

# COMMITTEE REPORT

Planning Committee on  
Item No  
Case Number

16 October, 2024  
06  
24/1219

## SITE INFORMATION

RECEIVED	3 May, 2024
WARD	Queens Park
PLANNING AREA	Brent Connects Kilburn
LOCATION	Garages rear of 88-98 Wrentham Avenue, Tiverton Road, London
PROPOSAL	Proposed demolition of existing garages and erection of two residential units with landscaping, private and communal amenity areas, cycle and refuse storages and associated works.
PLAN NO'S	See condition 2.
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><b><u>When viewing this on an Electronic Device</u></b></p> <p>Please click on the link below to view <b>ALL</b> document associated to case <a href="https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_168758">https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_168758</a></p> <p><b><u>When viewing this as an Hard Copy</u></b> .</p> <p>Please use the following steps</p> <ol style="list-style-type: none"><li>1. Please go to <a href="https://pa.brent.gov.uk">pa.brent.gov.uk</a></li><li>2. Select Planning and conduct a search tying "24/1219" (i.e. Case Reference) into the search Box</li><li>3. Click on "View Documents" tab</li></ol>

## RECOMMENDATIONS

That the Committee resolve to GRANT planning permission subject to:

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

### Conditions

1. Three year commencement rule
2. In accordance with approved plans
3. Restriction of PD rights for dwellinghouses
4. Water Consumption
5. Reinstatement of Crossover
6. Ecology report compliance
7. Noise Vibration compliance
8. Cycle and Bins compliance
9. Drainage Strategy compliance
10. NRMM
11. Construction Environmental Management Plan (CEMP)
12. Tree Protection Measures
13. Construction Method Statement
14. Network Rail- scaffolding
15. Network Rail -risk assessment and method statement
16. Network Rail - Demolition methodology
17. Network Rail - excavation details
18. Network Rail - vibration Impact Assessment
19. Network Rail - surface water and foul water disposal drainage strategy
20. Materials
21. Contaminated land conditions a) investigation and Contaminated land condition b) Remediation and verification
22. Hard and Soft Landscape Details
23. Ecology & Trees Management Plan
24. Wildlife and nesting features
25. Ecology Statement of Conformity
26. Noise plant

### Informative


1. Party Wall Act
2. CIL Liability
3. Building Near Boundary
4. Cross Over
5. Fire Statement
6. Borders
7. Asbestos
8. Construction hours
9. Network Rail BAPA (Basic Asset Protection Agreement)
10. Lighting

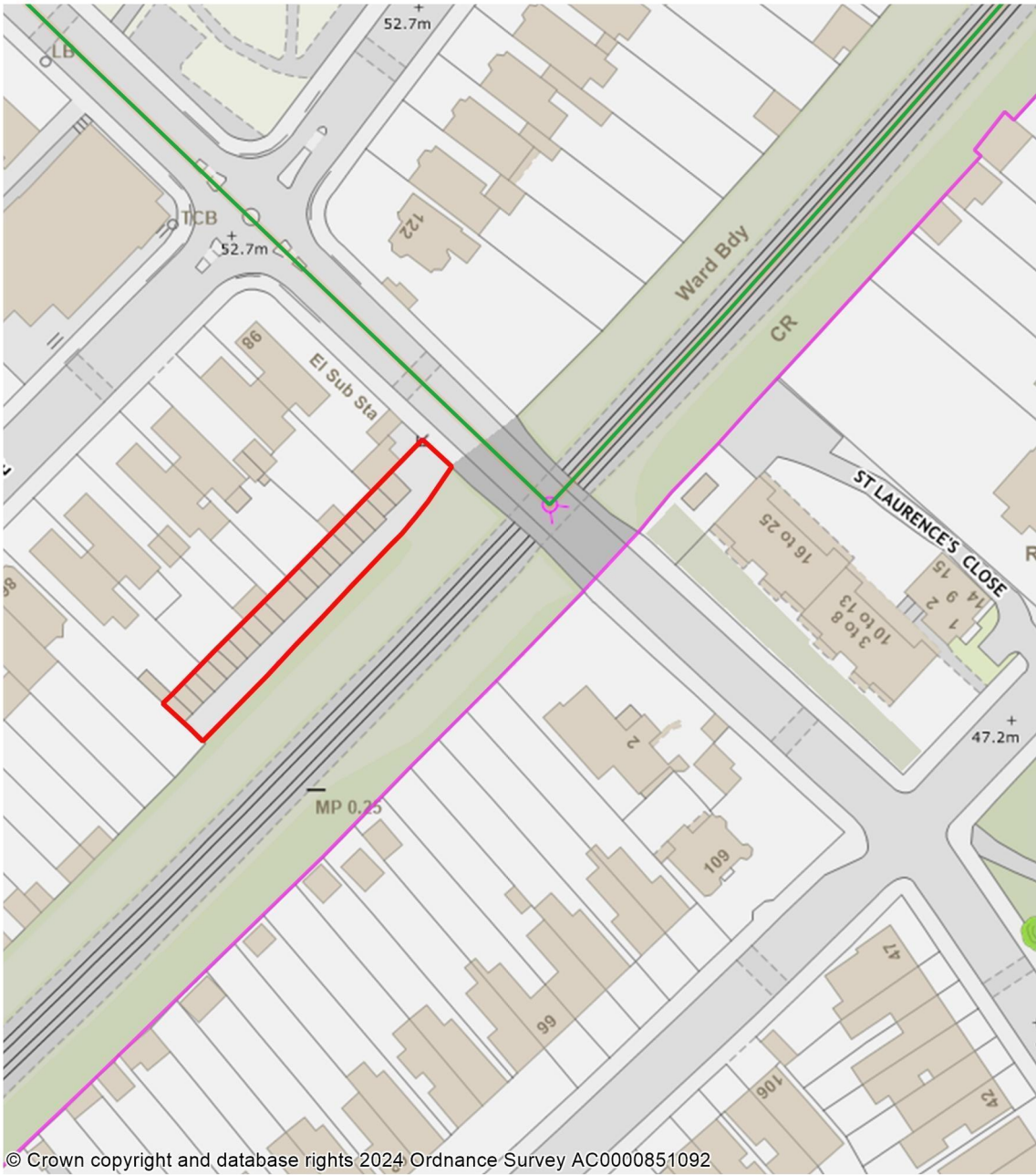
As set out within the decision notice

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

conditions, for the preservation or planting of trees as required by Section 197 of the Town and Country Planning Act 1990.

### SITE MAP

	<b>Planning Committee Map</b>
	Site address: Garages rear of 88-98 Wrentham Avenue, Tiverton Road, London
	© Crown copyright and database rights 2011 Ordnance Survey 100025260



This map is indicative only.

## PROPOSAL IN DETAIL

The development proposes the demolition of 19 existing garages and erection of two three bedroom family sized residential homes of with landscaping, private and communal amenity areas, cycle and refuse storages and associated works.

## EXISTING

The application site is a rectangular plot which is accessed to the southwest of Tiverton Road of approximately 621 sqm. The plot sits between the rear of gardens of Wrentham Avenue and the railway. The site has a row of single storey garages.

The railway is a Grade 1 SINC and Wildlife Corridor with a number of trees on the Network Rail boundary. The site is also in an Air Quality Management Area.

To the south and east of the site, across the railway is Queens Park Conservation Area (a designed heritage asset).

## SUMMARY OF KEY ISSUES

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

**Representations received:** 16 residents have expressed concerns about privacy, light, noise, and design impacts from the proposed development. There is also concern over the loss of existing garages and their impact on local businesses, alongside worries about traffic and parking issues. The objections have been considered and are summarised in more detail below and discussed in the report.

**Principle:** The London Plan and Brent's Local Plan recognise the role of small sites in the delivery of new homes that are needed in the borough. The site has a Public Transport Accessibility Level (PTAL) of 3 and is therefore within a priority area for new homes. The general principle of residential development is supported in this location, contributing towards the Council's housing family targets.

**Standard of Accommodation and External Amenity Space:** The proposal would provide well proportioned, well-lit dual aspect habitable rooms and generous internal dimensions for the new homes. Appropriate external amenity space compliant with Brent policy would also be provided in individual gardens to the sides of each property.

**Design and Appearance:** The proposal is considered to represent a good standard of contemporary design within the infill site and would not result in harmful impact on the character and appearance of the local area or the nearby Queens Park Conservation Area.

**Residential Amenity:** The proposal would not result in a harmful impact on the residential amenities of neighbouring occupiers in terms of noise and disturbance, daylight and sunlight or overlooking to any immediate adjoining residential neighbours having regard to the provisions in SPD1.

**Highway Impact:** The proposed development at the rear of 88-98 Wrentham Avenue involves the removal of 19 garages, which are mainly used for domestic storage. The garages are too small for modern vehicles, and their removal is considered acceptable, as alternative off-street parking is available for the affected properties. The development would provide two family dwellings with no off-street parking, complying with local maximum parking standards. There is sufficient on-street parking available within the vicinity of the site to accommodate any parking for the new homes. Additionally, bicycle parking and shared bin storage are provided, and the redundant crossover would be reinstated as part of the project.

**Urban Greening, Biodiversity, Ecology and Trees:** The proposed development includes specific measures to enhance biodiversity, supported by the submission of a Preliminary Ecological Appraisal and a Tree Development Report. These measures include the installation of green roofs, native planting, and

wildlife-friendly features like bat boxes and hedgehog gateways. Despite the removal of two trees (T4 and T5), which are in poor condition, suitable replacement species such as River Birch would be planted. Tree protection measures would be implemented for trees near the railway and neighbouring properties, as outlined in the Arboricultural Impact Assessment (AIA). Specifically, T1 (Poplar) and T12 (Ash), both located along the railway line, would undergo pruning and crown reduction to improve daylight access to the development. These measures ensure minimal impact on the root protection areas (RPAs) and align with local policies for urban greening and biodiversity net gain.

The development achieves an Urban Greening Factor (UGF) score of 0.40, as demonstrated in the Landscape Design Report, meeting the requirements set by Brent’s Local Plan Policy BH4 and the London Plan Policy G5. This score reflects the incorporation of green roofs, native planting, and permeable surfaces across the site, contributing to the ecological sustainability of the project.

In terms of biodiversity net gain, as confirmed in the Preliminary Ecological Appraisal, the development is expected to deliver a 100% uplift in biodiversity. As the site currently has no significant vegetated habitats, any new planting and ecological features introduced through the project, including bird and bat boxes, habitat piles, and wildlife-friendly plants, would result in a substantial improvement to the site’s biodiversity. Tree protection and management, including crown reduction for T1 and T12, would further enhance the ecological value while maintaining the health of the remaining trees.

**Flood Risk:** The proposed development implements a surface water drainage strategy that, while not fully achieving greenfield runoff rates as outlined in London Plan Policy SI 13, makes significant improvements. The existing discharge rate of 33.3 l/s for a 1-in-100-year storm event would be reduced to 2.0 l/s, representing a 93.9% reduction. This is achieved through the use of sustainable urban drainage measures, including attenuation tanks and green roofs. Given the site’s constraints, such as its underlying London Clay geology, full compliance with greenfield runoff rates is not feasible. Nonetheless, the strategy demonstrates a substantial reduction in runoff and aligns closely with sustainable drainage principles and satisfactory in this instance.

**RELEVANT SITE HISTORY**

No relevant site history.

**CONSULTATIONS**

35 neighbouring and nearby properties along with Aylestone Park Residents & Tenants Association, Brondesbury Park Residents Association and Queens Park Residents Association were consulted on 10/05/2024 for a 21-day period.

Objections were received from 16 residents (some of which submitted multiple objections). A summary of the objections is set out below:

Reasons for objecting	Officer’s comment
Impact on Privacy and Light: The height and proximity of the proposed buildings will compromise privacy and reduce natural light. Flat roofs might be used recreationally, further reducing privacy. Loss of light is particularly concerning for residents using their gardens.	Refer to “Impact to Neighbouring Amenity” within the remarks section below.
Design and Overdevelopment: The modern design is out of character with the surrounding Victorian and Edwardian homes. Residents are worried that the scale of the development will create a claustrophobic atmosphere, leading to overcrowding and pressure on local infrastructure. The council should encourage smaller low rise development.	Refer to “Character and Appearance section” and “Standard of Accommodation” sections within the remarks section below.

<p>Environmental and Ecological Impact: Concerns about the removal of mature trees and green spaces. The railway trees provide habitats for wildlife, including birds and bats. Residents are concerned that the development will disrupt the local ecosystem, especially as it borders a SINC.</p>	<p>Refer to 'ecology and trees' within the remarks section below.</p>
<p>Noise, Vibration, and Air Quality: The development's proximity to the railway raises concerns about noise, vibration, and air pollution from diesel trains. Diesel trains emit nitrogen oxides (NOx) and particulate matter (PM), affecting air quality for new residents. This can pose health risks such as asthma.</p>	<p>Refer to "Environmental Health Considerations" within the remarks section below.</p>
<p>Parking and Traffic Issues: Residents are worried that the new development will exacerbate parking problems in the area, especially since the garages will be removed. Increased traffic from the new residents could also worsen congestion at the already busy Wrentham Avenue-Tiverton Road.</p>	<p>Refer to "Transport Considerations" below.</p>
<p>Security Concerns: The garages currently act as a security buffer, preventing unauthorised access. Removing them could decrease security and increase the risk of crime, especially if the development does not have controlled access or proper lighting.</p>	<p>The development includes boundaries, lighting and will provide natural surveillance, reducing crime risks.</p> <p>The introduction of two new family homes is not expected to increase crime rates.</p>
<p>Ground Stability and Drainage: The site's clay soil could lead to subsidence or heave during construction, damaging both new and existing properties. Residents also fear that the development will worsen surface water runoff and increase the risk of flooding.</p>	<p>Refer to "Drainage and Flood Risk" and "trees" within the remarks section below.</p>
<p>Impact on Local Character: The development may undermine the neighbourhood's character, replacing green spaces and trees with modern buildings that do not fit the local architectural style. Residents worry about the area becoming more built-up, losing its natural charm.</p>	<p>Refer to "Character and Design " and "Urban Greening and Biodiversity" within the remarks section below.</p>
<p>Construction Nuisance: Concerns about noise, dust, and safety during the construction phase. Residents fear long-term disruption, particularly with construction traffic increasing congestion and putting pedestrians, including children, at risk.</p>	<p>A Construction Method Statement would be required to minimise the impact of construction works in relation to managing noise, dust, and working hours during construction.</p> <p>The Control of Pollution Act 1974 gives powers</p>

	to the Council which can restrict working hours and allow conditions to be stipulated on the types of machinery/ plant that are used on construction sites and complaints can be made to the Council's noise team where nuisances occur. Due to there being other primary legislation which controls this work, these issues cannot be considered within the planning assessment.
Alternative Uses: Some residents believe the existing garages provide valuable storage and workspace. Losing them for residential development would remove a useful amenity, particularly for local businesses that use the garages for storage.	Refer to "Principle of Loss of Garages" within the remarks section below.
Party Wall matters	The Party Wall Act 1996 provides a framework for preventing and resolving disputes in relation to party walls, boundary walls and excavations near neighbouring buildings. Due to there being other primary legislation which controls these impacts they do not hold any significant weight in terms of a planning decisions.
Affordable housing and home cost	The development is a small scheme of 2 properties and affordable housing provision is not required in line with policy BH5. Brent's policy encourages small site development to meet overall housing targets..

#### Internal consultation

Environmental Health - no objections subject to conditions being secured in relation to contaminated land, demolition/construction method statement as well as any plants to be installed

#### External Consultation:

Network Rail : no objection subject to conditions attached such as risk assessment, scaffolds, piling, crane details, excavations, details of surface water and foul water drainage directed away from the railway be submitted. Informative have also been added per Network Rail comments such as Network Rail's Asset Protection requirements.

## **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

Relevant policies include:

#### London Plan 2021

D1 London's form, character and capacity for growth  
D3 Optimising site capacity through the design-led approach

D4 Delivering Good Design  
D5 Inclusive design  
D6 Housing quality and standard  
D7 Accessible housing  
D12 Fire Safety  
H1 Increasing housing supply  
H2 Small sites  
HC1 Heritage conservation and growth  
G5 Urban greening  
G6 Biodiversity and access to nature  
G7 Trees and woodlands  
T5 Cycling  
T6 Car Parking  
T6.1 Residential parking  
T7 Deliveries, servicing and construction

### Brent Local Plan 2019-2041

DMP1 Development Management General Policy  
BD1 Leading the Way in Good Urban Design  
BH1 Increasing Housing Supply in Brent  
BH2 Priority Areas for Additional Housing Provision within Brent  
BH4 Small Sites and Small Housing Developments in Brent  
BH13 Residential Amenity Space  
BHC1 Brent's Heritage Assets  
BGI1 Green and Blue Infrastructure  
BGI2 Trees and Woodlands  
BSUI1 Creating a Resilient and Efficient Brent  
BSUI2 Air Quality  
BSUI4 On Site Water Management and Surface Water Attenuation  
BT1 Sustainable Travel Choice  
BT2 Parking & Car Free Development

Other material considerations:

The following are also relevant material considerations:

National Planning Policy Framework  
National Planning Practice Guidance

Supplementary Planning Guidance / Documents:

London Plan Guidance - Housing Design Standards June 2023

SPD1 Brent Design Guide 2018  
Residential Amenity Space & Place Quality SPD 2023  
Brent Waste Planning Guide 2013  
Sustainable Environment & Development – SPD – 2023

## **DETAILED CONSIDERATIONS**

### **Principle**

#### Principle of Residential Intensification

1. Brent's Housing targets have significantly increased as part of London Plan 2021, with the target increasing to 23,250 dwellings per annum for the period 2019/20-2028/29 in Policy H1 of the London Plan recognising the increasing demand for delivery of new homes across London. Brent's local plan policy BH1 reflects this target as well.
2. Policy D3 of London Plan 2021 required developments to make the best use of land by following a design-led approach that optimises the capacity of the site, with development that is the most appropriate form and land use for the site, with the policy recognising that small sites make a significant contribution



towards increasing housing supply within London. This is also set out in policy H2 of London Plan 2021.

3. In response to the strategic policy position above, within Brent's Local Plan, the Council has set out priority areas for new housing under policy BH2. This policy identifies that new housing would be prioritised for growth areas, site allocations, town centres, edge of town centre sites, areas with higher levels of public transport accessibility and intensification corridors.
4. The above position is reinforced in policy BH4 of Brent's Local Plan. This policy relates to small housing sites and recognises that such sites can assist in delivering a net addition of self-contained dwellings through the more intensive and efficient use of sites. Such proposals will be considered where consistent with other policies in the development plan and within priority locations (i.e. PTAL 3-6, intensification corridors, or a town centre boundary). In these priority locations, the character of the existing area will be subject to change over the Local Plan period. The application site is within PTAL of 3. It is also noted that the site is located within 800m of Kensal Rise Town Centre. The principle of optimising the site for residential use is supported subject to meeting material policy considerations as discussed below.

#### Principle of Loss of Garages

5. The proposal involves the removal of all 19 garages at the rear of 88-98 Wrentham Avenue. The applicant advises that there are currently 13 tenants with short term garage leases that can be terminated after one month notice. The Transport Statement outlines that the garages are generally used for domestic storage purposes rather than vehicle parking as they are too small to accommodate many modern vehicles and the access aisle is narrow making manoeuvring to and from the garages very difficult. The site does therefore not appear to be operating as a local employment use. Therefore, while comments have been received regarding the impact on local business, there is no information to support that the garages are used in such a way. Therefore, the loss of the garages is supported in principle.

### **Housing**

#### Housing Mix

6. Local Plan Policy BH6 seeks 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 development proposes 2 x three-bedroom dwellings. Both of the dwellings would be family sized exceeding policy targets.

#### Accessible Housing

7. In line with London Plan policy D7, the homes should all be delivered to an M4(2) level of fit out, as defined within Part M of the Building Regulations. This will ensure that step free access is provided between the street to all flats and that the flats meet the needs of occupants with differing needs, including some older or disabled people and to allow adaptation of the dwelling to meet the changing needs of occupants over time.
8. As there is a steep slope from Tiverton Road to the site ground floor level, the development proposes steps with a stair lift. The units also have step free level entrances and access to the patio gardens and appears to have clear zones within bedrooms and corridor widths with ground floor WCs. As such the proposed units appear to be in compliant with the D7 criteria of M4(2) and given the site constraints the proposal complies with above requirement.

#### Standard of Accommodation

9. Local Plan Policy DMP1 states that new development must provide high levels of internal and external amenity. The size of dwellings and rooms should be consistent with London Plan Policy D6 specifically Table 3.1 'Minimum internal space standards for new dwellings'. Housing development should maximise the provision of dual aspect dwellings.
10. London Plan Policy D6 also requires at least 75% of the GIA of each flat to have an internal floor-to-ceiling height of 2.5m. This exceeds the national standard of 2.3m as higher housing and the urban heat island effect are more prevalent in London, and a higher standard is required to ensure adequate quality in terms of daylight penetration, ventilation and cooling, and sense of space.
11. The proposed development includes the construction of two family-sized homes, each designed to

accommodate 3 bedroom six persons. Unit 01 has a total area of 164.4 sqm, while Unit 02 measures 171.4 sqm. Both units feature open-plan living and dining spaces on the ground floor, with Unit 01 providing an additional smaller sitting room and a double bedroom. The first floor of each unit offers two further double bedrooms.

12. The proposed layouts are well-organised, comfortably exceeding minimum space standards of 102sqm, and the design effectively maximises the use of angular space. The bedrooms are particularly spacious, offering excellent functionality.
13. Both Units are dual aspect with main orientation towards the south across the railway and then secondary windows eastwards (Unit 01) and westwards (Unit 02). This would provide sufficient light and outlook to the habitable spaces with appropriate cross ventilation. While there is a fairly limited distance between some south facing windows and the Network Rail boundary, the main living space is dual aspect which allows for light/outlook in other directions. The double bedrooms at ground floor are set further away from the boundary therefore achieve greater outlook.
14. The ground floor achieves an internal floor to ceiling height of 2.5m. The first floor has a range of floor to ceiling heights. To the rear of the properties there are some areas with limited floor to ceiling heights however to the front, there are areas of floor to ceiling heights of 3.7m (Unit 01) and 3.1m (Unit 02). Overall, the dwellings allow for generous internal floor to ceiling heights with 75% of the floor space featuring a ceiling height of 2.5 metres, ensuring a comfortable and spacious living environment.
15. The ground floor windows, positioned adjacent to the shared pathway, offer a reasonable level of privacy, particularly given the scheme's focus on delivering just two units. Overall, the scheme is considered to provide a good standard of internal amenity.

#### Residential Amenity Space

16. London Plan Policy D6 states where there are no higher local standards, a minimum of 5sqm of private outdoor space should be provided for 1-2 person dwellings with an extra 1sqm for each additional occupant. The space must achieve a minimum depth and width of 1.5m.
17. 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.
18. Private amenity space should be accessible to all dwellings from a main living room, ideally without level changes. It should also be planned to take maximum advantage of daylight and sunlight. Where sufficient private amenity space cannot achieve the full requirement of the policy, the remainder should be provided in the form of communal amenity space. Moreover, the Council adopted the Brent Residential Amenity Space and Place Quality Supplementary Planning Document on 12th of June 2023. The SPD provides guidance on planning matters related to the provision of residential amenity space and public realm within developments.
19. Unit 01 includes a private garden measuring 49.7 sqm, which is directly accessible from the main living space. Unit 02 features a larger private garden of 76.5 sqm, also directly accessible from the ground floor living area. Additionally, there is a shared informal amenity space located adjacent to the access point of the houses. These amenity spaces incorporate both patio areas and soft landscaping. Although the garden for Unit 01 falls marginally short of the 50 sqm standard, this minor shortfall does not significantly impact the enjoyment or utility of the space. Overall, the approach to amenity provision is well-considered, offering ample opportunities for a variety of activities in line with policy BH13 and the SPD.

#### **Character and Design**

20. The NPPF seeks developments of high quality design that will function well and add to the overall quality of the area, responding to local character and history, reflecting the identity of local surroundings while not discouraging appropriate innovation, establishing or maintaining a strong sense of place, and optimising the potential of the site to accommodate an appropriate amount and mix of development. London Plan Policy D3, D4 sets out a design-led approach to new development that responds positively to local context and optimises the site's capacity for growth, supporting higher densities in well-connected locations with Policy D5 seeks inclusive design.

21. Brent's Policy DMP1 and the Brent Design Guide SPD1, provide further guidance on principles of good design. Local Plan Policy BD1 seeks the highest quality of architectural and urban design, including innovative contemporary design that respects and complements historic character.
22. The surrounding area features a variety of architectural styles. The neighbourhood predominantly consists of detached, semi-detached, and terraced houses. To the west of No. 86 Wrentham Avenue, the streetscape includes terraced red brick Victorian houses. Properties numbered 88 and 98 are later semi-detached homes characterised by large front gables.
23. The site is long and narrow, with the ground floor forming a single mass that is partially submerged into the bank. The first floor is divided into two distinct pop-up sections, featuring angled, chamfered walls and varied roof heights. These architectural elements have been thoughtfully designed to respect root protection areas of the existing trees. The proposed material palette includes light brick and timber cladding, while the flat roof on the exposed ground floor will incorporate a sedum green roof for enhanced environmental sustainability.
24. Externally, the area between the main long elevation and the boundary is comprised of courtyards and landscaping. The planting has been designed to be shade and drought tolerant with native species.
25. Externally, the space between the main elevation and the site's boundary has been thoughtfully designed with courtyards and landscaped areas. The planting plan incorporates native species that are both shade and drought-tolerant, ensuring the longevity and resilience of the external space.
26. The submission proposes a well-designed development on a relatively constrained site and responds sensitively to the surrounding environment. While the contemporary homes would contrast the existing locality, the approach to materials is positive and the form is simple and well executed. The first floor pop-up elements create sufficient separation between them and clad in natural materials, maintaining visual harmony with the landscape. The development creates two spacious and functional homes set in a well landscaped site. However, further details including samples of the external materials are recommended to be secured as a condition giving confidence that the scheme would deliver a high quality and robust building.

## **Heritage**

27. Brent's Policy DMP1 and the Brent Design Guide SPD1, provide further guidance on principles of good design. Local Plan Policy BD1 seeks the highest quality of architectural and urban design, including innovative contemporary design that respects and complements historic character.
28. 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 BP1 further reveals the importance of conserving and enhancing heritage assets within this part of the Borough.
29. Section 72(1) of the Planning (Listed Building and Conservation Area) Act 1990 (as amended) requires that with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
30. To the south of the site within Queens Park Conservation Area (QPCA). The majority of the proposed development will be situated within the footprint of the existing garages, with the first floor constructed from lightweight timber, maintaining a minor volume presence within the area.
31. Given the constraints of the site, the development would not be particularly visible from the Conservation Area nor the street scene. The limited views of the proposal and the use of lightweight timber for the first floor ensure minimal visual impact. Consequently, the development is considered to preserve the character and appearance of the QPCA.
32. In conclusion, in line with paragraph 202 of the NPPF, the officers have concluded due to the proposal siting views of it would be limited from within the Conservation Area. Also views of the proposal within the setting of the Conservation Area would be limited and the overall impact on the appearance of the Conservation Area would be neutral. The development therefore would not result in harm to this Heritage Asset.

## **Impact to Neighbouring Amenity**

33. SPD1 advises that development should ensure a good level of privacy inside buildings and within private outdoor space. 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.
34. Reduced distances between new frontages may be acceptable subject to consideration of overlooking and privacy as well as high quality design and solutions which can sometimes mitigate impacts and allow for efficient use of land.
35. The building envelope 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. Privacy should be balanced with active frontage and overlooking of public spaces.
36. The site is bordered by No.88 to 98 Wrentham Avenue to the north, Tiverton Road to the east, the railway to the south and No.86 to the west.

## Massing and Height

37. The ground level of the application site is generally set below the rear gardens of Wrentham Road. The proposed dwellings maintain a height and volume that sit below a 45-degree line from the rear edge of the gardens on Wrentham Avenue, as indicated in the submitted plans (section 1147-DFA-PL-1008). Additionally, section 1147-DFA-PL-1007 demonstrates that the massing remains within the 45-degree line from the side boundary of No. 86 Wrentham Road. Furthermore, the rear habitable windows of Wrentham Avenue are positioned more than 14 meters away from the boundary, ensuring compliance with the 30-degree line to the north-east. Due to the railway to the south, there is significant separation from the rear gardens and windows on Chevening Road which ensures that the massing also complies with both the 30- and 45-degree lines, mitigating any impact on neighbouring properties.
38. Overall, the massing and height complies with SPD1 guidance and the bulk of the proposed buildings are not considered to detrimental impact the sense of enclosure or outlook of nearby occupiers. The 45 degree compliance would also mitigate for any overshadowing on the gardens of nearby dwellings.

## Privacy and Overlooking

39. In terms of privacy, the majority of windows on the houses including those at first floor level would face south-eastwards across the railway with sufficient separation, over 20m to the properties on Chevening Road and No.2 Tiverton Road. The proposal has windows on the side elevations, north-east and south-west, however these are at ground floor and therefore would not afford views into neighbouring properties as they would be obstructed by to the site levels, the boundary walls and fences. Additionally, the proposals include four rooflights on ground floor positioned towards the sky, therefore restricting view into neighbouring properties and gardens.
40. Overall, the proposed glazing and views from the properties are not considered to cause harm to privacy of neighbouring properties.

## Noise, Light and Disturbance

41. The windows of the development are towards the south which is the railway and to the sides of the site and not towards dwellings to the North and as such no light disturbance would occur from the development towards the rear properties. The proposal also respects the canopy from the trees on the boundary of the site. More specifically T1 (poplar) and T2(Ash) adjacent to railway line would undergo pruning and crown reduction as they overhang the development site. This would improve the internal daylight and sunlight to the units whilst maintain the integrity of the tree. Moreover, the trees along Wrentham Avenue are to be protected and any pruning or crown reduction directly related to them are minor in the current scope of the development per AIA reports submitted.
42. There is no evidence to suggest that the reasonable use of the new homes would cause undue nuisance. Moreover, conditions are secured to ensure that mitigation measures in terms of noise and vibrations are

in place as part of the development. There is also a condition attached to the application for lighting schemes that are bat friendly adhering to best practice. As such any light spill would be minimal not to disturb the local wildlife or nearby homes.

43. The areas form the open space associated with the flats at present, and the facilities have been proposed within these areas and their use may increase due to the improvements. Whilst this is a benefit, some noise may occur. However, this is not considered to be unreasonable given the status of the land and the location of the proposed improvements.
44. The objectors have raised concerns with the proximity of the new homes to the railway and noise nuisance from the railway and construction. Officers in Environmental Health have noted the relationship between the new homes and the railway line. They have recommended conditions to be secured as part of this application to ensure that the construction as well as the build is suitable and meets the recommended internal and external noise levels. The proposal is also not likely to result in any harmful increase in noise from the railway.

### **Transport Considerations**

45. The site contains 19 garages that are accessed via a 3.5m wide crossover from Tiverton Road with gates at the highway boundary. Wrentham Avenue and Tiverton Road are local distributor roads with mini roundabout at junction. The area is within a controlled parking zone operations from 8am to 6:30pm on weekdays. There is no waiting at any time along site frontage on Tiverton Avenue and part of Wrentham Avenue at the junction and pedestrian crossing. Wrentham Avenue heavily parked at night, but Tiverton Road lightly parked.

### **Car Parking and Access**

46. This proposal involves the removal of all 19 garages at the rear of 88-98 Wrentham Avenue which at present appear to be too small to be used for car parking and are therefore generally used for domestic storage purposes instead.
47. The ownership of the garages is separate to the properties along Wrentham Avenue that back onto them. Nevertheless, the vast majority of properties in the area, including 88-98 Wrentham Avenue, have alternative facilities for off-street parking anyway, so the garages are not considered necessary to meet any parking needs in the area and their removal is therefore acceptable in principle.
48. The proposal is for two 3-bedroom family dwellings. Car parking allowances for Brent are set out in Appendix 4 of the Local Plan and for residential use, this requires compliance with the standards set out in Table 10.3 of the London Plan. As the site has moderate access to public transport, up to 1 space per property is permitted, so the two proposed houses are permitted two spaces in total. With no off-street parking proposed, maximum parking standards are complied with.
49. Policy BT2 does also require that consideration be given to the impact of any additional on-street parking on highway conditions though. To this end, a Transport Statement has been submitted, which includes the results of overnight parking surveys for the area undertaken over two nights in January 2024 to help assess the availability of parking.
50. Although parking along the site frontage is prohibited at all times, the length of Tiverton Road between Wrentham Avenue and Chevening Road was occupied by only three vehicles, meaning that half of the available parking spaces were unoccupied. Furthermore, there were a large number of unoccupied parking spaces observed on both Tiverton Road and Wrentham Avenue adjoining Tiverton Green, about 100m from the site. The overall parking occupancy in the surveyed area was therefore under 40%.
51. As such, it has been confirmed that any parking that is generated by these dwellings could be safely and easily accommodated on-street close to the site. With data from the 2021 Census highlight that the average car ownership for houses in the area is 1.16 cars/house, that just 2-3 cars might be expected to be owned by residents of these two houses in total, there is not considered to be any need to apply a 'car-free' agreement to the properties.

### **Cycle and Refuse Storage**

52. The London Plan requires two secure bicycle parking spaces for each house, giving a total requirement for four spaces. Bike lockers for two bikes are proposed for each unit, which are welcomed.

53. A shared bin store is proposed alongside Tiverton Road to allow easy access for collection. The residents of Unit 2 will need to carry their waste about 45m to the store though, which exceeds the recommended maximum carrying distance of 30m, but this is unavoidable.

### Drainage and Flood Risk

54. Brent Local Plan Policy BSUI4 sets out proposals for minor developments, householder development, and conversions should make use of sustainable drainage measures wherever feasible and must ensure separation of surface and foul water systems. Proposals that would fail to make adequate provision for the control and reduction of surface water run-off will be refused.

55. The site is located in Flood Zone 1, indicating a low risk of flooding. It is confirmed that the site is not situated within a critical drainage area.

56. The applicant has submitted a comprehensive Drainage Strategy Report and Surface Water Drainage Strategy. This strategy aligns with the London Plan Policy SI 13 concerning the surface water hierarchy. The approach prioritises rainwater harvesting on-site using water butts, which can be utilised for non-potable purposes such as irrigation. Given the site's underlying London Clay geology, which has limited infiltration capacity, it is not considered feasible to discharge surface water to the ground.

57. To manage rainwater, attenuation is proposed via green roofs across the flat ground floor. Since discharge to a nearby watercourse is unfeasible and no surface water drains are available, the strategy proposes that water be discharged into the existing Thames Water combined sewer. Attenuation measures will limit the discharge rate through a geo-cellular attenuation tank to a controlled flow of 2.0 l/s, ensuring compliance with a 1-in-100-year design storm event.

58. The following discharge rates are set out below:

Return Period (years)	Greenfield Runoff Rates	Existing Discharge Rate	Proposed Discharge Rate
2 year (+40%)	0.2 l/s	10.01 l/s	1.7 l/s
30 year (+40%)	0.5 l/s	25.3 l/s	1.8 l/s
100 year (+40%)	0.7 l/s	33.3 l/s	2/0 l/s

59. Although the proposal does not achieve a return to greenfield runoff rates, the Sustainable Drainage Systems (SuDS) measures would provide a 93.9% reduction in runoff. Officers have reviewed the strategy and found it acceptable in principle, with appropriate reduction rates. The strategy also includes maintenance plans for the SuDS to ensure long-term compliance. These measures will be conditioned as part of this planning application.

### Urban Greening and Biodiversity

60. Brent Local Plan Policy BGI1 Green and Blue Infrastructure and the London Plan Policy G6 sets out that development should aim to secure a net biodiversity gain. Brent Local Plan Policy BH4 in line with London Plan Policy G5 requires all minor development proposals to achieve an UGF score of 0.4 on site. This score needs to be demonstrated through a landscape masterplan that incorporates green cover into the design proposal. It should be accompanied by a score table measuring the UGF leading to better quality green cover on site.

61. It is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) for minor development to deliver a Biodiversity Net Gain of 10%, unless it meets one of the exemptions as set out within the legislation. This means a development must result in more or better quality natural habitat than there was before development.

62. The submission includes a landscape masterplan and the site has been developed to maximise green infrastructure. The site includes residential gardens, a green roof, planting against the railway fence and buildings. These include:

*Green Roofs:* Biodiverse green roofs will be installed on the main buildings and external stores, incorporating a mix of vegetation, rubble, and timber to support biodiversity and manage rainwater. *Native Planting:* Native, drought-tolerant plants will be used throughout the garden areas and along the boundaries of the site. Fruit-bearing species will be integrated within the landscape, enhancing resident interaction with nature.

*Wildlife Habitats:* Hedgehog gateways will be integrated into boundary fences, while bat boxes will be installed on the southern facades of the buildings at a height of 5 meters. Log piles and bird boxes will be distributed within the green roof areas and planting zones.

*Sustainable Drainage:* SuDS features, such as permeable paving and rain gardens, will be located throughout the site, particularly around paved areas and near building facades to capture runoff.

63. The development achieves a UGF of 0.40, reflecting the mix of green roofs, planting, and permeable surfaces across the entire site meeting the requirements of Local Plan policy BH4. These strategic placements ensure both functionality and ecological value, contributing to the development's sustainability and compliance with urban greening standards.
64. In terms of Biodiversity Net Gain, the site is exempt from the mandatory demonstration of a 10% uplift in biodiversity as its proposals do not impact any vegetated habitats. To that end, the site, devoid of vegetation in its baseline, achieves a baseline score of '0', meaning any proposed vegetation on site will achieve a +100% uplift in biodiversity. Garden spaces are currently proposed, so this uplift in biodiversity is achievable without supporting information. The site therefore also too, meets the requirements of Policy G6 of the London Plan wherein an uplift of biodiversity can be achieved.

### Ecology

65. The site is adjacent to the Silverlink Metro SINC Grade 1 (Site of Importance for Nature Conservation) between Brondesbury and Willesden Junction (BI06A). This SINC holds significant ecological value due to its role as a wildlife corridor, with existing habitats comprising broadleaf trees and tall ruderal species. Policy G6 of London Plan highlights that where harm to a SINC is unavoidable, and where the benefits of the development proposal clearly outweigh the impacts on biodiversity, the following mitigation hierarchy should be applied to minimise development impacts:
- 1) avoid damaging the significant ecological features of the site
  - 2) minimise the overall spatial impact and mitigate it by improving the quality or management of the rest of the site
  - 3) deliver off-site compensation of better biodiversity value.
66. It goes onto to state that development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain. This should be informed by the best available ecological information and addressed from the start of the development process.
67. A Preliminary Ecological Appraisal prepared by Arbtech dated 08/02/2024 has been submitted with the application to demonstrate that the proposal would not have a material impact on ecology and nature, including an assessment of impact on protected species and any mitigation measures that are required and proposed.
68. In terms of habitats and flora, the report summarises that no direct impacts to any notable habitats will occur as a result of the proposed development. However, due to the proximity of the site to the line of trees and vegetated railways, indirect effects such as pollution, tree damage or the spread of buddleia could occur during construction. The report recommends best practice measures during construction and appropriate buddleia disposal.
69. The site has been assessed as having low value for roosting bats, with surveys conducted in May and June confirming no roosting activity. However, the foraging activity of bats was observed near the railway line adjacent to the site, which could be used by local bat populations post-development. To mitigate potential impacts, the report recommends the installation of bat boxes (3-4 at the site) to enhance roosting opportunities, along with a bat-friendly lighting scheme to minimise disturbance to foraging and commuting routes. The lighting should avoid the use of UV emissions and metal halide or fluorescent sources and ensure minimal light spillage. These mitigation measures, including careful demolition practices to avoid the destruction of bat roosts, will help maintain and support bat populations on and near the site.

70. As part of the landscape strategy, native trees and shrubs will be planted to enhance biodiversity. This includes invertebrate nesting boxes and wildlife-friendly plants.
71. The report concludes that no significant impacts are anticipated on reptiles or hedgehogs as a result of the proposed development. However, as a precautionary measure, a working method will be implemented to avoid potential risks. The report identified cracks and holes in the façade of the existing building, which could provide nesting opportunities for local bird populations. To mitigate this, it is recommended that the demolition work be carried out outside of the bird nesting season, between 1st March and 31st August. If demolition during this period is unavoidable, close supervision by a qualified ecologist is required to ensure no disturbance to nesting birds.
72. No impacts are anticipated on reptiles or hedgehogs as a result of the proposed development. A precautionary working method will be implemented. The report identified some cracks and holes in the façade which could house local bird populations. It is recommended that the demolition of the building should be taken outside of 1st March - 31st August. If this timeframe cannot be avoided, close specification is required by a qualified ecologist.
73. Hedgehog gateways would be included to allow wildlife movement across the development, along with log and rubble piles for small mammals and invertebrates. This includes invertebrate nesting boxes and wildlife-friendly plants.
74. The development will result in a biodiversity net gain by integrating ecological features into the design. These include bird and bat boxes, habitat piles, and planting that supports pollinators and foraging species. The landscape strategy is aligned with the goals of enhancing local biodiversity while maintaining the ecological integrity of the adjacent SINC. These recommendations will be secured via planning conditions.

#### Trees

75. Brent Local Plan Policy BGI2 requires submission of a BS5837 or equivalent tree survey detailing all trees that are on, or adjoining the development site. Existing trees are to be retained on site as far as possible. Where it is agreed retention is not possible, appropriate replacement trees will need to be provided on-site.
76. The Tree Development Report or AIA was carried out by Connick Tree Consultants and dated 15 April 2024. The tree report covers 21 individual trees and 1 group of trees all of which are growing adjacent to the site on third party land. This AIA refers to 2 individual category B trees however there are a further 4 category B trees shown on the Tree Constraints Plan growing within the rear gardens of adjacent properties at Wrentham Avenue.
77. Two Arboricultural Constraints Plans have been produced, one which identifies the RPA's as a circle, and a second one which modifies the RPAs to take into account the impacts of adjacent gardens, level changes and of the existing garages on site. The modified RPAs shown on drawing ref. 206814/TCP/MH/Rev1 is an appropriate method to adopt.
78. The proposals do intrude into the unmodified RPA's of T17, T19, T20 and T21 however due to the fact that there is a change in levels of around one meter between the gardens and the site and with the extent of previous buildings, the Tree Officer has not objected to the construction of the development as proposed.
79. The most significant trees, which are most likely to be affected by the development are those growing on the adjacent railway land to the south-east. These have the potential to cast quite significant shade onto the development site. It is proposed to crown reduce all of these trees where they overhang into the site in order to facilitate the development of the site. T4 and T5 both Ash have been identified as category U and for removal. This is appropriate and proposed to be replaced with River Birch (*Betula nigra*). One of the replacement locations is very close to the proposed eastern dwelling and is not likely to be viable, particularly at the canopies of existing adjacent trees will also be growing towards the proposed property. The final location of new trees will be agreed via condition.
80. T1 (B) Poplar and T12 (B) Ash are both growing on the Railway line together with a further 11 individual and 1 group of category C trees. All of these trees with the exception of the two category U trees are proposed to be retained in close proximity to the proposed dwellings. It will likely be considered



necessary to re-reduce these trees back quite significantly and this may impact the longer term health of these trees which are growing within a SINC.

81. Although some minor encroachment into the RPAs of T1 and T12 is expected, it is not considered substantial enough to raise concerns about the long-term health of these trees. Tree protection measures, including fencing and supervision during construction, will be in place to minimise any potential negative impacts.
82. Overall, the proposals are acceptable in terms of the impact of construction on trees growing adjacent to the site. Practically, there may be pruning of trees growing adjacent to the site on the railway land, to achieve reasonable daylight and sunlight levels to the proposed development and is considered not to be harmful. This intervention is deemed reasonable, and retention of the trees is encouraged as they are integral to the Site of Importance for Nature Conservation (SINC).
83. Despite the potential impacts on existing trees, the development includes sufficient mitigation measures, such as pruning and protection strategies, to ensure that the trees' long-term health is not compromised. The replacement of any trees lost will further maintain the site's overall tree cover and ecological value. Careful consideration has been given to tree protection measures, and appropriate hardscaping and landscaping details which would need to be implemented prior to the commencement of construction.

## **Environmental Health Considerations**

### Noise and vibration

84. Due to the site's proximity to a railway, an Acoustic Assessment Report was provided as part of the application. This report analysed the impacts of noise and vibration from the proposed development. It assessed both the current noise and vibration environment and the potential impact on the new development. The results indicate that the site is suitable for residential use, with proper mitigation measures in place to handle the noise and vibration levels from the nearby railway.
85. The report notes that the external walls, particularly those with timber infills, may allow more noise ingress, especially at lower frequencies. To address this, the building's external wall construction should provide a minimum sound reduction of  $R_w$  50 dB. This can be achieved through the use of layered materials, including cement particle board and double-layered internal linings.
86. The report also recommends the use of glazing with a minimum performance of  $R_w$  40 dB and  $D_{n,e,w}$  40 dB for areas of the façade most exposed to noise. These measures are designed to achieve the required internal conditions and prevent excessive noise infiltration. Additionally, Vibration levels are predicted to be within acceptable standards both in terms of tactile vibration and re-radiated noise as a result of ground-borne vibration from road and rail sources and should not significantly impact residential amenity.
87. The necessary mitigation measures outlined in the report, including soundproofing for external walls and windows, are required to meet the acoustic performance standards. These measures will ensure the building meets the required noise insulation levels.
88. The Environmental Health Noise Team has reviewed the report and confirmed that the proposed mitigation measures, including robust external wall construction and high-performance glazing, would be effective in reducing noise and vibration impacts. These measures are secured by way of condition to ensure that noise is appropriately mitigated.
89. Objections have also been received regarding noise on the new dwellings. The information submitted has used the Professional Practice Guidance on Planning and Noise and has been assessed by colleagues in Environmental Health. The report demonstrated that some mitigation measures are required in the form of glazing, ventilation and acoustic fencing to ensure external and internal noise levels are in line with BS8233:2014. The assessment also considered vibration and the results indicate no adverse impact as well.
90. There are some air source heat pumps proposed as part of the development and therefore a condition is recommended to ensure that any noise output is maintained within appropriate levels relative to background noise.

### Contamination

91. Due to the development being close to the railway (that has been identified as potentially contaminated) and that the development will be built on land that was previously garages, consideration should be given to whether the land is contaminated and suitable for the use as residential. To this end, the applicant has submitted a Preliminary Risk Assessment Report to determine the nature and where possible the extent of contaminants potentially present at the site, to establish the presence of significant contaminant linkages and to assess whether the site is safe and suitable for the purpose for which it is intended or can be made so by remedial action. The report identifies potential sources of made ground associated with previous development operations, hydrocarbon contamination, current and previous industrial uses on site and off site and an electric telegraph. The report concludes that an intrusive investigation is recommended to confirm the risks identified. Environmental Health officers have recommended that the standard conditions are attached regarding these investigations.

#### Construction Impact

92. A condition is also recommended requiring the approval of a Construction Method Statement in relation to demolition and construction. It is recommended that permission is granted subject to these conditions.

#### Air Quality

93. As the application does not relate to a major application there is no requirement to submit an Air Quality Neutral Assessment in line with policy BG11 of Brent's Local Plan.. Nevertheless, the applicant has provided a PES air quality assessment dated 16/4/24. This assessment demonstrates that operationally there are no concerns in relation to air quality in terms of future residents being exposed to harmful levels of pollutants, and the development will be air quality neutral. A condition has been included requesting a Construction Method Statement given that the development is within an Air Quality Management Area.

#### **Relationship with Railway**

94. Network Rail were consulted during the course of the application raising no objections to the proposed development, subject to a number of measures being conditioned to any forthcoming consent as the proposal would include works within 10m of the railway boundary and an interface with the railway boundary therefore undertaking the with the agreement and supervision of Network Rail is required. This is to ensure that the works on site, and as a permanent arrangement, do not impact upon the safe operation and integrity of the existing operational railway.

95. As the proposal includes works which could impact the existing operational railway and in order to facilitate the above, a BAPA (Basic Asset Protection Agreement) will need to be agreed between the developer and Network Rail. The BAPA will be in addition to any planning consent which is within the informative notes of this application that no works are to commence until agreed with Network Rail on the BAPA.

#### **Fire Safety**

96. Policy D12A of the London Plan (as well as the draft London Plan Fire Safety Guidance) requires all development proposals to achieve the highest standard of fire safety and requires submissions to demonstrate that they:

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

97. The site is designed to provide fire appliances access via Tiverton Road to a hardstanding area near the

development. Although assembly points are not specifically required for small residential developments, there will be ample space on nearby pavements to act as a safe waiting area.

98. Both dwellinghouses would feature active fire safety systems, including fire detection and alarm systems, ensuring coverage of key areas like kitchens, living areas, hallways, and stairs.
99. A public hydrant located approximately 75 meters from the development will supply water for firefighting operations. Despite this distance, the inclusion of sprinklers mitigates the extended hose-laying distance. Parts of Unit 2 would also be over 45m from Tiverton Road, so the maximum fire hose distance is exceeded. A sprinkler system is therefore likely to be required to address fire safety concerns and the fire statement for the development confirms that this will be provided.
100. Walls and ceilings would have fire-resisting construction to limit the spread of fire, particularly in circulation spaces.
101. The external materials used for walls and roofs would meet stringent fire safety standards, ensuring low flame spread, particularly near site boundaries.
102. Adequate escape routes have also been provided as part of emergency.
103. The applicant has provided a fire statement which has addressed the above requirement, in accordance with policy D12A of the London Plan. This was submitted by a suitably qualified person. Detailed fire safety considerations would be addressed as part of building regulations.

### **Sustainability**

104. Local Plan Policy BSUI4 applies substantial weight to the target for mains water consumption of 105 litres or less per person per day, and a condition has been recommended to require this to be achieved. Introduction of sustainability and renewable energy commitments including triple glazed windows and high performing U values for external envelope, green roof as well as the use of Air Source Heat Pumps (ASHP) are strongly supported. ASHPs also generate noise and a condition has also been recommended to ensure that this does not significantly impact the amenity of sensitive receptors.

### **Equalities**

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

### **Conclusion**

106. The proposal is considered to accord with the development plan having regard to all material planning considerations. The proposal would deliver the provision of two family sized homes, contributing towards the Council's housing targets.
107. Planning permission is therefore recommended to be granted subject to conditions.

## DRAFT DECISION NOTICE



# Brent

## DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

## DECISION NOTICE – APPROVAL

Application No: 24/1219

To: Plotnek  
MJP Planning Limited  
Market Peckham  
133a Rye Lane  
London  
SE15 4BQ

I refer to your application dated **03/05/2024** proposing the following:

Proposed demolition of existing garages and erection of two residential units with landscaping, private and communal amenity areas, cycle and refuse storages and associated works.

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

at **Garages rear of 88-98 Wrentham Avenue, Tiverton Road, London**

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

Date: 08/10/2024

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 2023  
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 drawings and documents:

1147-DFA-PL-001 - Location Plan  
1147-DFA-PL-002 -Existing Block Plan  
1147-DFA-PL-003 - Existing Ground Floor Plan  
1147-DFA-PL-004 - Existing Roof Plan  
1147-DFA-PL-005 - Existing East/West Elevations  
1147-DFA-PL-006 - Existing North/South Elevations  
1147-DFA-PL-007 - Existing Long Section  
1147-DFA-PL-008 - Existing Section  
1147-DFA-PL-1001 - Proposed Site Plan  
1147-DFA-PL-1002 - Proposed Ground Floor Plan  
1147-DFA-PL-1003 - Proposed First Floor Plan  
1147-DFA-PL-1004 - Proposed Roof Plan  
1147-DFA-PL-1005 - Proposed North/South Site Elevations  
1147-DFA-PL-1006 - Proposed Flank Elevations  
1147-DFA-PL-1007 - Proposed Long Section  
1147-DFA-PL-1008 - Proposed Section  
1147-DFA-PL-1009 - Proposed Cycle and Refuse Store  
24.020-AEL-XX-XX-DR-C-3010 Proposed Surface water drainage strategy

Supporting Documents

Design and Access Statement  
P5512J2910/SEJ - Preliminary Risk Assessment Report  
Bat Emergence and re-entry Survey by Arbtech dated 21/06/2024  
Air Quality Assessment - The PES dated 16th April 2024  
24.020- Drainage Strategy Report  
MTC077R01 - Landscape Design  
J646\_R01 - Noise & Vibration Impact Assessment  
Preliminary Ecological Appraisal and Root Assessment dated 08/02/2024  
206814/TCP/MH/Rev1- Tree Constraints Plan  
206814 - Arboricultural Impact Assessment  
Tree survey dated 21/03/2024

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

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

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

- 4 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.

- 5 The development hereby approved shall not be occupied unless the existing crossover has been reinstated to footway with full height kerbs by the Local Highway Authority at the developer's expense.

Reason: In the interest of highway and pedestrian safety.

- 6 The measures and recommendations set out in the Preliminary Ecological Assessment prepared by Arbtech Consultants dated 08/02/2024 shall be implemented in full throughout the construction of the development.

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

- 7 The development shall be carried out in accordance with the recommendations set out within the Noise and Vibration Impact Assessment prepared by ALN Acoustic Design Limited.

Reason: In order to ensure that future occupiers are not exposed to detrimental noise levels.

- 8 The development hereby approved shall not be occupied unless the cycle storage and refuse stores have been completed in full accordance with the approved drawings and the facilities shall thereafter be made available to residents of the development and shall not be used other than for purposes ancillary to the dwellinghouses hereby approved.

Reason: To ensure a satisfactory standard of accommodation.

- 9 The works shall be carried out in accordance with the approved Drainage Strategy Report and drawing no 24.020-AEL-XX-XX-DR-C-3010 prepared by articulate engineering prior to occupation of the development unless an alternative strategy is submitted to and approved in writing by the Local Planning Authority and thereafter implemented in full. The SuDS measures shall thereafter be maintained in accordance with the tasks and frequencies set out within the Maintenance section of the Drainage Strategy unless an alternative maintenance regime is submitted to and approved in writing by the local planning authority and the maintenance thereafter implemented in accordance with that strategy.

Reason: To ensure that risks from flooding are effectively mitigated.

- 10 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.

- 11 No development shall take place, including any works or demolition until a Construction Environment Method Plan (CEMP) shall be submitted to and approved in writing by the local planning authority. The statement shall include the following statements:

(i) A precautionary working method will be implemented. Works will be scheduled during the winter months (November to March) when bats are least likely to be present. The potential roost features identified on the BERS Plan (Arbtech 2024, page 9) will be removed by hand. In the unlikely event that a bat is discovered during the demolition works all must stop and a bat license ecologist should be contacted for further advice.

(ii) construction lighting to ensure it is in accordance with Guidance Note 08/23 Bats and Artificial Lighting (Institute of Lighting Professionals and the Bat Conservation Trust)

The development shall thereafter be constructed in accordance with the details approved as part of the CEMP.

Reason: To protect any protected species during construction works.

Pre-commencement reason: Required prior to commencement of development to satisfy the Local Planning Authority that protected species will not be harmed during demolition or construction.

- 12 Prior to the commencement of the development hereby approved (including demolition and all preparatory work), a scheme for the protection of retained trees in accordance with BS5837: 2012 including a Tree Protection Plan (TPP, at para. 5.5 BS 5837) and an Arboricultural Method Statement (AMS, at para. 6.1 BS 5837) shall be submitted to and approved in writing by the local planning authority.

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

Reason: To protect and enhance the appearance and character of the site and locality, in accordance with DMP1 and BGI 2.

Pre-commencement reason: Required prior to commencement of development to satisfy the Local Planning Authority that the trees to be retained will not be damaged during demolition or construction.

- 13 Prior to the commencement of the development a Construction Method Statement shall be submitted to and agreed by the Local Planning Authority outlining measures that will be taken to control dust, noise and other environmental impacts of the development. In addition, measures to control emissions during the construction phase relevant to a medium risk site should be written into an Air Quality and Dust Management Plan (AQDMP), or form part of a Construction Environmental Management Plan, in line with the requirements of the Control of Dust and Emissions during Construction and Demolition SPG. The AQDMP should also be submitted to and approved in writing by the Local Planning Authority and the development shall thereafter be constructed in accordance with the approved Construction Method Statement, together with the measures and monitoring protocols implemented throughout the construction phase.

The development shall thereafter be constructed in accordance with the approved Construction Method Statement, together with the measures and monitoring protocols implemented throughout the construction phase.

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: Nuisance from demolition and construction activities can occur at any time, and adequate controls need to be in place before any work starts on site.

- 14 Prior to the commencement of the development details of any scaffolding works within 10m of the railway boundary shall be submitted to and approved in writing by the Local Planning Authority in consultation with Network Rail, and thereafter implemented in accordance with the approved details throughout the construction of the development.

Reason: In the interests of protecting the railway and its boundary from over-sailing scaffolding.

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

- 15 Prior to the commencement of the development a method statement and risk assessment must be submitted to and approved in writing by the Local Planning Authority in consultation with Network Rail, and thereafter implemented in accordance with the approved details throughout the lifetime of the development.

Reason: To ensure that the construction and subsequent maintenance of the proposal can be carried out without adversely affecting the safety, operational needs or integrity of the railway.

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

- 16 No demolition works shall be undertaken until a demolition methodology statement (including mitigation measures) has been submitted to and approved in writing by the Local Planning Authority in consultation with Network Rail. The demolition methodology statement strategy shall be implemented in full throughout the demolition period.

Reason: To safeguard the railway and its boundary from demolition machinery and dust and debris

- 17 Prior to the commencement of the development (excluding demolition works) full details of ground levels, earthworks and excavations to be carried out near to the railway boundary shall be submitted to and approved in writing by the Local Planning Authority in consultation with Network Rail, and thereafter implemented in accordance with the approved details throughout the construction of the development.

Reason: To protect the adjacent railway and its boundary.

- 18 No vibro-impact works shall take place on site until a risk assessment and method statement shall be submitted to and approved in writing by the Local Planning Authority in consultation with Network Rail, and thereafter implemented in accordance with the approved details throughout the construction of the development.

Reason: To prevent any piling works and vibration from de-stabilising or impacting the railway.

- 19 Prior to the commencement of the development (but excluding demolition, site preparation and the laying of foundations), details of the disposal of both surface water and foul water drainage directed away from the railway shall be submitted to and approved in writing by the Local Planning Authority in consultation with Network Rail, and thereafter implemented in accordance with the approved details.

Reason: To protect the adjacent railway from the risk of flooding, soil slippage and pollution.

- 20 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.

- 21 (a) Prior to the commencement of development (excluding site clearance and demolition), a site investigation shall be carried out by competent persons to determine the nature and extent of any soil contamination present within that Phase. 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 prior to the commencement of building works that includes the results of any research and analysis undertaken as well as an assessment of the risks posed by any identified contamination. It shall include an appraisal of remediation options should any contamination be found that presents an unacceptable risk to any identified receptors.

(b) Any soil remediation required by the Local Planning Authority shall be carried out in full in accordance with the approved remediation works. Prior to the occupation of the development, 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 land 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.

- 22 Prior to the commencement of development (excluding demolition, site clearance and laying of foundation), details of hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include:

i. A planting schedule detailing all proposed trees/plants/bulbs/plugs including numbers, pot sizes and densities including:

Detail biodiversity enhancement through planting schemes that provide:

a) nectar, pollen and fruit resources throughout the seasons, a variety of structural diversity and larval food plants, through no less than 60% native and local species by number and diversity.

b.) Ornamental plants will not include any genera or species on Schedule 9 of the Wildlife and Countryside Act (1981) or the LISI list and should be on the "RHS Plants for Pollinators" lists (or of

documented wildlife value), to provide increased resource availability.

c.) Cross-section/build-up of green roofs/biosolar roofs /living walls/ rain gardens (including how access for management will be created and maintained);

d.) Technical details of biodiverse roofs on bike / bin storage areas;

ii. Details of all proposed hardstanding

iii. Details of garden wall, fences or other form of boundary treatment to be provided within the site (including details of external materials and heights)

iv. Details of a suitable trespass proof fence adjacent to the boundary with the railway line (including details of external materials and heights) in consultation with Network Rail

v. Details of appropriate vehicle safety protection measures along the boundary with the railway in consultation with Network Rail

vi. Details to maximise the urban green factor (UGF) for the site in line with policy BH4 of Brent's Local Plan 2019-2041, including the requirement to submit a UGF Masterplan

vii. Details of cycle storage through the provision of secure, weatherproof cycle storage facility, which shall each have capacity for a minimum of 2- long-stay spaces

viii Details of any external lighting and overspill diagram in relation to the adjoining residential properties and railway line

viii. Details of refuse store facilities

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, and to protect the adjoining railway in accordance with policies DMP1 and BGI 2

- 23 Prior to first occupation of the development hereby approved, a landscape, Ecology & Trees Management Plan, including long term design objectives, management responsibilities and five-year maintenance programme and schedules for all landscaped areas, shall be submitted to and approved in writing by the local planning authority. The landscape management plan shall be implemented as approved. Any new planting: tree(s), that die(s), are/is removed, or 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. Unless further specific permission has been given by the Local Planning Authority, replacement planting shall be in accordance with the approved details. Work shall be undertaken in accordance with the approved scheme and thereafter retained in perpetuity.

Reason: To enhance the biodiversity value of the land in accordance Policy BGI of the Brent Local Plan

- 24 Prior to first occupation the development hereby permitted, a scheme for wildlife and nesting features shall be submitted to and approved in writing by the Local Planning Authority. These will include:
- a. 3 x untreated deadwood features within soft landscaping areas/ green roof.
  - b. At least 4 x nesting features on the new building, such as c. house sparrow terraces,
  - d. 2 no bat bricks (preferred) or boxes (as per recommendations provided in the submitted report (Arbtech 2014, page 8)

The scheme will include full details on: numbers of each feature, type of feature / box / brick, location (plan and elevation views) of each feature, height above ground (if applicable) and nearest external lighting (if likely to have an impact). Features shall be undertaken in accordance with the approved scheme and all works need to be completed prior to the first occupation and thereafter retained in perpetuity.

Reason: To enhance the biodiversity value of the land in accordance Policy BGI of the Brent Local Plan.

- 25 Prior to first occupation of the development hereby permitted, a Statement of Conformity shall be submitted to and approved in writing by the Local Planning Authority. The Statement of Conformity will be signed by a suitably qualified person/s and include evidence in the form of photographs (close up and distant context views) of the installed features:
- a. planting areas.
  - b. green roof and SuDs features
  - c. Installed bird, bat, invertebrate features on buildings and trees.

This condition is to certify that the details for each habitat / feature, as approved in accordance with the submitted plans.

REASON: To enhance the biodiversity and amenity value of the land in accordance with policies DMP1 and BGI 2. To ensure compliance with the tree protection and arboricultural supervision details submitted under condition (insert condition(s)) pursuant to section 197 of the Town and Country Planning Act 1990 in accordance with policies DMP1 and BGI 2.

- 26 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 The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website [www.communities.gov.uk](http://www.communities.gov.uk)
- 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](http://www.brent.gov.uk/CIL).
- 3 The applicant is advised to apply for the crossover reinstatement works by using the following link:-  
  
<https://www.brent.gov.uk/parking-roads-and-travel/roads-and-streets/vehicle-crossings-and-dropped-kerb>
- 4 The submission/approval of the Fire Safety Statement does not replace the need for building regulation approval in relation to fire safety, nor does it convey or imply any approval under those regulations.
- 5 The quality of imported soil must be verified by means of in-situ soil sampling and analysis. We do not accept soil quality certificates from the soil supplier as proof of soil quality.
- 6 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.
- 7 Given the age of the buildings to be demolished it is possible that asbestos may be present. The applicant should be reminded of their duties under the Control of Asbestos Regulations and must ensure that a qualified asbestos contractor is employed to remove all asbestos and asbestos-containing materials and arrange for

the appropriate disposal of such materials.

- 8 Construction/refurbishment and demolition works and ancillary operations which are audible at the site boundary shall be carried only between the hours of:

Monday to Fridays 08:00 to 18:00

Saturday 08:00 to 13:00

At no time on Sundays or Bank Holidays

- 9 The applicant is advised that before the proposal progresses (should it be approved) they will be required to submit the development form to Network Rail's Asset Protection team and agree the BAPA before any works commence on site. Network Rail recommends that the applicant ensures that the BAPA is in place and that Network Rail has reviewed and agreed the documents as part of the discharge of any conditions.

The developer will be liable for all costs incurred by Network Rail in facilitating this proposal, including any railway site safety costs, possession costs, asset protection costs / presence, site visits, review and agreement of proposal documents and any buried services searches. The BAPA will be in addition to any planning consent. The Early engagement with Network Rail is strongly recommended.

All new enquiries will need to be submitted via the Asset Protection and Optimisation - Customer Portal

Link to ASPRO ACE Portal (

<https://erjy-odcsvbcs-11211655-1568-cacctnetworkrail.builder.ocp.oraclecloud.com/ic/builder/r/t/CustomerPortal/live/webApps/dcs/> )

- 10 All lighting must be designed to avoid light overspill onto the railway and must not interfere with train drivers' ability to perceive signals. Recommended lighting specifications include flat-bottom luminaires and downlit throw lighting.

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