

Committee Report
Planning Committee on 16 March, 2010

Case No. 09/3013

RECEIVED: 5 January, 2010

WARD: Alperton

PLANNING AREA: Wembley Consultative Forum

LOCATION: Chequers, Managers Flat and Store, 149 Ealing Road, Wembley, HA0 4BY

PROPOSAL: Demolition of existing buildings and erection of a 3-, 4- and 5-storey building, comprising 2 commercial units (Use Classes A1, A2, A3 or A4) at ground-floor and ancillary basement level and 30 self-contained flats (one 1-bed, nineteen 2-beds and ten 3-bedroomed units,) at upper-floor levels, a car-free development with formation of new vehicular and pedestrian accesses, cycle and refuse stores to side and communal amenity space to rear

APPLICANT: Botwellears Ltd and Network Housing Group

CONTACT: Forge Architects

PLAN NO'S:
Please refer to condition 2

RECOMMENDATION

(a) To delegate authority to the Director of Planning to determine this planning application and to grant planning permission subject to the completion of a satisfactory Section 106 agreement on the heads of terms as set out below (or amended heads of terms as agreed by the Director of Environment and Culture or duly authorised person), the exact terms thereof agreed by the Director of Planning on advice from the Borough Solicitor; but

(b) if the legal agreement has not been entered into by the application's statutory expiry date of 06/04/10, to delegate authority to the Director of Environment and Culture, or other duly authorised person, to refuse planning permission; and

(c) if the application is refused or withdrawn for the reason in b) above to delegate authority to the Director of Environment and Culture, or other duly authorised person to grant permission in respect of a further application which is either identical to the current one, or in his opinion is not materially different, provided that a satisfactory section 106 has been entered into.

SECTION 106 DETAILS

The application requires a Section 106 Agreement, in order to secure the following benefits:-

1. Payment of the Council's legal and other professional costs in
 - (a) preparing and completing the agreement and
 - (b) monitoring and enforcing its performance
2. Affordable Housing – 100% to be agreed with the council
3. A reduced RSL contribution of £2400 per bedroom index-linked from the date of committee

for Education, Sustainable Transportation, including Car Clubs, Air Quality and Open Space & Sports in the local area.

4. Car Free, the residents can not apply for residents' parking permits.
5. Sustainability - submission and compliance with the Sustainability check-list ensuring a minimum of 50% score is achieved, Code for Sustainable Homes Level 3 and BREEAM Very Good, with compensation should it not be delivered. In addition to adhering to the Demolition Protocol.
6. Offset 20% of the site's carbon emissions through onsite renewable generation. If proven to the Council's satisfaction that this is unfeasible, provide it off site through an in-lieu payment to the council who will provide that level of offset renewable generation.
7. A contribution of £20,000, index-linked from the date of committee for improvements to local play and public amenity areas
8. Join and adhere to the Considerate Contractors scheme.

And to authorise the Director of Environment and Culture, or other duly authorised person, to refuse planning permission by the end of the 13-week application process or by another date if agreed in writing with the Local Planning Authority, if the applicant has failed to demonstrate the ability to provide for the above terms and meet the policies of the Unitary Development Plan and Section 106 Planning Obligations Supplementary Planning Document by concluding an appropriate agreement.

EXISTING

The site currently consists of a vacant 3-storey public house with rear garden space, the adjacent manager's house and store building. The site is located on the corner of Ealing Road and Stanley Avenue and is adjacent to the Ealing Road Town Centre primary shopping frontage. The site is not within the designated Ealing Town Centre in Brent's Unitary Development Plan, but will be in the Town Centre in the revised forthcoming LDF. The development site is approximately 400m from Alperton Tube Station. The neighbouring properties on Ealing Road and Stanley Avenue are two storey semi-detached dwellings while Ealing Road town centre is characterised by two/three storey terraced properties and generally has town centre uses on the ground floor with residential above.

PROPOSAL

Demolition of existing buildings and erection of a 3-, 4- and 5-storey building, comprising 2 commercial units (Use Classes A1, A2, A3 or A4) at ground-floor and basement level and 30 self-contained flats (one 1-bed, nineteen 2-beds and ten 3-bedroomed units,) at upper-floor levels, a car-free development with formation of new vehicular and pedestrian accesses, cycle and refuse stores to side and communal amenity space to rear

HISTORY

Members will be aware of several recent applications for similar developments on the site.

09/06/09- (Ref: 09/0355) - Refused

Demolition of existing buildings and erection of a 3-, 4- and 5-storey building, consisting of 2 commercial units (Use Classes A1, A2, A3 or A4) at ground floor with an ancillary basement level and 32 flats on upper-floor levels, formation of new vehicular and pedestrian accesses, provision of 2 disabled car-parking spaces to front, cycle and refuse store to side, communal amenity space to rear and associated hard and soft landscaping

This application was similar to those previously submitted and incorporated a basement. Members were minded to grant at planning committee but the s106 legal agreement was not signed before the statutory expiry date resulting in the application being refused under delegated powers.

30/10/2008 - (Ref: 08/2194) – Refused

Demolition of existing buildings and erection of a 3-, 4- and 5-storey building consisting of 32 flats (comprising 5 x one-bedroom, 19 x two-bedroom and 8 x three-bedroom flats) at first-floor to fourth-floor level and 2 commercial units at ground-floor level (Use Classes A1, A2, A3 & A4) plus ancillary basement support space (including storage, sanitary accommodation, kitchen and preparation areas to serve the two commercial units above), with formation of new vehicular and pedestrian accesses, provision of 2 disabled-parking spaces, storage for 40 bicycles, residential refuse & recycling store and 2 commercial refuse stores, communal amenity space to the rear, and hard and soft landscaping to the site (as accompanied by Design and Accessibility Statement dated August 2008, Sustainability & Carbon Emission Reduction - Strategy, and Mechanical Ventilation Strategy)

This application was very similar to application 08/0822 in that it proposed a basement, (in addition to the development above-ground that was minded to be approved under 07/2368,) which provided space for associated plant and an additional 497sqm of floor space for the two proposed commercial units, raising the total commercial floor space in the scheme to 987sqm. Other minor changes were also proposed such as an enlargement to the service bay in order to overcome the previous refusal reason of 08/0822.

Officers recommended that this application was approved subject to s106 and conditions. At Planning Committee on 07/10/08 Members were also minded to approve the application. However since the end of 2007 the Local Planning Authority had altered its policy for dealing with Major applications subject to a s106 legal agreement. In the interests of maintaining the Planning Service's performance measured against the government's national indicator's (NIs) it has become general practice for officers to make a dual recommendation to approve applications subject to the completion of a section 106 agreement within the statutory 13 week period or if the applicant fails to do this, to give the Director of Environment & Culture, or any other duly authorised person, the delegated authority to refuse the application.

18/07/2008 - (Ref: 08/0822) – Refused

This was a revision to the earlier minded to approve scheme (07/2368). This was refused by planning committee.

Demolition of existing buildings and erection of a 3-, 4-, and 5-storey building consisting of 32 self-contained flats and 4 commercial units, comprising 2 units at ground-floor level, occupying 570m² of commercial floor space, and 2 units at basement level, occupying 560m² of commercial floor space (with Use Classes A1, A2, A3 & A4); 5 x one-bedroom flats, 19 x two-bedroom flats and 8 x three-bedroom flats at first-floor to fourth-floor level, formation of new vehicular and pedestrian accesses, provision of 2 disabled parking spaces, cycle store with 40 cycle spaces, refuse and recycling store, communal amenity space to rear, and hard and soft landscaping to the site (Revised Application including basement extension to proposed ground-floor commercial units).

This revised application sought to create a substantial basement area in addition to the development above ground that Members were minded to approve under proposal 07/2368. The proposed basement aimed to provide an additional 417sqm of floor space for the commercial units, which raised the total commercial floor space in the scheme to 987sqm. Other minor changes were proposed including alterations to the access arrangements to the residential element of the scheme.

Although officers considered the additional floor space would not increase the servicing requirements for the scheme, Members felt that the additional basement floor space had the

capacity to provide an additional two separate commercial units which would require additional servicing space that the applicant was not providing. This revised scheme was therefore refused by Planning Committee on 18/07/08.

06/11/07 - (Ref: 07/2368) - Pending

Members were minded to approve this application at Planning Committee on 06/11/07 subject to a s106, which has yet to be signed.

Demolition of existing buildings, erection of 3-, 4-, and 5-storey building comprising 32 self-contained flats and 2 retail units, consisting of 570m² retail floor space at ground-floor level, 5 x one-bedroom flats, 19 x two-bedroom flats and 8 x three-bedroom flats at first-floor to fourth-floor level, formation of new vehicular and pedestrian accesses, provision of 2 disabled parking spaces, cycle store with 39 cycle spaces, refuse and recycling store, communal amenity space to rear and hard and soft landscaping to site (as amended by plans received 23/10/2007) subject to a signed deed of agreement under section 106 of the town and country planning act 1990, as amended.

21/06/07 - (Ref: 07/0741)- Withdrawn

This application was withdrawn by the applicant.

Demolition of existing building and erection of a 3-, 4- and 5-storey building consisting of 471m² retail floorspace at ground-floor level and 34 residential flats on upper floors (comprising 6 x one-bedroom flats, 20x two-bedroom flats and 8 x three-bedroom flats), formation of new vehicular and pedestrian access, provision of 2 disabled car-parking spaces, cycle store, commercial and residential refuse and recycling stores, provision of communal amenity space to rear and landscaping to site.

POLICY CONSIDERATIONS

PPG16 - Archaeology and Planning

PPG24 – Planning and Noise

Mayor's SPG - Providing for Children and Young People's Play and Informal Recreation – Mayor's Supplementary Planning Guidance (2008)

Unitary Development Plan 2004

BE1- requires the submission of an Urban Design Statement for all new development proposals on sites likely to have significant impact on the public realm or major new regeneration projects.

BE2 - Proposals should be designed with regard to their local context, making a positive contribution to the character of the area.

BE3 - relates to urban structure, space and movement and indicates that proposals should have regard for the existing urban grain, development patterns and density in the layout of development sites.

BE4 - states that developments shall include suitable access for people with disabilities.

BE5 - Proposals should, amongst other things, clearly defined public, private and semi-private spaces in terms of their use and control.

BE6 - High standard of landscaping required as an integral element of development, including a design which reflects how the area will be used and the character of the locality and surrounding buildings, boundary treatments to complement the development and enhance the streetscene.

BE7 – A high quality of design and materials will be required.

BE9 - Creative and high-quality design solutions (for extensions) specific to site's shape, size, location and development opportunities Scale/massing and height should be appropriate to their setting and/or townscape location, respect, whilst not necessarily replicating, the positive local design characteristics of adjoining development and satisfactorily relate to them, exhibit a consistent and well considered application of principles of a chosen style, have attractive front elevations which address the street at ground level with well proportioned windows and habitable rooms and entrances on the frontage, wherever possible, be laid out to ensure the buildings and spaces are of a scale, design and relationship to promote the amenity of users providing satisfactory sunlight, daylight, privacy and outlook for existing and proposed residents and use high quality materials.

BE12 - states that proposals should embody sustainable design principles commensurate with the scale and type of development.

EP2 - Noise & Vibration -noise generating development will be permitted unless it would create noise above acceptable levels

EP3 - requires developments within Air Quality Management Areas to support the achievement of National Air Quality Objectives.

H11 - Housing will be promoted on previously developed urban land which the Plan does not protect for other land uses.

H12 - Layout and urban design of residential development should reinforce/create an attractive/distinctive identity appropriate to the locality, housing facing streets, have access and internal layout where cars are subsidiary to cyclists and pedestrians, appropriate car parking and cycle parking ,where dedicated on-street parking is maximised as opposed to in curtilage parking and avoids excessive tarmac and provides an amount and quality of open landscaped area appropriate to the character of the area, local availability of open space and needs of prospective residents.

H13 - The appropriate density will be determined by achieving an appropriate urban design which makes efficient use of land, particularly on previously used sites and meets the amenity needs of potential residents. The most dense developments will be in areas with good and very good public transport accessibility. surrounding densities should at least be matched unless it would harm residential amenity. The density should have regard to the context and nature of the proposal, the constraints and opportunities of the site and type of housing proposed.

H14 - States that planning permission will be refused where development would under-utilise a site.

H15 - States that the density and height of any buildings should be subsidiary to the street fronting development.

TRN3 - Where a planning application would cause or worsen an unacceptable environmental impact from traffic generated it will be refused, including where:

(a) The anticipated level of car generation/attraction is greater than the parking to be provided on site in accordance with the Plan's standards and any resulting on-street parking would cause unacceptable traffic management problems; and/or

(b) The proposal would have unacceptable environmental problems such as noise or air quality (especially affecting air quality management areas); and/or

(c) The development would not be easily and safely accessible to pedestrians and/or cyclists; and/or

(d) Additional traffic generated would have unacceptable consequences in terms of access/convenience for pedestrians and/or cyclists; and/or

(e) The proposals would produce unacceptable road safety problems; and/or

(f) The capacity of the highway network is unable to cope with additional traffic without producing unacceptable levels of traffic congestion – especially where this would hinder the ability of the Strategic Road Network and/or London Distributor Roads to cope with through trips, or would introduce through traffic onto local roads; and/or

(g) The proposal would cause a significant increase in the number and/or the length of journeys made by the private car.

TRN11 - Developments shall comply with the Councils minimum cycle parking standard (PS16); with parking situated in a convenient, secure, and where appropriate sheltered location.

TRN23 - Parking standards for residential developments require that residential developments should provide no more parking than the levels listed in PS14 for that type of housing.

TRN35 - On transport access for disabled people and people with mobility difficulties states that development should have sufficient access to parking areas and public transport for disabled people, and that designated parking spaces should be set aside for disabled people in compliance with levels listed in PS15.

SH10 - A3 uses are acceptable providing they comply with policies SH7 or SH9. In considering proposals account will be taken of proximity to residential, the nature and size of proposed use, the concentration of such uses in the area, hours of operation and practicality of providing extract ducting.

SH31 - Further expansion of Ealing Town Centre beyond the defined boundaries will be resisted.

Supplementary Planning Guidance(SPG) 17 - "Design Guide for New Developments".

Supplementary Planning Guidance(SPG) 19 - "Sustainable Design, Construction & Pollution Control".

Supplementary Planning Document - S106 Planning Obligations

SUSTAINABILITY ASSESSMENT

The initial sustainability strategy was not considered satisfactory, and a revised strategy has been submitted. On the submitted Sustainable Development Checklist the applicants score themselves at 56%. Officer have assessed the checklist and score thwe applicants 23%, which is fairly detrimental. The main issue to overcome is that the applicants hav not sugned up to the dmolition protocol. However, if they do, their score will signifincatly increase.This is considered resolvable through the s106.

The applicant has considered energy efficiency, with apporprate insulation and monitoring. They will achieve Code for Sustainable Homes 3, with an aspiration of level 4, and BREEAM Very good. This will be secured through s106.

The applicant has undertaken a revised Energy Strategy using the correct methodology and has evaluated potential onsite renewable options to meet the 20% requirement. Officer agrees with the assessment, 3 forms of onsite renewable (PV, PV & Air Source Heat Pumps (ASHP) or biomass boiler) are considered feasible to provide the required 20% offset carbon on site.

The other renewable enregy sources that have been evaluated are set out below:

District Heating – no proposals nearby currently

1. CHP - Not considered feasible due to small site, small number of units and low heat demand during summer months
2. Cooling measures – natural ventilation is proposed
3. Renewables

Ground Source Heat Pumps were previously considered however due to lack of available space this option has now been ruled out.

PV with ASHP or Biomass are considered to be feasible onsite. Officer agrees these options are the most suitable for the site. Due to the restricted space and impact of deliveries, the applicant considers biomass may not be the most effective solution. No details of plant room or storage have provided. Also an air quality assessment should be undertaken if biomass boiler is pursued as the site is in AQMA.

There is roughly 820m² flat roof space available, officer's assessment is that although there is limited roof space, it still be possible to the meet 20% target through use of PV panels only.

Proposed Energy Strategy: Summary Table

		% reduction
Baseline CO2 emissions Residential - 78,871kgCO2 Commercial – 34,294kgCO2	113,165 kgCO2	
Design CO2 emissions	103,433 kgCO2	8.9%
CO2 savings from proposed renewables – 3 options considered:		
• PV panels & ASHP	29,012	28%
• PV only	21,507	20.7%
• Biomass boiler	23,474	22%

Therefore all 3 proposed strategies would meet the London Plan requirement of 20% carbon reductions onsite through renewables. It is considered that the final approach may be agreed through s106, particularly given the past history of planning applications on this site.

CONSULTATION

The consultation process included notification letters sent on 11/01/10 148 residents, 4 members, Transportation, Landscape Design, Urban Design, Environmental Health, Thames Water and Crime Prevention adviser. A press notice has been published on 14/01/10, and site notices erected on 15/01/10

The following comments have been received:

Housing department- support the application

Environmental Health –

Seeks further details of ventilation and effluvia treatments, proposed ducting should terminate at least 1m above the roof ridge height. Recommends post-completion noise tests to demonstrate adequate noise insulation. Consider servicing hours to prevent noise nuisance, limit plant noise levels, limit hours of servicing, self-closing doors for the commercial units. Other conditions should require construction/ demolition works and deliveries to be undertaken within set hours. The development is within an Air Quality Management Area and therefore is likely to contribute to background pollution levels and/ or introduce new receptors to an AQMA. To mitigate against such effects the applicant should consider measures to prevent dust entrainment. The Environmental Health officer also comments that there may be asbestos present and therefore require a new condition regarding safe asbestos removal.

Landscape Designer

The landscape scheme should be of high quality. Raises objection to the loss of existing screening landscape features, hard surfacing should be fully detailed, play equipment should be detailed,

tree planting should be enhanced, and sustainable drainage should be considered in addition to new planting.

Highways Engineer

Transportation have no objections, subject to the application scheme being "car-free" and a contribution being paid towards non-car access improvements in the vicinity of the site, in addition to conditions regarding surfacing crossovers, servicing area restrictions and boundary treatments.

English Heritage

English Heritage notes that the site of the proposal has potential for archaeological remains. The present public house replaces an earlier one, which is thought to have been built in 1751. However the site lies at the centre of a medieval hamlet known as Alperton and being at the junction of two medieval roads there may have been earlier occupation of the land. The proposed development may, therefore, affect remains of archaeological importance. They recommend that a condition be attached securing the implementation of a programme of archaeological work prior to the redevelopment of the site and a further condition regarding the archaeological recording of the historical building.

Thames Water- suggested informatives

Local

7 letters of objection have been received. The objections raised include:

- Object to height of proposal, 5 storeys is not appropriate to the area, and will dominate the sky-line
- The higher development will make the area less safe, blocking views
- Object to congestion caused by 30 flats and associated residents, there are already problems including traffic congestion, parking issues and fumes/air quality particularly with the local temple and schools. The development will harm local streets
- Rented accommodation is spoiling the character of the area, with old furniture etc on display
- The cycle and refuse stores appear untidy
- Reserved disabled parking spaces on Stanley Road is unfair on existing residents, such parking should be near a GP surgery
- The proposal will harm local privacy and daylight received by local residential properties.
- Existing on-site trees should be protected, virtually all are to be removed- could they be saved with good husbandry?
- It will change the character of the area from residential to commercial.
- The proposed design should be in keeping with its surroundings, it appears like an unsightly block of flats
- There are already casualties on Ealing Road
- There are already local thefts, drug dealing, mugging and violence
- There are sufficient drinking establishments in the area already, drunks may concentrate here in the future, especially with proposed basement
- Loss of historic building (pre-1930s)
- The side of the flats lead onto Stanley Avenue
- The development will lead to increased litter and graffiti, local pollution
- The current site is not 3 storeys, but 2 storeys
- The basement is too large and may be used as a night club
- The existing garden is likely to benefit from a range of species including mammals, birds, and insects, and the development will lead to the loss/ harm of these species
- The scheme will devalue local properties (officer note- this is not a material planning consideration)

14 letters of support/ no objections have been received and 4 petitions in support from 80 properties including dwellings in Station Grove, Alperton Mini Market, Lyon Park Avenue, Eagle Road, Ealing Road, Jesmond Avenue, Clifton Avenue, Jordan Road, Sunleigh Road, Mount

Pleasant, Stanley Avenue, Quainton Road, Barons Avenue, Beresford Avenue, Brentford Avenue, Burnside Crescent, Hillfield Avenue, Crabtree Avenue, Valley Gardens, Maybank Avenue, Park Chase, Portland Crescent, Pleasant Way, and Clayton Avenue.

The correspondence comments:

- The proposal will add to local character and viability
- The proposal will be a visual improvement on the existing building
- A modernised building will add to local residential value
- The new facilities will be good for people living in the local area
- Basements for storage are common for commercial units along Ealing Road and should be supported
- The proposal provides much-needed homes for first-time buyers

REMARKS

The site has a detailed planning history and is similar in many ways to previous proposals. Past applications have been reported to planning committee and Members have previously supported officers' recommendations to be minded to approve the application subject to the completion of the agreed legal agreement (s106) and conditions. The applicants were previously unable to sign the within the statutory time limit for several previous proposals including the most recent applications 08/2194 and 09/0355. These applications were refused under delegated powers and all 4 reasons related to the failure of the applicant to complete the legal agreement. This is in accordance with the dual recommendation protocol that delegates authority to officers to refuse applications should an applicant fail to complete a satisfactory legal agreement. This specifically aims to ensure that all Major Cases are determined within their statutory timeframe. Officers are therefore minded to make a further dual recommendation to approve the application subject to the s106 being signed before the statutory time limit of 06/04/10. If the s106 is not agreed in this period, then the application should again be refused in accordance with the adopted Development Plan for the failure to agree to the s106.

Principle of Development

Proposed commercial uses

This application proposes to demolish the existing on-site buildings and erect a 3-5 storey building incorporating a basement. This will consist of two commercial units at ground and basement levels, with a proposed range of uses A1, A2, A3 or A4. This is the same in principle as previously proposed, (and supported by officers and members,) but overall there is a small overall reduction (35sqm) to the proposed commercial floor space now proposed.

The existing Unitary Development Plan policy suggests the proposed site is outside the Ealing Road Town Centre boundary and should be subject to the sequential approach in relation to the commercial units. However, the emerging Development Policy Document is proposing to include the site in the revised Ealing Road town centre boundary as the site is indeed immediately adjacent to the town centre and is therefore considered appropriate for town centre uses. Thus this aspect of the development is considered in conformity to the emerging development plan designation. The Core Strategy now has greater weight as the document has been through an Examination in Public recently. It is considered that a mixed use development is in principle acceptable subject to conditions that ensure that there is no noise nuisance arising from the proximate uses.

As previously within applications 08/2194 and 09/355 the basement layout has been altered from that which caused Members concern under the proposal 08/0822. The revised basement layout makes it unlikely that this area could be used to provide separate commercial units. There is no external access to the basement from the front of the proposed building and the basement plan now demonstrates that the space is divided into spaces clearly identified as being ancillary to the main commercial uses on the ground-floor above, in addition to providing plant room space for the residential units. The use of the basement will be restricted by condition.

Proposed residential uses/ mix of units

The principle of new residential development in this area is accepted and also in conformance with planning policy guidelines. The applicants have confirmed that 100% of the units meet Lifetime Homes standard. Furthermore, the applicants have demonstrated 3 adaptable units within the development. The proposal incorporates 30 units and therefore the 3 units represent 10% wheelchair accessible units in line with London Plan requirements. Evidence of this will be required as a new condition. It should be noted that these units are entirely within the shared ownership part of the development, whereas ideally the units should be spread between tenures. Nevertheless the building will be under the control of an RSL and this was not a pre-requisite to past planning applications. Therefore in this instance the Local Planning Authority has adopted a pragmatic approach and finds this provision acceptable in these circumstances.

Previously 32 units with a mixture of 1,2, 3 bedrooms were proposed on site. Of these, a total of 14 units (44% by number, 49.5% by habitable room) were to be affordable. The current proposal is for 100% affordable housing. This consists of one 1-bed, nineteen 2- beds and ten 3-bedroomed units. These are split between different tenures with 12 intermediate units on upper floors and 18 shared ownership units on the first and second floor. By unit number this is a 40%: 60% tenure split between the intermediate: shared ownership units. The 3-bedroom units are all within shared ownership tenure. The Council's Housing department supports the proposed unit mix and tenures and notes that one of the applicants are Network Housing, with whom they have an established relationship.

Design of Buildings, Impact on the Street scene and neighbouring properties

The current application adopts the same approach as previous applications to the design concept of the development. The main difference is the specific materials details have not been supplied in the current application, but the applicants have been asked to provide this. The following comments have therefore been largely reported to Members previously. The proposal site is a corner site on the junction of Ealing Road with Stanley Avenue. Ealing Road is classified as a London Distributor Road. Within the LDF the site is inside Ealing Road Town centre's boundary. The surrounding area is predominantly classified in the Unitary Development Plan as an area of low townscape quality although directly adjacent to the site there are some buildings which previously formed part of a Conservation Area.

The proposed building, which is modern in design, is in block form 3-5 storeys in height with recessed third and fourth floors. The massing of the building is such that it is concentrated towards the corner of Ealing Road with Stanley Avenue. The proposed fourth floor is set back to reduce the impact of the development on the street scene. Furthermore the use of cladding panels distinguishes this floor from lower storeys. The building is then stepped down so that the three storey sections are legible with the two storey dwellings adjacent to the site both on Ealing Road and Stanley Avenue. At the corner, the first to third floors partly cantilever over the ground-floor, visible from the eastern elevation, which serves to punctuate the massing further.

There has been some attempt to replicate the vertical rhythms characteristic of the neighbouring buildings. On the north and west elevations facing the public realm, dark facing brickwork provides relief from the pale buff brickwork. The cantilever approach on the corner creates interest whilst reducing the massing of the development. Projecting balconies and terraces assist the articulation of the building. Windows are provided on all elevations that further help to refine the design.

In line with guidelines within SPG17 the main entrances to the residential units are from the front of the development: from Stanley Avenue for the shared ownership housing and from Ealing Road for the rented entrance. Both entrances are well overlooked providing natural surveillance from the commercial units on the ground-floor and residential above. The shopfronts supply active frontages on Ealing Road and Stanley Avenue at ground floor. To the rear, upper residential floors overlook the private amenity space.

The applicants have provided a roof plan and sections that demonstrate that the flues and photovoltaic panels on the roof will not be visible to the streetscene and in long views of the site. This roof equipment will therefore not detract from the overall appearance of the site.

The proposed flank walls on Stanley Avenue are set 9.7m from the side wall of the neighbouring dwellinghouse at No. 2 Stanley Avenue and project 4m in front of the main front wall of this dwelling and 2.8m to the rear. It is considered that this will not result in an overbearing detrimental impact on this property given the distance of the higher development to the boundary. A 2.2m high cycle store also separates the neighbouring property from the main building proposed. There are east facing terraces on the third floor but this relationship has previously been accepted on past applications. This will create a satisfactory relationship subject to appropriate screening. The majority of east facing windows are over 20m from the shared boundary.

On Ealing Road there is a distance of 6.4m between the flank walls of the proposed building and No. 151 Ealing Road. The habitable room windows on the rear elevation of the proposed building are predominantly a distance 20m or more from the rear boundaries of the site. This will ensure the privacy is not detrimentally affected by the proposed development. Terraces at the third floor and fourth floor are largely in alignment with the neighbouring building, and so will not raise overlooking issues in relation to the neighbouring rear garden area. This relationship too has been previously accepted in principle within past planning applications. Balcony screens will form the subject of a condition.

The siting and footprint of the proposal does not appear to vary from previous proposals and therefore in principle has been accepted by officers and members within past applications reported to committee.

Quality of residential accommodation

Internal spaces

The proposed 30 self-contained flats are a mixture of 1, 2 and 3 bedrooms. All of the proposed units exceed the minimum floorspace guidelines within SPG17 "Design Guide for New Development." The building configuration is largely the same as in previous applications, so that the quality of outlook/ daylight/ sunlight for proposed units has already been agreed in principle. Therefore although there are units that have a solely north-easterly aspect, the number of windows facing north-easterly has not significantly increased and this type of layout has previously been agreed on this site. No daylight/ sunlight report accompanies the application. The Local Planning Authority has become stricter on ensuring adequate levels of sun/daylight in new applications, but on this site the precedent has already been established. All habitable rooms have been provided with a degree of outlook as amended drawings have demonstrated that even kitchens will have access to windows/ daylight. It is noted that some of the combined living rooms/ dining rooms/ kitchens are deep, reducing the internal natural light levels but the provision of external windows to all of these living spaces is supported.

External amenity space/ playspace

The existing public house has an area of garden space to the rear which is currently overgrown with low levels of usage. The proposed development includes an area of shared amenity space to the rear of the building. This area remains the same as previously submitted in past applications. It represents a shortfall in provision compared with guidelines within SPG17 that seek 20sqm for flats not considered as family dwellings. The area is approximately 400sqm, which equates to 13.33sqm per flat proposed. The exact details of the proposed area layout will be dealt with by conditions. This is expected to demonstrate the quality of the area. Usually further information is sought upfront, but given the planning history of the site, conditioning further details is considered appropriate.

Unlike the previous applications all of the proposed residential units have been provided with either a private balcony/ terrace area. Although some balconies are small, the average balcony size is 6sqm. The terraces reach up to 27sqm. It is considered that this proposal is a significant

improvement upon previous iterations, where there were units with no external balcony provision. The fact that all of the proposed units are above minimum floorspace guidelines with SPG17 has also been considered. Furthermore the site of the proposed development is within 320m of One Tree Hill recreation space which is over 2ha in size

Applying the Mayor's SPG on playspace methodology, the scheme could accommodate 32 children. The SPG guides that under-5s provision should be on site and in this instance equates to 110sqm. The applicant has demonstrated this "playspace" area within the proposed amenity area. Full details of the layout will be submitted at condition stage in addition to boundary treatments in order to safeguard the amenities of neighbouring occupiers. Older children may have off-site provision depending on distances to local established play areas. The applicant has provided drawing 1140-E-150 that demonstrates 500m from the site to Mount Pleasant open space and 305m to One Tree Hill recreation ground, but an overall walking distance from the site to the One Tree Hill play area of 522m. The Mayor's SPG requires playspace for 5-11 year olds within 400m. Therefore there is no appropriate play space within this distance. 11-16 year olds require playspace within 800m. The applicants have demonstrated this existing provision. Therefore there is a shortfall of playspace on-site/ in the vicinity for 5-11 year olds, which fails to meet the Mayor's SPG

Officers have therefore sought an additional £20,000 on top of the standard charges normally sought through Brent's Planning obligation SPD in order to compensate for the low level of provision of amenity space and playspace on-site to enhance local parks/ playspaces. The applicants have informally indicated their agreement to this.

Noise

The Council's Environmental Health department have raised concerns regarding whether there will be sufficient insulation between the ground-floor commercial units and first floor residential flats to prevent the transmission of sound. There is also some stacking of habitable and non-habitable rooms in between different floors of residential accommodation. The site is in an area known to have high background traffic noise levels. On other developments in the area, "category C" readings have been monitored according to PPG24. In Category C areas, planning permission should not normally be granted unless conditions are used in order to ensure that adequate attenuation measures are used in the proposal to protect the proposed residential amenities against external noise levels to an adequate level. The applicants have not submitted an acoustic report, but given the history and precedent of accepting residential uses on this site, in this instance it is considered appropriate for a condition to secure a Noise Report to measure the existing noise levels and propose commensurate attenuation measures in order to safeguard the residential amenities of future occupiers. The applicants have agreed to this, and it is known that this is reasonably achieved by conditions in other developments in the area.

In order to limit noise nuisance to residential properties on site and adjacent arising from servicing, hours of servicing shall be restricted as within previous applications from 8am to 6pm by a proposed condition. Proposed plant noise will also be limited by condition to safeguard residential amenities.

Parking and Servicing

The site is partly within an area with a PTAL rating of 4 (at its Southern end) and partly within an area with a rating of 3, with Alperton Underground station (Piccadilly line) and six bus services within 640m (8 minutes walk), and is also within Controlled Parking Zone E, thus the proposed location is suitable for a car-free agreement. The applicants have indicated their agreement to this as a head of term in a legal agreement associated with the application.

The Highway comments remain largely the same as within earlier applications. Parking spaces on Stanley Avenue are not heavily parked. The Council's Highway Engineer has commented that disabled people would be exempt from the car-free development and therefore able to use the existing spaces outside the development on Stanley Road where there is capacity for such

parking. Previous applications also proposed this solution, which is accepted.

The proposal provides up to 40 secure, (enclosed) cycle spaces for the residential units on site, which complies with policy guidelines. The free-standing cycle store has a maximum height of 2.25m. It is designed with a green roof, which is considered appropriate and will be conditioned. The other cycle store is integral to the building, accessed from the rear. 8 stands in front of the development provide up to 16 publicly accessible cycle spaces for the commercial units.

The applicants have provided an appropriately sized shared servicing bay for the 2 commercial units, which can accommodate 2 transit sized vans, or a 10 m rigid lorry. The commercial floor space falls below the 1000sqm threshold, above which the Council would consider seeking additional space for the parking of servicing vehicles. Despite the proposals falling below the indicative trigger, during a previous application, 08/0822 Members refused the application on servicing grounds. Therefore (as before in applications 08/2194, 09/0355) the applicants have demonstrated that the proposed servicing area can accommodate simultaneously one full size rigid lorry and a transit sized delivery vehicle. The amount of proposed servicing now significantly exceeds the minimum generally considered acceptable for the amount and type of commercial space being provided according to adopted Unitary Development Plan guidelines. Members were minded to approve the proposal with the revised layout during applications 08/2194 and 09/0355.

Revised plans show an indicative access route through to the rear of Unit 1, which will prevent front servicing from Ealing Road with appropriate conditions. A condition requiring the submission of further details of the boundary treatment around the service bay, to ensure it is not misused, together with a condition limiting its only use to the loading and unloading of goods will be attached to any forthcoming planning permission. This was previously proposed on earlier submissions.

As within earlier schemes on site, the parking bays along Stanley Avenue will need to be amended to facilitate access to the service bay, whilst the two existing crossovers to Ealing Road will also need to be re-instated to footway at the developer's expense prior to occupation of the development. A condition requiring this will be attached to any planning approval. The repaving of the footway around the frontage would be welcomed by the Council's Highway Engineers. They comment that a detailed scheme should be submitted for approval showing the surfacing treatment around the boundary with the public/ private highway.

Therefore as submitted the only difference between the current proposal and previous applications was the lack of provision of a rear access path to allow rear servicing of unit 1. This has now been addressed and the proposal is therefore considered satisfactory from a highway perspective.

Flood Risk

The site is within Flood Zone 1 and is less than 1 hectare in size; therefore no detailed flood risk statement is required. The applicants will consider Sustainable Urban Drainage Systems by condition and have proposed a green roof for the detached cycle store.

Density

Unitary Development Plan policies relevant to density include BE3, BE11 and H13. These policies are reinforced by Policy 3A.3 of the London Plan as consolidated with alterations since 2004 that sets out an indicative density matrix, taking into account the "setting" and PTAL rating of a site. The proposal is sited within an urban area with PTAL 4. The proposed density of the development equates to 153 units per hectare within the London Plan tolerances (55-225u/ha;) and 530.61 habitable rooms per hectare, which is also within the tolerances normally permitted within the London Plan (200 – 700 hr/ha.)

Other matters

Environmental Health recommends a condition regarding on-site asbestos removal, which is now proposed to safeguard site users and adjoining residential developments. The site is within an Air Quality Management area and accordingly informatives to limit dust spread from the construction

works have been proposed. It is not considered necessary to condition this as the information is covered by other legislation.

Response to Objections

Objectors have raised concerns that there will be problems with increased traffic in this location as a result of the lack of parking within the proposed development site. While there is no parking provided as part of this proposal the site has a PTAL rating sufficient to allow for a car-free scheme, which will be secured through s106. There is also a contribution agreed as part of the s106 towards non-car access/highway safety improvements and parking controls in the local area. This complies with adopted Unitary Development Plan guidelines.

In response to the loss of the existing building, English Heritage notes that this site has been the location of a public house dating back to 1751. The present building, although old, is not considered to have any historic or architectural features in need of protection and is not worthy of being listed. A condition has been attached to ensure that a programme of archaeological work is implemented prior to the construction of the proposed building in order to safeguard features of archaeological importance. Whilst 1-4 Stanley Avenue are registered on the local list, this relates to the buildings' own character and since they are not statutorily listed, their setting does not need to be safeguarded by preventing development on the opposite side of the road.

In relation to concerns about noise and air pollution during construction a condition has been attached to limit the detrimental effect of construction works on adjoining residential occupiers. Furthermore the noise generated by any proposed plant/ ventilation/ extraction units as part of the development will also be subject to restrictions in a condition to prevent future noise nuisance to adjoining properties. The residential parts of the development will be managed by Network Housing and so is not anticipated to have problem refuse stored in front of the site.

The proposal if approved, would lead to s106 contributions towards facilities likely to be used by future residents in the area, including monies towards education, sustainable transport and open space & sports. It should also be noted that the proposed 2 commercial units may be occupied by a restaurant/ public house, which will compensate for the loss of the existing facility.

Further concerns raised by third parties include the proposed building being out of character with the surrounding area. In response to this the existing public house has a pitched roof with a ridgeline height of 12m and an eaves height of 6.4m. The existing building is setback from Stanley Avenue and Ealing Road and does not address the streetscape. The proposed stepped 3-5 storey building varies from 9.6m- 15.8m high, it follows the build-line of the dwellings on Ealing Road and will provide a more active frontage within the primary shopping frontage of Ealing Road Town Centre. While the proposed height is higher than that of the existing building as it is within a town centre location and is close to tube and bus links, it is considered to be an appropriate site for higher density development.

The Council's Highway Engineer has commented that dedicated disabled spaces do not need to be provided on street, as Stanley Avenue is not considered busy enough to warrant this. Therefore existing local residents are unlikely to be prejudiced by the development.

The proposed development will provide an increase in informal surveillance of Ealing Road and Stanley Avenue as a result of the active frontages and residential windows overlooking both streets. Therefore there it is considered that there will not be an associated increase in crime and vandalism as a result of the proposed development. Furthermore the basement will not encourage crime as it cannot be accessed from the front and will be conditioned to be strictly ancillary to the ground-floor commercial units. It could not form a nightclub, which has a different planning use class to those proposed. The proposed development is considered to be of a size and scale appropriate for the site's location within a future town centre and is stepped down towards the neighbouring two storey residential dwellings on Ealing Road and Stanley Avenue. It is not considered to cause a significant loss of light, outlook and privacy for the residents of neighbouring

properties, as set out above.

The proposal will only lead to a small reduction in the garden area, this is not considered significant to warrant refusal on the loss of the existing garden. The existing trees on site are not considered of sufficient quality to warrant preservation through a TPO, but 2 will be retained. A BS 5837:2005 compliant tree survey accompanying the application justifies this, as the majority of "trees" on site are Leyland Cyprus, classified as an overgrown hedge. The only deciduous trees to be lost are a suppressed lime and sycamore. A pollarded street lime street tree will be retained, and so will a leaning pear, which although has some decay, has sufficient merit to keep. The proposal will result in the introduction of additional trees around the site, which in turn should provide a better habitat for wildlife. Full landscaping details will be the subject of a condition, as will a tree protection scheme during construction works, to ensure the 2 trees that are to be retained are not harmed during the construction period.

RECOMMENDATION: Grant Consent subject to Legal agreement

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

PPG16 - Archaeology and Planning

PPG24 – Planning and Noise

The London Plan as consolidated with amendments since 2004

Mayor's SPG - Providing for Children and Young People's Play and Informal

Recreation – Mayor's Supplementary Planning Guidance (2008)

Brent's Unitary Development Plan 2004

Supplementary Planning Guidance - (SPG) 17 - "Design Guide for New Developments".

Supplementary Planning Guidance - (SPG) 19 - "Sustainable Design, Construction & Pollution Control".

Supplementary Planning Document - S106 Planning Obligations

CONDITIONS/REASONS:

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

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

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

LOCATION PLAN A1 1140_E_100	PROPOSED SECOND FLOOR PLAN A1 1140_P_203 A
EXISTING SITE PLAN A1 1140_E_101	PROPOSED THIRD FLOOR PLAN A1 1140_P_204 A
EXISTING STREET ELEVATIONS A1 1140_E_102	PROPOSED FOURTH FLOOR PLAN A1 1140_P_205 A
Local play facilities diagram A3 1140_E_150	PROPOSED ROOF PLAN A1 1140_P_206 C

PROPOSED BASEMENT PLAN A1
1140_P_200 A
PROPOSED GROUND FLOOR PLAN A1
1140_P_201 A
PROPOSED FIRST FLOOR PLAN A1
1140_P_202 A

PROPOSED NORTH & WEST
ELEVATIONS A1 1140_P_300 B
PROPOSED SOUTH & EAST
ELEVATIONS A1 1140_P_301 A
PROPOSED SECTIONS A1
1140_P_400 B

Design & access statement
Energy Demand and Sustainability Assessment for 20% Renewable Target
received 26/02/10
Scheme comparison letter
Affordable housing statement
Sustainability checklist
Tree survey report A4
Tree survey schedule
Mechanical ventilation strategy
Topographic survey

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

- (3) Prior to the commencement of the use of any part of the approved development the loading bay shall be constructed and permanently marked out in accordance with the approved plans. Thereafter it shall be retained and used solely for its designated use in connection with the development hereby approved and for no other purpose.

Reason: To enable vehicles using the site to stand clear of the highway so that the proposed development does not prejudice the free-flow of traffic or the conditions of general safety along the neighbouring highway.

- (4) During demolition and construction on site:-
(a) - The best practical means available in accordance with British Standard Code of Practice B.S.5228: 1997 Parts 1 to 4 shall be employed at all times to minimise the emission of noise from the site;
(b) - Construction/ refurbishment/ demolition works and ancillary operations that are audible at the site boundaries, shall only be carried out between the hours of 0800 - 1800 Mondays - Fridays,
0800 - 1300 Saturdays and At no time on Sundays or Bank Holidays; unless otherwise agreed in writing by the Local Planning Authority

Reason: To limit the detrimental effect of construction works on adjoining residential occupiers by reason of noise and disturbance.

- (5) No use of the ground-floor commercial premises shall take place until such time as the external doors for the ground-floor commercial uses have been fitted with self-closing devices and thereafter maintained, unless otherwise agreed in writing by the Local Planning Authority

Reason: To safeguard the amenities of adjoining occupiers and minimise emission of odours and/or noise to the neighbouring area

- (6) Deliveries/ unloading/ loading associated with the application site shall only be between the following hours:
08:00 – 18:00 - Monday to Saturday

Not at all - Sundays/Bank Holidays
Unless otherwise agreed in writing by the Local Planning Authority

Reason: In order to safeguard local residential amenities

- (7) No additional windows, glazed doors or other openings (other than any shown in the approved drawings) shall be constructed above ground-level in the building, without the prior written consent of the Local Planning Authority.

Reason: To minimise interference with the privacy of the adjoining occupiers and in the interests of good neighbourliness and safeguarding the character of the area

- (8) All existing vehicular crossovers rendered redundant by the development hereby approved, shall be made good, and the kerb reinstated, at the expense of the applicants, prior to the first occupation of the development/ commencement of the use.

Reason: In the interests of highway and pedestrian safety.

- (9) Notwithstanding the submitted drawings this consent does not extend to any shopfront or advertisement proposed or indicated for the site which would need to be the subject of a separate planning, or advertisement consent.

Reason: For the avoidance of doubt and in order to allow the Local Planning Authority to exercise proper control over the development.

- (10) The proposed basement shall only be used to provide ancillary floor-space in conjunction with the ground-floor units and cannot be subdivided to provide self-contained units without the prior written consent of the Local Planning Authority. The use of the basement shall be restricted to storage, plant, sanitary accommodation, kitchens and preparation areas to serve the commercial units above unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent the over-intensification of commercial use at the site

- (11) The rear access path between the servicing area and commercial unit 1 shall be provided prior to the occupation of the building/ commencement of the use and thereafter maintained unless otherwise agreed in writing by the Local Planning Authority

Reason: In order to enable rear servicing and prevent servicing of the unit from Ealing Road, which would lead to highway obstructions, harmful to highway safety and the free-flow of traffic

- (12) The residential units hereby approved shall not be occupied unless details are submitted to the Local Planning Authority which confirms that lifetime homes standards and a minimum of 10% wheelchair residential accessible units have been provided within the development.

Reason: In the interest of providing accessible and adaptable accommodation for future users.

- (13) Notwithstanding details annotated on the submitted drawings, no development shall commence unless details of materials for all external work (including walls, doors,

windows, balcony details), with samples, shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced and the development carried out in accordance with the approved details.

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

- (14) No development shall commence unless all areas indicated for hard and soft landscape works on the approved plan including the communal amenity area shall be suitably landscaped with trees/shrubs/plants and hard surfacing in accordance with a detailed scheme, which shall to be submitted to and approved in writing by the Local Planning Authority, prior to commencement of any construction work on the site, and such landscaping work shall be completed prior to occupation of the buildings and thereafter maintained in accordance with the approved scheme.
- The scheme shall also detail but not be limited to:-
- a) other appropriate matters within the context of a landscaping scheme, such as details of seating, external lighting;
 - b) planting plan and schedule
 - c) details of the proposed green roof of the secure cycle store and its future maintenance schedule
 - d) hard surfacing of public and private footpaths including how the site is to be delineated from the public highway and consideration of permeable materials

Any trees, shrubs and plants planted in accordance with the landscaping scheme which, within 5 years of planting are removed, dying, seriously damaged or become diseased, shall be replaced by trees and shrubs and plants of similar species and size to those originally planted.

Reason: To ensure a satisfactory standard of appearance and to ensure that the proposed development enhances the visual amenity of the area.

- (15) Details of all (appropriately aged) play spaces shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of any demolition/construction work on the site. Such playspace works shall be completed prior to occupation of the building(s).
- Such scheme shall indicate but not be limited to:
- (a) Any proposed boundary treatments including walls and fencing, indicating materials and heights.
 - (b) Details of types of equipment to be installed.
 - (c) Surfaces including details of materials and finishes.
 - (d) Existing contours and levels and any alteration of the ground levels, such as earth mounding.
 - (e) All planting including location, species, size, number and density.
 - (f) The location of any proposed signage linked to the play areas

Any trees and shrubs planted in accordance with the landscaping scheme which, within 5 years of planting are removed, dying, seriously damaged or become diseased shall be replaced in similar positions by trees and shrubs of similar species and size to those originally planted unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure a satisfactory appearance and setting of development so that the facilities provide a benefit to the local community and residents.

- (16) No development shall commence unless a scheme for the protection during construction of the retained pear and lime trees on the site (identified in the Tree Survey accompanying the application,) which shall make reference to guidelines within BS 5837:2005 – Trees in relation to Construction; shall be submitted to and approved in writing by the Local Planning Authority, and thereafter the scheme shall be implemented in accordance with the approved details.

Reason: To ensure that existing landscaping features are retained and protected from damage during the course of construction works.

- (17) No development shall take place unless there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatments to be erected or retained. The boundary treatment shall be completed before occupation of the buildings, or commencement of the use, or in accordance with a programme agreed in writing with the Local Planning Authority. Any existing boundary treatment shall not be uprooted or removed except where in accordance with the approved plan and shall be protected from building operations during the course of development.

Boundary details shall include but not be limited to:

- a) All external boundaries of the site
- b) treatment of the balconies/ terraces, including methods of screening the areas to limit overlooking and safeguard future occupiers' privacy
- c) a method of bounding the edge of the proposed servicing area to ensure that it remains unobstructed

Reason: To safeguard the character of the area and the reasonable residential amenities of local residents.

- (18) No development may be undertaken, unless the applicant has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority. This should be in the form of an archaeological project design in accordance with English Heritage guidelines. Thereafter works/ development should only be undertaken in accordance with the agreed details

Reason: To ensure that this site, in an Archaeological Priority Area, is properly investigated and, if necessary, excavated before development begins, in accordance with policy BE31 of the adopted London Borough of Brent Unitary Development Plan 2004 and the advice of PPG16: *Archaeology and Planning*.

- (19) No development may be undertaken, until the applicant has secured the implementation of a programme of archaeological recording of the historic building, in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority. Thereafter works/ development should only be undertaken in accordance with the agreed details

Reason: The historic building is of archaeological interest and alterations should be recorded in accordance with policy BE31 of the adopted London Borough of Brent Unitary Development Plan 2004 and the advice of PPG16: *Archaeology and Planning*.

- (20) Prior to development commencing, further details of

a) the proposed refuse and recycling facilities for commercial and residential units
b) the proposed publicly accessible bicycle parking spaces and
c) private secure bicycle storage facilities
shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced and the development shall be carried out and completed in all respects in accordance with the details so approved before the buildings are occupied.

Reason: These details are required to ensure that a satisfactory development is achieved to prevent the accumulation of waste and in the interests of sustainable development.

- (21) Prior to the commencement of any A3/A4 use,
- a) details of suitable and sufficient apparatus for the neutralisation of all effluvia from the processes of cooking, shall be submitted to and approved in writing by the Local Planning Authority and shall be installed prior to commencement of the use and thereafter maintained.
 - b) any musical amplification systems that may be used in the commercial units shall be maintained at a level that is at least 10dB below the external background noise level of the nearest noise sensitive premises. Should the predicted noise levels exceed those required by this condition, a scheme of insulation works to mitigate the noise shall be submitted to and approved in writing by the Local Planning Authority and shall then be fully implemented.

Reason: To safeguard the amenities of the occupiers of adjoining properties.

- (22) a) No development shall commence unless agreed otherwise in writing by the Local Planning Authority, the applicants shall submit a Noise Report that shall detail the background noise level of the site and provide precise details (and drawings where necessary,) of Acoustic Measures to be used to insulate the proposed residential units to a noise level approved by the Local Planning Authority (including consideration of special glazing for proposed windows and the use of acoustic trickle vents or other equivalent ventilation equipment and insulation between floors where appropriate.) This shall be submitted to and approved in writing by the Local Planning Authority prior to development commencing and thereafter the works shall only be undertaken in accordance with the approved details.
- b) Following completion of the building works a post-completion report demonstrating that "the approved" internal noise levels (in accordance with BS8233:1999 Sound insulation and noise reduction for buildings) have been achieved in 10% habitable rooms including units on the first floor, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the units
 - c) Should the predicted noise levels exceed those required by this condition, a scheme of insulation works to mitigate the noise shall be submitted to and approved in writing by the Local Planning Authority and shall then be fully implemented.

Reason: The site is subject to high noise levels, where planning permission may only be granted with appropriate conditions that provide commensurate protection against noise according to PPG24

- (23) No development shall commence unless the applicant employs a qualified asbestos contractor to remove all asbestos and asbestos-containing materials and arrange for the appropriate disposal of such materials. Any asbestos-containing materials must be removed from the site and documentary evidence submitted to the Local Planning

Authority for approval prior to the commencement of the demolition works proposed. Thereafter the asbestos removal shall be undertaken in accordance with the approved details

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

INFORMATIVES:

- (1) With regard to the surface water drainage it is the responsibility of the developer to make proper provision for drainage. It is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on/ off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Development Services will be required. They can be contacted on 0845 850 2777.
- (2) Thames Water do not object to the sewerage infrastructure
- (3) Water supply is covered by the Veolia Water Company. Their address is Veolia Water Company, The Hub, Tamlin Way, Hatfield. Herts, AL10 9EZ
- (4) The applicant must employ measures to mitigate against the impacts of dust and fine particles generated by the building works in the site, to minimise dust arising from the operation in an Air Quality Management Area. Unless otherwise agreed in writing by the Local Planning Authority this should include:
 - damping down during demolition and construction, particularly in dry weather conditions,
 - minimising the drop height of materials by using chutes to discharge material
 - damping down the skips/ spoil tips as material is discharged,
 - sheeting of lorry loads during haulage and employing particulate traps on HGVs
 - ensuring that any crushing and screening machinery is located well within the site boundary to minimise the impact of dust generation,
 - utilising screening on site to prevent wind entrainment of dust generated and minimise dust nuisance to residents in the area,
 - the use of demolition equipment that minimises the creation of dust.

REFERENCE DOCUMENTS:

PPG16 - Archaeology and Planning

PPG24 – Planning and Noise

The London Plan as consolidated with amendments since 2004

Mayor's SPG - Providing for Children and Young People's Play and Informal Recreation – Mayor's Supplementary Planning Guidance (2008)

Brent's Unitary Development Plan 2004

Supplementary Planning Guidance - (SPG) 17 - "Design Guide for New Developments".

Supplementary Planning Guidance - (SPG) 19 - "Sustainable Design, Construction & Pollution Control".

Supplementary Planning Document - S106 Planning Obligations

Any person wishing to inspect the above papers should contact Amy Collins, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5222



Planning Committee Map

Site address: Chequers, Managers Flat and Store, 149 Ealing Road, Wembley, HA0 4BY

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