment has been undertaken to the six amenity areas at ground level. The results of the assessment can be seen within Appendix 5, which shows that 68% of the proposed amenity areas would receive at least two hours of sunlight on March 21st, exceeding the 50% BRE guideline. When measured individually, five of the six spaces would receive two hours of sunlight across 55% to 90% of their area, above the 50% BRE target. The amenity space for Unit 00_04 would receive two hours of sunlight to 18% of its area, which is below the 50% target. However, further testing of this space shows that it would meet the 50% target by 27th May. Whilst not in full compliance with BRE guidelines, the limited level of harm is considered to be outweighed by the planning benefits of the scheme.
60. Overall, the assessment of the light for the future occupants demonstrates an acceptable level of adherence to the daylight assessment, whilst also demonstrating a good level of sunlight will be achieved.

Floorspace Requirements

61. Policy D6 of London Plan sets out minimum floorspace requirements. It also requires single bedrooms to have a floor area of at least 7.5sqm and be at least 2.15m wide. A double or twin bedroom must have a floor area of at least 11.5sqm, with at least one of the double bedrooms at 2.75m wide, and the remaining double bedrooms at 2.55m wide. The Design and Access Statement submitted with the application highlights that all proposed units would meet the London Plan floorspace requirements.
62. The section plans submitted with the application demonstrates that the proposal would meet the required floor to ceiling height of 2.5m of at least 75% of the internal floorspace as set out within the London Plan.

Outlook and Aspect

63. Policy D6 of the London Plan highlights that housing development should maximise the provision of dual aspect dwellings and normally avoid the provision of single aspect dwellings.
64. The proposed unit layout is considered to be acceptable, providing a suitable level of outlook to each unit. Further, it is considered that internal layouts have been well thought out, to maximise dual aspect provision, with living spaces located to the corners of the development where possible. Ten out of the thirteen units proposed (77%) would benefit from dual aspect provision which is considered acceptable on a smaller site.

Accessibility

65. Policy D7 of the London Plan requires that 90% of new housing should meet Building Regulation requirement M4 (2) 'accessible and adaptable dwellings' and 10% should meet Building Regulation requirement M4 (3) 'wheelchair user dwellings'.
66. The development has been designed to allow residents to gain step-free access to the building when considering the external environment through clearly visible and identifiable entrances from the public realm. The drawings also show an accessible parking space. Nevertheless, the lack of a lift limits the ability to provide M4(2) homes throughout. However, due to the high on-going service charges of lift provision, in smaller schemes this from a policy perspective can be considered acceptable as provided by the exception in Para 3.7.6 of the London Plan. A condition is recommended to secure further details of compliance with M4(2) and for two homes to achieve M4(3) standards.

Privacy

67. Given the orientation between the proposed units, no harmful overlooking would occur between homes

within the development.

External Amenity Space

68. Policy BH13 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 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.
69. The requirement for external private amenity space is for it to be of a "sufficient size and type". This may be achieved even when the "normal expectation" of 20 or 50sqm of private space is not achieved. The supporting text to the policy clarifies that where "sufficient private amenity space cannot be achieved to meet the full requirement of the policy, the remainder should be applied in the form of communal amenity space". Proximity and accessibility to nearby public open space may also be considered when evaluated whether the amenity space within a development is "sufficient", even where a shortfall exists in private and/or communal space.
70. 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 1.5m.
71. London Plan policy D6 specifies that where there is no higher local standard, a minimum of 5sqm of private amenity space should be provided for 1-2 person dwellings and an extra 1sqm should be provided for each additional occupant.
72. Brent's Amenity Space SPD was adopted on June 2023 and reinforces that developments must provide 50sqm private external amenity space for a three bedroom ground floor dwelling or 20sqm for all other dwellings. Where it is not possible, developments should maximise, but as a minimum provide the London Plan area equivalent of private amenity space, with the remaining policy area requirement provided as high-quality communal amenity space. The design of external amenity spaces should be considered through the perspective of quality of life outcomes, both direct and indirect.
73. In line with policy BH13, the scheme would be required to provide a total of 320sqm of external amenity space (2 x 50sqm and 11 x 20sqm). Each home would have access to a private terrace or balcony that meets or exceeds London Plan standards for external amenity space. However, there is an overall shortfall in private amenity space of 123sqm against the targets set out within policy BH13. Nevertheless, the scheme would have access to 139sqm of communal amenity space located at ground floor level. The combination of private and communal amenity space would therefore result in a scheme that would not be short of the targets set out within policy BH13. The application complies with Brent's Amenity Space SPD in this regard.
74. During the course of the application, concerns were raised as to the quality of the communal amenity space located to the north-western corner of the plot. Based upon the originally submitted drawings, this required a convoluted access around the site's car parking area and cycle/bin storage area. To this end, amended drawings were received during the course of the application to relocate the 3x central parking spaces and cycle store to be directly adjacent to the site's boundary with Queens Walk, allowing a clear access route along the side of the property. The access to the communal amenity space is therefore considered to be acceptable, following amendment.
75. Concerns were also raised as to the proximity of the space to both the Queens Walk and Salmon Street footway. Brent's Amenity Space SPD requires amenity space to have a balance of openness and enclosure, appropriate for its outlook and orientation, whilst also expecting a good level of privacy. Proximity to traffic noise should also be considered. Section drawings were requested during the course of the application to identify the relationship of this space with the footways of Salmon Street and Queens Walk. The proposed boundary treatment would be of a traditional residential appearance, with brick piers to a maximum height of 1.4m. Railings would adjoin each piers, with hedges planted behind. In terms of appearance, this would be acceptable from street level, as the hedges behind the proposed railings would soften views of the site. Internally, the thickness of the hedges proposed would provide an appropriate buffer from the amenity space to street level, minimising noise disturbance, whilst also preserving a sense of privacy. It is considered that this would achieve an appropriate balance of openness and enclosure, given the depth of the space. A landscaping condition would secure final details of the soft landscaping proposed.

76. Whilst the western facing external amenity spaces to Units 00_01 - 00_03 would also be within close proximity to the public highway, the above principles are considered to apply by nature of the boundary treatment proposed, which would provide an appropriate buffer from the amenity space to street level, minimising noise disturbance, whilst also preserving a sense of privacy.

Transport and Highway Considerations

Car Parking

77. Car parking allowances for Brent are set out in Appendix 4 of the Local Plan and for residential development, this requires compliance with the standards set out in Table 10.3 of the London Plan. As the site has low access to public transport services (PTAL 2), up to 0.75 spaces per 1-/2-bed flat and one space per 3-bed flat would be allowed for this proposal.
78. A maximum of 10.75 spaces would therefore be allowed for the 13 flats proposed, so the provision of seven spaces complies with maximum standards. One space would also be a wide bay for disabled Blue Badge holders, whilst the Transport Statement confirms that electric vehicle charging would be provided. A condition would be included requiring this to include active provision for two spaces, with the remainder requiring passive provision.
79. Policy BT2 also requires that consideration is given to the impact of any overspill parking that is generated from the development. In this regard, data from the 2021 Census suggests that car ownership in this area averages about 0.6 cars/flat. As such, about eight cars are estimated to be likely to be owned by future residents and with seven spaces to be provided on-site, just one car is expected to seek on-street parking space. Queens Walk has unrestricted parking along the site frontage that can safely accommodate this level of overspill parking from the site.
80. The proposed position of a new access onto Queens Walk would result in the loss of an on-street parking bay. This is not of particular concern though and there is scope to reposition the bay westwards to the location of the existing access, once it is removed and returned to footway.

Cycling

81. In terms of bicycle parking, London Plan standards require a minimum of 23 long-stay and two short-stay spaces. Twelve bike stands are shown within a bike shelter alongside the parking court, which would meet the long-stay requirement. However, no details of the design of the bike shelter have been provided at the present time to ensure an appropriate level of security. This would be conditioned.
82. An additional external 'Sheffield' stand would also be required for visitors' bikes, and this would be secured via condition.

Refuse

83. Bin storage is shown alongside the parking court for three Eurobins to allow easy access for collection. However, to ensure an even split between general waste and recyclable waste, a revised provision of two Eurobins and four wheeled bins is recommended, along with two wheeled bins for organic waste. This would be conditioned as part of any consent.

Trip Generation

84. A Transport Statement has been submitted with the application, which considers the likely trip generation for the flats, based on a comparison with data held for two similar small blocks of flats in Outer London. This suggests that 11-13 trips would be made in each peak hour to and from the site by all modes of transport, with 5-6 of these being made by car drivers. These totals are not significant enough to have any noticeable impact on the local highway or public transport networks.

Healthy Streets

85. The submitted Transport Statement has examined accident data for the 5-year period 2018-2022 in the immediate vicinity of the site. Two accidents were identified, both involving motorcyclists and one involving a pedestrian crossing the busy and wide Salmon Street. This does suggest there could be a need for improved pedestrian crossing facilities to the south of the site.

86. In this respect, the site is located close to the double mini-roundabout junction of Blackbird Hill, Forty Lane, Salmon Street and Tudor Gardens. This junction is extremely difficult for pedestrians to cross and is therefore a barrier to safe pedestrian movement to destinations to the south, such as the parade of shops and Lidl store on Blackbird Hill and bus stops on Forty Lane. A scheme to improve pedestrian safety at this junction by installing traffic signals has been designed, but there is currently a lack of funding available. To address this, pooled developer contributions are being sought from nearby development schemes that can be matched against other funding to help to deliver the scheme. A sum of £29,000 is therefore sought from this development, which is in proportion to the sums secured from other developments in the nearby area. This contribution would be secured via S106 agreement.

Travel Plan

87. The Travel Plan proposes to provide residents with a Travel Information Pack, providing information on public transport, walking and cycling routes, information on Car Club and car sharing schemes and details of promotional campaigns. This is welcomed and meets the requirements for a Travel Plan Statement, with the limited scale of the development meaning that there is no requirement to set targets reducing car use or monitoring this over time. Compliance would be ensured via condition.

Servicing

88. For the Delivery & Servicing Plan, two delivery vans are expected per day and these vehicles can stop on Queens Walk or within the car park when making deliveries. Again, the limited scale of the development gives limited scope to influence delivery vehicle movements to and from the site.

Tree Consideration, Urban Greening and Ecology

89. Policy BGI2 states that development with either existing trees on site or adjoining it that could affect trees will require a submission of a BS5837 or equivalent tree survey detailing all trees that are on, or adjoining the development site.

90. The site is not affected by any Tree Preservation Orders and it is not within a designated Conservation Area.

91. There is currently a relatively small Cypress tree growing within the front garden adjacent to the front elevation of the existing dwelling. The property is bordered by hedges of various descriptions, but no really significant trees. The small Cypress tree would be lost to the development along with the Cherry Laurel hedge around the boundaries with Salmon Street, Queens Walk and 24 Salmon Street. The Leyland Cypress hedge growing along the boundary with 43 Queens Walk is to be retained. As part of the proposed works, 12x trees are indicated to be planted, and details of these would be secured via a landscaping condition. In light of the proposed landscaping improvements identified, the scheme is considered to comply with BGI2, which requires equivalent tree planting.

Urban Greening

92. Policy G5 of the London Plan highlights that major development should contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage. Urban Greening Factor (UGF) to identify the appropriate amount of urban greening required in new developments and a target score of 0.4 for residential development. This is also set out within policy BH4 which seeks for small sites to achieve an UGF of 0.4. As part of the original submission, the applicant provided calculations outlining that the proposal would achieve a UGF score of 0.799. These calculations were scrutinised by the Council's Principle Tree Officer and Senior Planning Ecologist and following further discussion with the applicant reduced to 0.56 as a more representative score of the landscaping proposed. Nevertheless, this would continue to exceed the target score set out in the London Plan and Brent's Local Plan. The UGF would be secured within the landscape condition.

Ecology and biodiversity

93. The sites does not lie within close proximity to a site of nature conservation importance. Nevertheless, policy BGI1 sets out that all development should achieve a net gain in biodiversity and avoid any detrimental impact on the geodiversity of an area.

94. An Ecological Impact Assessment and BNG Assessment was submitted with the application which outlines that there are no important habitats within the application site, although the existing vegetation has the potential to support common species of nesting birds. Recommendations are set out to ensure construction is halted, in the event that any important species are found on site, although the likelihood of this is noted to be low. The main building was noted as having negligible suitability for roosting bats due to a lack of potential external roosting features, and a lack of access to internal loft spaces. As part of the proposed works, there would be a 22.96% unit net gain in hedgerow and 13.86% net gain in habitat units. Brent's Senior Planning Ecologist has confirmed that the proposal would achieve biodiversity net gain on site, and the application is acceptable in this regard.

Sustainability

95. Policy SI2 of the London Plan sets out that major development should be net zero-carbon. This means reducing greenhouse gas emissions in operation and minimising both annual and peak energy demand in accordance with the following energy hierarchy:

- 1) be lean: use less energy and manage demand during operation
- 2) be clean: exploit local energy resources (such as secondary heat) and supply energy efficiently and cleanly
- 3) be green: maximise opportunities for renewable energy by producing, storing and using renewable energy on-site
- 4) be seen: monitor, verify and report on energy performance.

96. A minimum on-site reduction of at least 35 per cent beyond Building Regulations is required for major development. Residential development should achieve 10 per cent, and non-residential development should achieve 15 per cent through energy efficiency measures. Where it is clearly demonstrated that the zero-carbon target cannot be fully achieved on-site, any shortfall should be provided, in agreement with the borough, either:

- 1) through a cash in lieu contribution to the borough's carbon offset fund, or
- 2) off-site provided that an alternative proposal is identified and delivery is certain.

97. An Energy & Sustainability Statement has been submitted with the application stipulating that A 'Lean, Clean, Green' approach has been adopted and the development achieves an improvement in build fabric at over 15% at the 'Be Lean' stage and an overall improvement (DER/TER) in regulated emissions at over 63% above Part L 2021 standard, through the adoption of high standards of insulation, heat pump driven heating and hot water systems and a roof mounted PV array. The remainder of the carbon off setting would need to be secured as a payment in lieu. Such details would be secured within the Section 106 Agreement to any forthcoming consent, and the application is acceptable on this basis.

Environmental Considerations

Air Quality

98. The site is in an Air Quality Management Area. London Plan Policy SI1 requires that all major developments within London are Air Quality Neutral. As such, an Air Quality Neutral Assessment needs to be undertaken and submitted with the planning application. Brent's Policy BSUI2 requires major developments to be air quality neutral.

99. An air quality assessment has been submitted and includes an air quality neutral assessment. The assessment considers the air quality impacts associated with the construction and vehicle emissions of the development once implemented.

100. The report highlights that whilst the scheme would be air quality neutral in relation to building emissions, the scheme would not achieve air quality neutral for transport emissions. This is based on the predicted daily vehicle movements from the proposed development. Nevertheless, it is noted that all spaces would accommodate EV provision, and a Travel Plan adopted which encourages sustainable modes of transport. The scheme also provides cycle parking in line with London Plan policy standards. On that basis, Brent's Environmental Health team consider these measures acceptable to achieve Air Quality Neutral on a smaller site of this size. No further conditions are therefore recommended.

Construction Noise and Dust

101. The development is within an Air Quality Management Area and located very close to residential

premises. Demolition and construction therefore have the potential to contribute to background air pollution levels and cause nuisance to neighbours. As such a Construction Method Statement via a prior commencement planning condition would be required.

Lighting

102. The new development should not give rise to light or other nuisance to nearby residents. A condition would require that, should external lighting be installed, details of the lighting, including a measure of lux levels, to ensure that any lighting does not adversely affect safety, amenity or ecology.

Flooding and Drainage

103. Policy BSUI3 highlights that proposals requiring a Flood Risk Assessment must demonstrate that the development will be resistant and resilient to all relevant sources of flooding including surface water. The application is located within Floodzone 1, and no mitigation measures are therefore required for fluvial or pluvial flooding, as the site is at low probability of flooding.

104. Nevertheless, Policy SI13 of London Plan sets out that development proposals should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible. There should also be a preference for green over grey features, in line with the drainage hierarchy. Policy BSUI4 relates to on site water management and surface water attenuation. It requires major developments to:

- a) use appropriate sustainable drainage measures to control the rate and volume of surface water run-off;
 - b) ensure where feasible separation of surface and foul water systems
 - c) make reasonable provision for the safe storage and passage of flood water in excessive events;
- and
- d) demonstrate adequate arrangements for the management and maintenance of the measures used.

105. The application was accompanied by a Foul and Surface Water Drainage Strategy with submission. This noted that the scheme would propose to discharge the site to 2l/s, providing a 69.2% betterment on the existing brownfield of 6.5l/s. However, greenfield run off rates were not calculated, and therefore compliance with Policy SI13 was not demonstrated. Following consultation with the Local Lead Flood Authority, a revised Drainage Strategy was received. The revised scheme proposes to discharge the site at 1l/s, providing an 84.62% betterment on the existing brownfield run off rate. The greenfield run off rate when considering the whole site area is calculated to be 0.51l/s. Whilst the revised strategy would therefore not meet greenfield run off rates, the LLFA note this as acceptable, as it would not be feasible to restrict surface water flows to less than 1 l/s due to the fact that the hydro brakes proposed can't operate below this rate.

106. Otherwise, drainage would be achieved through a number of sustainable drainage measures including a gravity system, permeable paving and an attenuation tank. The permeable paving would have a storage capacity for all storms up to and including a 1 in 100 year storm + 40% for climate change.

107. Foul water would be discharged into the Thames Water foul asset via the existing drainage on site. The separation of foul and surface water would be covered at building control stage under the requirements of Approved Document H. The sustainable drainage measures would be managed and maintained under an appropriate maintenance plan for the lifetime of the development. The LLFA have confirmed that the sustainable drainage measures are acceptable and in accordance with policy BSUI4. Such details are recommended to be conditioned to any forthcoming consent.

108. Thames Water were consulted during the course of the application and confirmed that they would have no objections in relation to surface water drainage subject to the application following the sequential approach to the disposal of surface water in line with policy SI13 of London Plan. They also recommended an informative to be applied in relation to groundwater discharge and working near assets. They also confirmed that they wish to raise no objection in relation to waste water network and sewage treatment works infrastructure capacity.

Fire Safety

109. Policy D12a of London Plan highlights in the interest of fire safety and to ensure the safety of all

building users, all development proposals must achieve the highest standards of fire safety. Policy D12b goes on to say that all major development proposals should be submitted with a Fire Statement, which is an independent fire strategy, produced by a third party, suitably qualified assessor. Fire safety is also covered under policy D5(b) of the London Plan in relation to inclusive access. A Fire Statement has been submitted on behalf of the applicant by a third party who is a suitably qualified assessor. The fire statement has covered a range of matters set out within policy D12 including "Building Construction Method and Products and Materials Used", "Means of Escape for All Building Users and Evacuation Strategy", "Passive and Active Fire Safety Measures ", "Access and Facilities for the Fire and Rescue Service " , "Site Access for the Fire and Rescue Service" and "Future Development of the Asset and 'Golden Thread' of Information".

110. It is considered that the submitted fire statement sufficiently addresses the matters set out within policy D5 and D12 of London Plan. It should also be noted that the development would still be subject to building regulations where a detailed assessment of fire safety would be carried out.

Equalities

111. 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

112. The proposal is considered to accord with the development plan, and, having regard to all material planning considerations, should be approved subject to conditions and obligations secured through a Section 106 Agreement. The proposal would result in the provision of 13 new homes, including 4 family sized homes, and would meet an identified need in the borough. The scheme would comply with affordable housing policy despite the absence of affordable housing on site as the relatively low surplus identified means that an off-site contribution would be appropriate. The proposed development is slightly larger than the surrounding buildings both in terms of height and massing. As discussed, the Officer view is that the design responds well to its the context and is well composed. No harm is considered to result to the setting of the St. Andrew's Conservation Area. However, if one did conclude that a degree of harm resulted, the Officer's view is that the level of harm this would be "less than substantial" and significantly outweighed by the benefits of the scheme. The scheme would be air quality neutral in relation to building emissions but would not be air quality neutral in relation to transport emissions. The limited conflict with policy is capable of a degree of mitigation through the implementation of the travel plan and EV infrastructure/cycle storage.

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 23/3833

To: Mr Stephens
Autor Ltd
12th Floor
5 Merchant Square
Paddington Basin
London
W2 1AY

I refer to your application dated **05/12/2023** proposing the following:

Demolition of dwellinghouse and erection of a three and part four-storey residential building comprising 13 flats, provision for car parking, cycle and refuse storage, amenity space and associated landscaping

and accompanied by plans or documents listed here:
See condition

at **Tirzah Mansion, 26 Salmon Street, London, NW9 8PN**

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: 03/06/2024

Signature:

David Glover
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
The London Plan 2021
Brent's Local Plan 2019 - 2041

- 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):

Supporting Documents

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

- 3 The scheme hereby approved shall contain 13 residential dwellings within Use Class C3 as detailed in the drawings hereby approved, unless other agreed in writing by the Local Planning Authority.

Reason: In the interests of proper planning.

- 4 The following windows must be obscure-glazed and non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor level of the room in which the window is installed:

- Unit 01_03 southern facade windows
- Unit 01_04 eastern facade windows
- Unit 02_03 southern facade windows
- Unit 02_04 eastern facade windows

The windows 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 occupier(s).

- 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 The works shall be carried out in full accordance with the recommendations set out within the approved Foul and Surface Water Drainage Strategy prepared by PRP: environmental (Ref:

82786-02 Rev F, 24 May 2024) in relation to the proposed surface water drainage strategy. The measures shall thereafter be maintained in accordance with the sustainable drainage systems management plan throughout the lifetime of the development, unless an alternative strategy is submitted to and approved in writing by the Council and thereafter implemented in full.

Reason: To ensure that surface water flooding is reduced and controlled within the site.

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

Reason: To protect local amenity and air quality in accordance with Brent Policies BSUI1, BSUI2 and London Plan Policy SI1.

- 8 The development hereby approved shall not be occupied unless the car parking spaces (including the provision of 2 active electric vehicle charging points and passive provision of the remaining car parking spaces), cycle storage and refuse stores have been completed in full accordance with the approved drawings and made available to residents of the development and shall not be used other than for purposes ancillary to the flats hereby approved.

Reason: To ensure a satisfactory standard of accommodation.

- 9 The development hereby approved shall not be occupied unless the external amenity spaces have been completed in full accordance with the approved drawings and those spaces shall thereafter be made available to residents of the development and shall not be used other than for purposes ancillary to the flats hereby approved.

Reason: To ensure a satisfactory standard of accommodation.

- 10 The recommendations set out within the Travel Plan hereby approved (Royal HaskoningDHV, 28 November 2023) shall be implemented in full.

Reason: To ensure the development encourages sustainable travel modes and has an acceptable impact on the local highway network.

- 11 Prior to the commencement of the development (including demolition and site clearance) a Construction Method Statement (CMS) shall be submitted to and approved in writing by the Local Planning Authority outlining measures that will be taken to control dust, noise and other environmental impacts of the development during construction and site clearance works. The CMS shall include, but is not limited to, details of a dust monitoring plan, to be implemented during construction, site clearance and demolition works.

All agreed actions shall be carried out in full for the duration of the site clearance, demolition and construction phases, unless otherwise agreed in writing by the local planning authority.

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 nuisance can occur at any time during the construction process, and adequate controls need to be in place prior to works starting on site.

- 12 Prior to commencement of the development hereby approved (including site clearance and demolition works), a Construction Logistics Plan (CLP) shall be submitted to and approved in writing by the Local Planning Authority. The CLP shall include, but is not limited to the following:

- i. Construction programme, forecast construction trip generation (daily) and mitigation proposed;
- ii. Site set up and access arrangements and booking systems, ensuring vehicle loading and unloading takes place clear of the highway;
- iii. Vehicular routes to the site;
- iv. Parking of vehicles of site operatives and visitors;
- v. Storage of plant and materials used during the construction period;
- vi. Wheel washing facilities;
- vii. Any temporary lighting;
- viii. Protection of the carriageway and any footway users at all times during construction;
- iv. Erection of hoardings, security fencing and scaffolding on/over and pavements and carriageway;
- x. Contact details of personnel responsible for the construction works

The development shall thereafter be constructed fully in accordance with the approved Construction Logistics Plan, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure the development is constructed in an acceptable manner and in the interests of pedestrian and highway safety.

Reason for pre-commencement condition The condition relates to details of construction, which need to be known before commencement of that construction.

- 13 (a) Prior to the commencement of building works (excluding demolition of the existing building), a site investigation shall be carried out by competent persons to determine the nature and extent of any soil contamination present. The investigation shall be carried out in accordance with the principles of BS 10175:2011. A report shall be submitted to and approved in writing by the Local Planning Authority, that includes the results of any research and analysis undertaken as well as an assessment of the risks posed by any identified contamination. It shall include an appraisal of remediation options and a Remediation Strategy should any contamination be found that presents an unacceptable risk to any identified receptors.

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

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

- 14 The development hereby approved shall be built so that no fewer than 2 of the 13 residential homes achieve Building Regulations requirement M4(3) - 'wheelchair user dwellings, and the remaining homes shall be built to achieve Building Regulations requirement M4(2) - 'accessible and adaptable dwellings'.

Prior to the commencement of works (excluding demolition, site clearance, and laying of foundations), detailed layout plans, showing which residential units within the development would be 'wheelchair user dwellings' (i.e. meeting Building Regulations requirement M4(3)) and the remainder of the homes designed to M4(2) requirements shall be submitted to and approved in writing by the Local Planning Authority, and thereafter development shall be implemented in accordance with the approved plans, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development achieves an inclusive design in accordance with London Plan Policy D7.

- 15 Details of materials for all external building work, including samples which shall be made available for viewing in an agreed location, shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on the development (excluding demolition, site clearance and laying of foundations). The work shall be carried out in

accordance with the approved details thereafter, unless otherwise agreed in writing by the local planning authority.

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

- 16 Prior to the commencement of works (excluding site clearance, demolition and below ground level works) detailed bay studies including indicative technical sections illustrating how specific elements of the façade may be constructed, such as typical windows, typical parapets, typical balconies etc shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in full accordance with the approved details thereafter, unless otherwise agreed in writing by the local planning authority.

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

- 17 Details of the hard and soft landscaping within the site 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), Such details shall include:

- A scaled plan showing vegetation to be retained and trees and plants to be planted
- A schedule detailing sizes and numbers of all proposed trees and use of native and/or wildlife attracting species to achieve a net gain in biodiversity within the site
- Details to demonstrate that an Urban Greening Factor of at least 0.4 would be achieved within the site
- Sufficient specification to ensure successful establishment and survival of new planting
- Details of all proposed hardstanding
- Details of garden wall, fences or other form of boundary treatment to be provided within the site (including details of external materials and heights) including all gates that front the highway
- Details of wayfinding signage for access to the main residential entrance
- Details of the specification of the green roofs within the development
- The provision of 7 car parking spaces (including the marking out of 1 disabled parking bays), including the size and siting of the parking area, defined points of access and the surfacing materials to be used,
- Details of cycle storage through the provision of secure, weatherproof cycle storage facility, which shall include capacity for a minimum of 23 long-stay and 2 short-term spaces
- Details of any external lighting and light spill diagram in relation to neighbouring properties
- The provision of 2 active electric vehicle charging points and passive provision of the remaining car parking spaces
- Details of bird and bat boxes
- 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 .

There shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees unless agreed in writing by the Local Planning Authority. Any new trees(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 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 policies DMP1 and BGI 2.

- 18 Prior to any works commencing on the development (excluding demolition, site clearance and laying of foundations), details of a screen on the edge of the balcony facing eastwards for unit 02_04 shall be submitted to and approved in writing by the Local Planning Authority. The work shall be carried out in accordance with the approved details thereafter, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure a satisfactory development which does not prejudice the amenity of the locality or result in overlooking and loss of privacy.

- 19 Prior to first occupation of the development hereby approved, a record of the installed SuDS and site wide drainage scheme shall be submitted to and approved in writing by the Local Planning Authority for deposit with the Lead Local Flood Authority Asset Register. The details shall include:
- a) As built plans
 - b) Photographs to document each key stage of the drainage system when installed on site;
 - c) Photographs to document the completed installation of the drainage structures on site;

The Maintenance and Management Schedule should be strictly followed after completion of the development and form as part of the O&M Manual. The owner of the Maintenance and Management Schedule should be clearly identified.

Reason: To ensure that surface water flooding is reduced and controlled within the site.

- 20 Any plant shall be installed, together with any associated ancillary equipment, so as to prevent the transmission of noise and vibration into neighbouring premises. The rated noise level from all plant and ancillary equipment shall be 10dB(A) below the measured background noise level when measured at the nearest noise sensitive premises. An assessment of the expected noise levels shall be carried out in accordance with BS4142:2014 'Methods for rating and assessing industrial and commercial sound.' and any mitigation measures necessary to achieve the above required noise levels shall be submitted to and approved in writing by the Local Planning Authority. The plant shall thereafter be installed together with any necessary mitigation measures and maintained in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To protect acceptable local noise levels, in accordance with Brent Policy DMP1.

INFORMATIVES

- 1 (F16) 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.

- 2 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.
- 3 (PWAL) The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk
- 4 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 Brent Council supports the payment of the London Living Wage to all employees within the Borough. The developer, constructor and end occupiers of the building are strongly encouraged to pay the London Living Wage to all employees associated with the construction and end use of development.
- 6 Thames Water advises the applicant of the following:
 - A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed on line via https://urldefense.proofpoint.com/v2/url?u=http-3A__www.thameswater.co.uk&d=DwlFaQ&c=OMjwGp47Ad5otWI0_lpOg&r=G_hzVySAkixNxE_J_EjNJR_FDWFjexJLES8DRQ06gKk&m=-u-R_Q15lz4qif8awGaV1BUWN40lineKygKZROLnXaA&s=NJ1M7LtxulFk4_2FpfFRZ9ippAbc0KqM1IRBH6yHdbE&e=. Please refer to the Wholesale; Business customers; Groundwater discharges section.

The proposed development is located within 15 metres of Thames Waters underground assets and as such, the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.

[https://urldefense.com/v3/__https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes__;!!CVb4j_0G!V_KGAvFvU6k3GbF0c_Xl6a42mhMvs3k7agWp8PQGogWJq_Fnha-V92oAFh_rsjPZnLldPiNTxvXRIG7BMLmbMrACBT6q2EU\\$](https://urldefense.com/v3/__https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes__;!!CVb4j_0G!V_KGAvFvU6k3GbF0c_Xl6a42mhMvs3k7agWp8PQGogWJq_Fnha-V92oAFh_rsjPZnLldPiNTxvXRIG7BMLmbMrACBT6q2EU$) Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

Any person wishing to inspect the above papers should contact James Mascal, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 2209