

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

18 October, 2017
04
16/4156

SITE INFORMATION

RECEIVED	23 September, 2016
WARD	Tokyngton
PLANNING AREA	Brent Connects Wembley
LOCATION	Heron House, 109-115 Wembley Hill Road, Wembley, HA9 8DA
PROPOSAL	Demolition of the existing office building (Heron House) and the construction of a new four to seven storey mixed use building comprising 829sqm of commercial office space on the ground floor (Use class B1a), 40 self-contained flats (23 x 1bed, 7 x 2bed and 10 x 3bed) on the upper floors, a basement level for car and cycle parking, bin stores and associated landscaping and amenity space. (Amended description 21.09.17)
APPLICANT	Ardrea Estates Ltd on behalf of Plowden Ltd
CONTACT	Cunnane Town Planning LLP
PLAN NO'S	Please refer to condition 2.
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_130345</p> <p><u>When viewing this as a Hard Copy .</u></p> <p>Please use the following steps</p> <ol style="list-style-type: none">1. Please go to pa.brent.gov.uk2. Select Planning and conduct a search tying "16/4156" (i.e. Case Reference) into the search Box3. Click on "View Documents" tab

RECOMMENDATIONS

RECOMMENDATION Resolve to grant planning permission subject to conditions and the completion of a satisfactory Section 106 or other legal agreement.

Section 106 Heads of Terms

1. Payment of legal and professional costs;
2. Notification of commencement;
3. Provision of Affordable Housing (three 3 bedroom units provided as be intermediate shared ownership);
4. A post implementation financial review mechanism, to reasonably capture any improvement in viability for deferred Affordable housing planning obligations;
5. Undertaking of highway works through an agreement under S38/S278 of the Highways Act 1980;
6. The approval of a revised Travel Plan that achieves a "pass" rating using TfL's ATTrBuTE programme and implementation of that plan, including reviews;
7. That the approved flats are parking permit restricted (and therefore not eligible for on-street parking permits);
8. Training and employment plan targetting Brent residents;
9. Contribution towards a local carbon off-setting scheme to achieve the targets for carbon reduction set out in condition 21, should those targets not be met through on-site measures.
10. Any other planning obligation(s) considered necessary by the Head of Planning

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

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

Conditions


1. Time limit for commencement
2. Approved drawings/documents
3. Obscure glazing
4. Provision of parking spaces etc
5. Considerate constructors scheme
6. Noise impact assessment measures
7. Water efficiency measures
8. Approval of external materials
9. Contamination remediation measures
10. Contamination remediation measures – validation report
11. Plant Noise measures
12. Construction Method Statement
13. Demolition
14. Air Quality Neutral Assessment
15. Communal aerial and satellite dish system
16. Water efficiency measures
17. Details of materials
18. Contamination remediation measures
19. Contamination remediation measures – validation report

20. Assurance of accessible and adaptable dwellings
21. External lighting details
22. Planting and landscaping (including play)
23. Parking Allocation Management Plan
24. Plant equipment noise
25. Construction Method Statement
26. Air Quality Neutral Assessment
27. Any other planning condition(s) considered necessary by the Head of Planning

Informatives

1. Community Infrastructure Levy
 2. Contact Highways and provide a photographic survey prior to commencement
 3. Environmental Protection Measures
 4. Control of Asbestos
 5. Any [other] informative(s) considered necessary by the Head of Planning
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, if after 3 months starting from the committee date the legal agreement has not been completed, the Head of Planning is delegated authority to refuse planning permission.
 3. That the Committee confirms that adequate provision has been made, by the imposition of conditions, for the preservation or planting of trees as required by Section 197 of the Town and Country Planning Act 1990.

SITE MAP

	Planning Committee Map
Site address: Heron House, 109-115 Wembley Hill Road, Wembley, HA9 8DA	
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This map is indicative only.

PROPOSAL IN DETAIL

The proposal is to demolish the existing office building on site and erect a new four to seven storey mixed use building comprising 829sqm of commercial office space on the ground floor (Use class B1a) and 40 self-contained flats on the upper floors (23 x 1bed, 7 x 2bed and 10 x 3bed units). The proposed development would retain the basic form established on the site with a taller element towards the crest of the hill and a lower linear building parallel to the street having a five storey rounded corner facing down to Wembley. The basement level would provide car and cycle parking, refuse stores and a plant area. Refuse stores would also be located on the lower ground floor adjacent to the lower building core. There would be 268sqm of communal landscaped garden and 190sqm of children's playspace at upper ground floor level. All flats would also have a private balcony or terrace.

Revised plans were received showing the service loading area into the site from Park Place, relocating the staircase and alterations to the terraces.

EXISTING

Heron House is located on the corner of the southern side of Wembley Hill Road, located between the junctions with High Street and Park Place. The existing building has two elements, a lower two storey element and a higher four to six storey element (as a result of level changes within the site). The building is set back from the street frontage. It is in use as office accommodation.

The site abuts two storey residential properties to the west on High Street and Park Place. The properties on High Street are located within the Wembley High Street Conservation Area. To the east on the opposite side of Wembley Hill Road is St Josephs Social Club, a one to two storey building, with two storey residential properties to the north and two to four storey commercial and residential properties to the south.

The site currently has a 32 vehicular spaces accessed via a crossover from Park Place and another access from High Street, although many of these are laid out in tandem so do not allow independent access. The site has very good access to public transport services (PTAL 5), with Wembley Park (Metropolitan and Jubilee line) and Wembley Stadium (Chiltern line) stations within 960 metres and nine bus services within 640 metres.

The site is located within the Wembley Growth Area, which is designated in the Core Strategy as one of the areas in the Borough in which the majority of the planned growth is expected to occur, and in Wembley Town Centre. It also falls within the Wembley Park Corridor designated in the Wembley Area Action Plan, which is intended to provide a transition between the Stadium area and the surrounding suburban area. The building is not listed, however the site is adjacent to Wembley High Street conservation area. The site is also in an Air Quality Management Area.

SUMMARY OF KEY ISSUES

The key planning issues for Members to consider are set out below. Objections have been received on some of these matters, and Members will need to balance all of the planning issues and the objectives of relevant planning policies when making a decision on the application.

1. **Principle of development.** The proposal results in a 35 % reduction in the amount of office space provided within the site. However, 829 sqm of office space will be re-provided and this, together with the benefits of the provision of new homes is considered to outweigh the loss of office space.
2. **The mix of residential units and the provision of Affordable Housing.** The proposal accords with the housing mix sought in Brent policy, with 25% of the residential units providing family sized accommodation. Three intermediate shared ownership affordable units are proposed, which represents 7.5 % of the units or 13.3 % Affordable Housing if calculated by Habitable Rooms. This represents the maximum reasonable proportion of Affordable Housing in this instance. The submitted financial viability assessment demonstrates that provision of affordable rented units or of a higher proportion of affordable housing overall would not be viable. However, a financial viability review is

recommended to be secured through the Section 106 agreement to revisit the viability of the scheme post-completion.

3. **Design.** The design of the building is considered to be of good quality. The proposal replaces an existing building, utilises good architecture with quality detailing and materials in order to optimise the development potential of the site whilst respecting surrounding development.
4. **Highways and transportation.** The proposal includes car parking slightly in excess of the maximum standards set out in the Development Management Policies but not to a level that is considered detrimental to highway flow and safety. An off-street servicing bay is proposed, accessed from Park Place. The proposal is considered to be acceptable on highways grounds.
5. **The quality of the proposed residential accommodation.** A good standard of accommodation will be provided in line with relevant standards. Levels of external amenity space fall slightly below Brent standards, but at approximately 18 sqm per unit are considered to be acceptable.
6. **Neighbouring amenity.** The existing building does not comply with the Council's guidance in relation to the separation distances for privacy or the 45 degree guidance set out in SPG17 and draft SPD1. The taller element of the building are to move further away from the rear boundary, thus resulting in an overall improvement in that relationship despite the increase in height. Part of the lower element of the proposed building does not comply with the 45 degree guidance in relation to a residential garden in Park Place. However, the element that fails to comply is the narrow end of the garden and on balance, this is considered to be acceptable.
7. **Environmental impact, sustainability and energy.** The measures outlined by the applicant achieve the improvement required within London Plan policy on carbon emissions. Conditions will require further consideration of carbon savings prior to implementation.

RELEVANT SITE HISTORY

06/2571 - Erection of first-floor extension and lower ground and two-storey extension to front of lower wing of office building, alterations to steps of existing entrance and erection of additional canopied front entrance, erection of South-side ground-floor and first-floor bay-window extension, alterations to rear lower ground-floor elevation, cladding over brickwork on remainder of building, extension to car-parking area on front corner and erection of boundary gates and railings and modification of landscaping (as accompanied by Design and Access Statement by Cunnane Town Planning and Daylight and Sunlight Report Option A dated 13 September 2006 by GIA) and subject to a Deed of Agreement dated 31st May 2007 under Section 106 of the Town and Country Planning Act 1990, as amended. **Granted permission on 12/06.2007. This permission was not implemented.**

14/2268 - Prior approval for change of use from offices (Use Class B1) to 23 self-contained residential units (Use Class C3) involving 21 x 1bed and 2 x 2bed. **Prior approval required and approved on 28/08/2014. This permission was not implemented.**

CONSULTATIONS

Consultation with neighbours

A press notice advertising the proposal was published on 27 October 2016, and a site notice was displayed on 19 October 2016. In addition, letters were sent to 105 neighbouring properties on 19 October 2016. Councillors for Tokyngton Ward were also consulted.

Following this, 20 representations have been received. The prevailing issues raised within these representations are laid out and responded to below.

In addition, a petition objecting to the proposal has been received. It has been signed by 42 residents, on the grounds of:

Concern	See paragraph(s)
Smaller high rise developments are intrusive and are rapidly creeping into residential streets everywhere.	13-20
Not in keeping with the character of the street.	13-20
Overshadowing all the houses around the development with an increase in noise pollution.	21-29, 57-62
Not enough parking provided for the residential and commercial use.	38-51
Increase in traffic	38-51
Set an unwelcome precedent in a residential area.	64-67
The developer may purchase the land opposite Heron House with a view to building yet another higher rise block.	64-67
Impact on infrastructure.	64-67
The whole of Brent could become a concrete jungle.	13-20
Developers everywhere are undermining and exploiting planning authorities, with planning performance agreements and other inducements. They must be opposed and cannot continue to completely ignore the wishes of residents.	64
The proposed plans for Heron House are excessive, damaging and totally inappropriate for the area.	13-20, 64-67

Matters raised in objection letters:

Ground of objection	Please see paragraph(s)
Concerns regarding demolition, excavation and drilling of the building and the structural impact it would have on nearby residential properties Dust and debris falling on nearby residential properties Construction noise will be disruptive with no compensation proposed by developers for nearby residents. Construction works should be restricted to weekdays and Saturday mornings.	57-62
The proposal does not include any social/affordable housing	6-12
The proposal does not provide enough parking, which will lead to on-street parking on nearby residential roads.	38-51
Increase in size of the existing building would create an even more intrusive and obstructive structure to the current building.	21-29
Out of character with the surrounding area. The High Street is of great historical significance and should be protected without a large development spoiling the character of this quiet historic part of Wembley. Overdevelopment of the site and should be scaled down. Unsympathetic development to the existing Park Place terraces and subjectively makes the entrance to the road much narrower. Overbearing and out of proportion development	13-20
The Daylight Report confirms that the size of the development would impact negatively on a number of nearby properties Loss of light to Park Place properties	21-29
Rear of houses and gardens along Park Place would be overlooked from balconies.	21-29
The car park entrance would be large extending above the chimney stack of No.1 Park Place without any regard to the	13-20

roof profile.

Revised plans were received, showing the service loading area into the site from Park Place, relocating the staircase and alterations to the terraces. Neighbours were reconsulted on 18 July 2017 for 21 days.

Ground of objection	Please see paragraphs
Parking concerns and impact on nearby roads	38-51
Loss of light to the rear gardens of Park Place	21-29
Overlooking and loss of privacy	21-29
Noise pollution	57-62

Tokington Ward Councillors

Cllr Ketan Sheth, Cllr Muhammed Butt and Cllr Orleen Hylton
No comments received.

Environmental Health

Environmental health do not object to the proposal but recommend conditions. This is discussed later in this report.

Statement of Community Involvement

The applicant has summarised the pre-consultation that they carried out, as recommended by the Localism Act (2011). The consultation process was based around an open 'walk-in' exhibition held on 6 July 2016 in The Ascot Suite on Empire Way. Invitations to the event were issued by leaflet on 30 June 2016 and an advert was taken out in the Brent & Kilburn Times. Ward Councillors were also invited.

The event was staffed by representatives of the applicant's development company and the consultant design team. A series of exhibition boards showing the site, its context, scheme development and the draft proposals were displayed for discussion with attendees.

The applicant reports that some 15 people visited the exhibition.

POLICY CONSIDERATIONS

The Development Plan in force comprises the 2010 Brent Core Strategy, the 2016 Brent Development Management Policies Document, the 2015 Wembley Area Action Plan and the 2016 London Plan (Consolidated with Alterations since 2011).

The following are also relevant material considerations in the determination of the current application:

- National Planning Policy Framework 2012 (NPPF)
- National Planning Practice Guidance (NPPG)
- National Technical Housing Standards
- Mayor's Housing Supplementary Planning Guidance 2016
- London Borough of Brent Wembley Area Action Plan 2013
- London Borough of Brent Supplementary Planning Guidance 17 Design Guide For New Development
- London Borough of Brent Supplementary Planning Document S106 Planning Obligations

In addition, the emerging Draft Brent Design Guide SPD1 has been subject to public consultation and once adopted will supersede SPG17. This document is afforded weight in the determination of planning applications as it has been subject to public consultation.

DETAILED CONSIDERATIONS

Land Use Principle

1. The subject property is within the boundary of Wembley Town Centre and suitable for town centre uses such as residential and office use, including mixed use development. It is also within the designated Wembley Growth Area, identified in the Core Strategy as one of the areas in the Borough in which significant growth is expected to occur, and within the Wembley Park Corridor set out within the Wembley Area Action Plan, which is envisaged as an area of transition between the dense urban development of the Stadium area and more traditional surrounding suburban areas. The Core Strategy states that the Wembley area is expected to provide 11,500 new homes and 10,000 new jobs to 2026, and the proposed development would contribute to both targets.
2. The site is not in a designated employment area but contains employment floorspace (defined as Use Classes B1, B2 and B8). Policy DMP14 provides for the release of such sites to non-employment uses where it would be unviable to continue solely in employment use or significant benefits consistent with the wider objectives of the Development Plan would be achieved. It specifies that where non-employment uses are proposed, the site shall incorporate the maximum amount of existing floorspace or managed affordable workspace as possible.
3. In terms of the London Plan, the site is located within an Opportunity and Intensification Area (Policy 2.13), a Regeneration Area (Policy 2.14), and a Town Centre (Policy 2.15). As such, regeneration and redevelopment schemes, particularly high quality mixed use schemes such as this, are promoted and considered to be appropriate. Opportunity Areas Policy 2.13 states that development proposals in these areas should: “seek to optimise residential and non-residential output and densities, provide necessary social and other infrastructure to sustain growth, and, where appropriate, contain a mix of uses”. Town Centres Policy 2.15 expects development proposals in town centres to “accommodate economic and/or housing growth through intensification and selective expansion in appropriate locations”.
4. The current use of the building is B1 office, with a total floorspace of approximately 1,273 sqm. The proposal would re-provide 829 sqm of office floorspace on the lower ground floor. The applicant has indicated that a company occupying the existing building would use the B1 office space. However, the use of the floorspace (if permission is granted) would not be limited to that company.
5. Wembley is the primary Growth Area of the Borough and suitable for an intensification of land uses including housing. Whilst the proposal would represent a loss of 35% of the existing office floorspace (444 sqm), a reasonable amount of new office floorspace would be re-provided together with new homes, which also meet objectives of the Development Plan. Your officers consider that the loss of office floorspace would be acceptable as it would be outweighed by the benefits of providing new floorspace in a high quality modern building, and of providing new private and affordable housing in a designated Growth Area.

Proposed residential mix, including Affordable Housing

Housing mix

6. Core Strategy Policy 21 (A Balanced Housing Stock) outlines the need to maintain and provide a balanced housing stock in Brent, featuring an appropriate range and mix of self-contained accommodation types and sizes, including family sized accommodation (capable of providing three or more bedrooms). Policy CP2 sets out that at least 25% of new homes should be family sized, with three bedrooms or more.
7. The table below shows the proposed housing mix, which would be in accordance with the policy requirement for 25% of the total to be family sized units. As such, the proposed mix of units by size is considered to be acceptable.

Unit size	Number of units	Percentage of total
Studio / 1bed	23	57.5%
2bed	7	17.5%

3bed	10	25%
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Affordable housing

8. London Plan Policy 3.12 requires boroughs to seek the maximum reasonable amount of affordable housing, having regard to a number of factors including development viability. Core Strategy Policy CP2 sets a strategic target that 50% of new homes delivered in the borough should be affordable. Policy DMP15 reinforces this target and specifies that 70% of new affordable housing across the Borough should be social/affordable rented housing and 30% intermediate housing. However, this tenure mix can be varied on individual developments where this is justified by the viability of the scheme and other site-specific characteristics. Objections have been received regarding the level and tenure mix of Affordable housing.
9. A total of three affordable homes are proposed, all 3bed Intermediate Shared Ownership units. This represents 7.5% of the development if calculated by unit or 13.3% by habitable room. The use of habitable rooms as a measure of affordable housing provision is typically considered to be appropriate as it gives weight to the provision of family sized affordable homes for which there is a significant identified need within the borough.
10. The applicant submitted a Financial Viability Assessment (FVA) to support the application. This has been assessed by consultants on behalf of the Council. The FVA demonstrates that the scheme would generate a land value £1.48m below the benchmark land value for the site. Sensitivity analysis was undertaken by the Council's consultants to assess the impact on viability of a scheme which also included Affordable Rented homes. This showed that including a 50/50 split between Affordable Rented and Intermediate housing units (as opposed to the current proposal including only intermediate housing) would generate an even greater deficit of £1.78m below benchmark land value. As such, the inclusion of Affordable Rented units is not considered to be viable in this instance, and consequently the proposal for only Intermediate Shared Ownership is acceptable within the terms of Policy DMP15. Given the existing use value of the site and high construction costs associated with the basement construction and ground level changes, the proposed scheme cannot support more than the proposed level of Affordable housing.
11. As development viability may change significantly between the grant of planning permission and the completion of the development, it is recommended that a post-implementation review mechanism is secured through the Section 106 legal agreement, to secure contributions towards Affordable housing within Brent if the development surplus is higher than that projected. Policy DMP15 supports such an approach on major schemes where affordable housing provision is well below the 50% target.
12. Officers take the view that the proposed provision of affordable housing should be supported. Whilst falling significantly short of the 50% target, the Council is satisfied, as demonstrated by a thorough appraisal of the Financial Viability Assessment, that the maximum reasonable provision of Affordable housing has been achieved in the proposal. The proposal therefore satisfies the requirements of Policies CP2, DMP15 and London Plan Policy 3.12 in respect of its Affordable housing offer.

Design, layout and appearance, including relationship with Wembley High Street Conservation Area

13. Wembley Hill Road has a traditional residential character for much of its length to the north of the site, with large semi-detached and detached houses predominant. However as it becomes part of Wembley Town Centre, its character evolves into a more urban form with a number of larger buildings of a non-domestic appearance of which the existing building on the site is one. Park Place and High Street are more compact residential side streets that make a limited contribution to the overall street scene on Wembley Hill Road. Objections have been received regarding the design, scale and nature of the proposed development, including its impact on the character of the street and the area, including the Conservation Area. Concern has been raised that Wembley is becoming a "concrete jungle".
14. The proposed building would retain the spatial layout and building form established by the existing building on the site, with a taller element situated towards the crest of the hill (adjacent to the junction with High Street) and a lower level linear element parallel to the street. The linear element would end with a curved entrance section sweeping around the corner with Park Place, whilst the taller element would be orientated at an angle to the street to address the High Street junction. Compared to the existing building, the proposed building would be set closer to the footways on Wembley Hill Road and Park Place and further from the boundary with most of the adjoining residential properties. It would be of a greater depth

and height than the existing building, with the taller element being approximately 6m higher and the linear block approximately 6m-10m higher.

15. The form of the proposed building would respect existing building lines along Wembley Hill Road, to create a coherent street scape that responds to the topography and curvature of the street. The bulk of the building would front the footway along Wembley Hill Road more closely than the existing building, although the visual impact would be softened by the upper floors of the linear block being set back and the bulk of the curved section being broken up by a series of inset loggias. The existing blank walls on the boundary with the footway would be replaced by active frontages. These features would help to improve the relationship of the built form to the street while successfully modulating the bulk and mass of the proposal.
16. The scheme proposes a contemporary approach to architectural detailing and materials, which is considered to be of high quality and to complement the form of the building. The windows would be generally formed as full height, fixed glazing elements, to optimise natural daylight and views. A combination of projecting balconies and inset loggias would animate the facade and create a sense of rhythm and proportion. Projecting balconies would be provided along the buildings north-eastern elevation facing Wembley Hill Road, and inset balconies in the more exposed locations of the building facing south, east and west. A simple material palette is proposed, including two different bricks together with glass balcony balustrading.
17. The lower level element would have regard to the existing context of the site on the Wembley Hill Road, being approximately 1.5 stories (or 6m – 10m) higher than the existing building but broadly similar in height and bulk to the three-storey building across the junction with Park Place. The taller element would be located in essentially the same position as the taller element of the existing building, but would be two stories (or 6m) higher (although only one storey higher than the existing lift over-run). The combination of linear and taller elements would create a visual landmark feature at this prominent junction within the street scene. Your officers consider that the height and bulk of the proposed building are appropriate in design terms, given the scale of the existing building and the transitional character of the area.
18. The site adjoins the Wembley High Street Conservation Area and a very small part of the communal garden is within the conservation area boundary. However, the existing building obscures views of the conservation area from the surrounding area and whilst the proposed building would be larger than the existing, the proposal is not considered to materially harm views of the conservation area. The works proposed to create an area of communal garden within the conservation area boundary are not considered to harm the character or appearance of the conservation area. The Conservation Area Appraisal suggests that the conjunction of this historic area with large modern buildings in the surrounding area is one of its distinctive features and that this should be encouraged. As such, the proposal is not considered to result in harm to the character and appearance of the conservation area.
19. The overall design, materials and detailing of the building are considered to be of high quality which helps to soften the overall visual impact and represents an improvement (in terms of design and appearance) in comparison to the existing building. The soft landscaping within the proposal is limited. The frontages have limited levels of soft landscaping, with the building focused towards the frontages and away from the homes that adjoin the rear boundary of the site. However, the existing site only have very limited significant soft landscaping within it. Planting has been incorporated into the communal garden at the rear of the site. The Wembley Hill Road frontage of the site is urban in its nature (which contrasts with the suburban setting to the north of the site) and the prevalence of hard landscaping within the frontage is considered to be acceptable in this instance. Objectors are concerned that the Brent is becoming a "concrete jungle". Whilst many of the higher footfall areas are hard surfaced due to the nature and intensity of their use, the number of trees in the area has increased and is increasing significantly above previous levels.
20. As such, the scale and architectural approach of the proposed development is generally supported. The distinct elements and strong identity of each aspect of the architecture help to break up the built form, improving articulation between different elements and minimising the visual bulk and mass of the building. The detailing and build quality will however be critical to achieving a high standard of development and the Council will secure key details of external materials by condition to ensure this is achieved and built through.

Neighbouring amenity

21. The impact on neighbours is also a material consideration, and policy DMP1 seeks to ensure that this is acceptable. The buildings to the north, west and south are residential in nature and as such the impact of this development upon them needs to be considered. Objectors have raised concern regarding the impact of the proposed building in terms of a loss of light, outlook, privacy and overshadowing. These matters are discussed below.

Light and outlook

22. SPG 17 specifies that new developments should normally be set under a 45 degree line taken from a 2m height above garden level from adjoining residential gardens and below a 30 degree line taken from a 2m height above floor level from rear habitable room windows of residential dwellings. However, the emerging draft Brent Design Guide SPD1 allows for more flexible standards in transitional areas, accepting development within a 45 degree line from rear habitable room windows, subject to the impact on daylight and sunlight being acceptable.
23. Additional drawings have been submitted to clarify the relationship between the proposed building and residential properties to the rear. These demonstrate that, although the taller element would breach the 45 degree line from the rear windows of 14/15 High Street, the greater height would be compensated for by the proposed building being set further from the rear boundary and at a more oblique distance. This results in a lower level of impact associated with the taller element of the proposed building in many instances because of the increased separation, despite being taller than the existing building. The lower element of the proposed building would largely comply with the 45 guidance. However, a part of this element of the building projects above the 45 degree line. However, this breach would be minimal and would affect only the far rear portion of the rear garden, which narrows significantly at this point to a width of 1m-2m and is therefore considered to be of limited amenity value given the narrow nature of the rear of the garden.
24. A daylight / sunlight report has been submitted, assessing the impact of the proposal upon daylight / sunlight conditions for surrounding residential properties and their gardens, and its compliance with the BRE Guide 'Site layout planning for daylight and sunlight: A guide to good practice', which is the recognised standard and considered a robust method of assessment.
25. Daylight criteria within the BRE Guide have been used as a basis for assessing the potential impacts on 30 surrounding properties, the relevant tests being Vertical Sky Component (VSC) and No Skyline (NSL). The study concluded that four of these properties would experience some impact on daylight outside of the BRE recommendations in terms of the reduction in Vertical Sky Component. This includes three habitable room windows at 1 Park Place would experience reductions in VSC of 23.7% to 42.6% (compared to a target of 20 %). However, the report shows that these rooms comply with BRE guidance in relation to the "No Sky Line" test, and thus, the report concludes that the level of daylight received by these windows will not be materially different from the existing situation. One window of 4 Park Place will also fall below target levels of reduction for VSC. However, this will experience a reduction of 20.4%, against a target value of 20% to achieve compliance with the BRE standards, and thus would only represent a marginal exceedance. This window would also meet target levels for "No Sky Line". In addition, a side elevation window at 1 Manor Drive would experience a 22.26% loss in visible sky area under the NSL test, however this window is believed to serve a stairwell given its positioning rather than a habitable space and complies with the BRE standard regarding VSC. Overall, it is considered that these are mostly marginal transgressions and that poor results in one test are generally balanced out by good results in the other.

Privacy and overlooking

26. The Council's standards for the preservation of appropriate levels of privacy are set out in SPG17, including a 20m separation distance between directly opposing rear habitable room windows and a 10m distance between a habitable room window and neighbouring private residential amenity space. In the emerging draft Brent Design Guide SPD1, these distances are reduced to 18m and 9m respectively for transitional areas.
27. The existing building does not comply with the recommended separation standards, with the taller element being approximately 6.7m to 9m from the boundary with residential properties and the linear element being 4.6m to 9m from the boundary. However, the existing office building also breaches these

standards and contains windows facing onto the residential properties and their gardens which cause direct overlooking. The building has prior approval for conversion to residential use under permitted development rights, and consequently could give rise to overlooking from new residential properties onto those existing.

28. In comparison, the proposed building would not contain any habitable room windows that would cause overlooking on the rear elevation facing onto the existing residential properties to the rear. The windows of bedroom 1 of Apartments 8 (upper ground floor) and 15 (first floor) would be 9m from the boundary with the adjoining residential garden and 16.5m from the rear wall of the property. However, these windows would not be above the height of the fence of that property and consequently undue overlooking would not occur. The windows of bedroom 1 of apartment 14 (first floor) and bedroom 3 of apartment 24 (second floor) would be 9m from the boundary with the adjoining residential garden, but this represents an improvement when compared to the distance between the existing office building and the garden. Furthermore, the draft Brent Design Guide SPD1 specifies a minimum distance of 9m to gardens and 18m between habitable rooms and the scheme accords with this standard.
29. In respect of other windows in the proposed building, design solutions have been used to ensure that no overlooking would occur. First floor windows in the linear element would be obscured below 1.7m above finished floor level, and this is considered to be acceptable as they would serve dual aspect rooms with windows on the front elevation. The second floor would feature obscure glazing to a shared corridor on the rear elevation. The taller element has been designed in such a way that all habitable room windows would face away from neighbouring residential properties, and translucent privacy screens would be added to the southern edge of west facing balconies.

Quality of residential accommodation

Internal floorspace and accessibility

30. London Plan Policy 3.5 and the Mayor's Housing SPG set out minimum internal floor space requirements for new housing. All units would meet, or exceed, these minimum standards, and private storage areas would also be provided at lower ground floor level, to supplement built in storage within the units. The proposal would include DDA compliant lifts to each core, and the units would be designed to accessible and adaptable standards in compliance with Part M4(2) of the Building Regulations and Lifetime Homes criteria.
31. Many of the proposed units could also be designed to comply with Part M4(3) to be fully wheelchair accessible. London Plan Policy 3.8 requires 10% of new housing to meet this standard. To ensure that the proposed development complies with this policy, a condition will require further details of the design of four wheelchair accessible units.

Layout and access

32. Each of the two cores would serve two to six units on each floor (the entrance to the taller building being on the upper ground floor and that of the lower building on the lower ground floor), whilst five duplex units would have individual direct entrances from an 'access terrace' on the Wembley Hill Road frontage. The entrances would help to provide active frontages at ground level, improving natural surveillance and providing visual animation to the street frontage. The entrance to the office floorspace would also be at lower ground floor level, and the basement parking area would be accessible from both cores.

Light and outlook

33. The design makes use of the site contours to provide dual or triple aspects for 30 of the units, while ten units would be single aspect facing either south, west or east. All would have living rooms with large amounts of glazing in addition to private terraces or balconies, and the level of light and outlook is considered to be acceptable.

External amenity space and play space

34. The proposal would provide a landscaped communal garden of 276sqm including a children's playspace of 190sqm to the rear, which would be enclosed by the building and thus secluded from the street on all sides. Each unit would also have private balcony or terrace areas, all but one of which would exceed the 5sqm minimum standard set out in the Mayor's Housing SPG, and the total amount of amenity space

provided would be 708sqm, equating to an average of approximately 18 sqm per unit. The communal garden and playspace would be overlooked by a number of the flats, further ensuring that these are safe and amenable recreational areas, and would receive sufficient levels of sunlight due to being south facing.

35. Policy DMP19 requires 20sqm amenity space per 1bed or 2bed flat and 50sqm per family-sized dwelling, which for a development of this size equates to 1,100sqm. Although the proposed level of amenity space falls short of this standard, the provision of both private and communal space is welcome and it is considered that access to the King Edward VII Park nearby would compensate for the shortfall. Therefore in this instance, the deficit in external amenity space is not considered to warrant the refusal of a development delivering 40 new homes including three Affordable homes.
36. There are no trees subject to a Tree Preservation Order which would be affected by the proposal. The plans indicate some trees and shrubs proposed as part of the landscaping of the external amenity space.
37. Conditions will require that details pursuant to the provision of the amenity space are approved, to ensure that the development is of high quality and accords with the London Plan Policy 7.21, and to ensure the provision of these amenities within a reasonable timescale.

Highways and transportation

Parking provision

38. The site is within the Wembley Area Action Plan area and therefore reduced parking allowances are applicable for the residential units. Wembley Hill Road from Empire Way to Harrow Road is a London distributor road, whilst its length between the Empire Way roundabout and Wembley Park Drive is a local distributor road. However, with the recent remodelling of this junction, a slip road is located south of the site, with a lay-by for three cars (pay and display or residents permit holder only). The site otherwise lies within Wembley Control Parking Zone W, operational daily between 8am and 9pm (midnight on Wembley Stadium event days). Park Place and High Street are both public highways. The site has excellent access to public transport services (PTAL level 5), with Wembley Park (Metropolitan and Jubilee line) and Wembley Stadium (Chiltern line) stations within 960 metres and nine bus services within 640 metres.
39. Objections have raised concern regarding the level of parking provision and whether this is sufficient for the proposed residential units and office use.
40. Up to one parking space per 400sqm is allowed for B1 office floorspace, giving an existing allowance of up to three spaces. The proposed development would re-provide an office unit of 829 sqm, which would have a parking allowance of 2.1 spaces and would also require servicing by 8m rigid vehicles. Residential parking standards in the Wembley Area Action Plan 2015 allow up to 0.4 parking spaces for 1-2bedroom flats and 0.6 spaces for 3bedroom flats. The proposed residential use therefore has a maximum allowance of 18 spaces.
41. A total of 26 parking spaces are proposed within the basement (including five disabled spaces), together with 59 cycle spaces for the residential use and eight cycle spaces for the offices, which overall slightly exceeds the requirements set out in DMP12 and the London Plan 2016. However, this level is exceedance is not considered likely to result in a material impact on the local highway network. A condition is recommended regarding parking allocation to prevent the sale of office parking bays to residents and vice versa, and to ensure that disabled parking spaces are made available for the accessible homes.
42. Parking restrictions apply on Wembley Hill Road and Park Place, which are in a CPZ and the Wembley Event Day zone. Park Place adjacent to the site also has double yellow lines. High Street is a narrow street which does not have a dedicated footway and cannot therefore accommodate on-street parking. To ensure that overspill parking does not cause on-street parking pressures in the area, a 'permit-free' agreement is recommended, so that future residents would not be eligible for parking permits to park in adjoining streets during CPZ hours. The Transport Assessment states that the developer agrees to enter into a 'car-free' agreement, if required to, and this agreement can be enforced by Brent Council.

Vehicular Access, Servicing and Refuse

43. The proposal would provide vehicular access into the basement from an existing crossover on Park Place, and an adjacent 8m x 3m loading bay with a height of 4.1m, which satisfies servicing standards. In order to provide both the access and the loading bay, the existing crossover would need to be widened, resulting in a wider crossover than would normally be permitted. However, on-street parking on this section of the street is not allowed and therefore widening of the crossover would not result in the loss of any on-street parking. Use of the loading bay would not conflict with the vehicular access into the basement.
44. The proposal would be subject to the removal of the disabled bays on Park Place, in order for service vehicles to be able to manoeuvre in and out of the site. There is no objection to the removal of these bays as they cater for the residents of Forum House, 200m away, and therefore should be relocated within its basement car park, which can accommodate 125 parking spaces including disabled spaces.
45. With the bays removed, it is proposed that refuse vehicles would wait on Park Place and collect directly from the bin storage area. Refuse vehicles would face eastbound (downhill) during collections. The bin storage area should line up directly with the rear of the refuse vehicle where it is intended to stop, to ensure a short distance between the bin store and the refuse truck thus reducing any concerns regarding the gradient and ensuring that heavy bins do not have to be pushed up a hill. The Waste Management officer has no objections to the proposal.

Transport Assessment

46. Objectors have raised concern regarding the traffic associated with the development. The submitted Transport Assessment shows the predicted trip generation for the proposed development, based on the national TRICS database. Vehicular trips in the morning peak hour are expected to total 14 arrivals and three departures, with a corresponding afternoon peak of three arrivals and 14 departures. Compared with the existing office use, the trip generation rates predicted for the proposal are lower, with a corresponding increase in the use of public transport and other sustainable modes. In addition, service vehicle trip generation of 1.2 vehicles in and out of the site across the course of a day is predicted, based on the TRAVL database.

Travel Plan

47. A Framework Travel Plan has been submitted for approval, which proposes measures such as a welcome pack to introduce the travel plan, a dedicated webpage and a notice board, and states that a baseline survey will be carried out upon occupation. However, to comply with the ATTrBuTE assessment criteria used by Transport for London, the survey should be carried out within 3-6 months of occupation with further reviews in 12 months and subsequently in years 3 and 5. Incentives should be provided to increase use of sustainable modes and promote the use of local Car Clubs amongst residents, including subsidised membership for at least two years. Finally, travel plan coordinators should be assigned for the residential units and for the offices.
48. The Framework Travel Plan does not therefore pass the ATTrBuTE assessment and a final Travel Plan would need to be submitted and to be approved as complying with these criteria prior to occupation. The submission of a final Travel Plan, together with its implementation and regular review, would be secured as part of the s106 Agreement.

Highway Works and Contributions

49. The following Highway Works would be required under a Section 278 Agreement of the Highways Act 1980, to be entered into prior to any construction works commencing on site:
 50. alterations to the existing crossover on Park Place, including the widening of the crossover,
 - i. reinstatement of the redundant existing crossover on High Street,
 - ii. removal of the two disabled bays to be replaced with double yellow lines,
 - iii. all associated changes to line marking and associated TRO costs; and
 - iv. the costs of any changes to statutory undertakers' equipment.
 - v. A condition would be required to ensure that the development is not occupied until all associated Highway works have been completed to the satisfaction of the Local Highway Authority. A construction logistics

plan would also be required by condition and any temporary traffic management measures required would need to be agreed with the Highway Authority before construction begins.

51. A permit free restriction agreement to remove the right of all future occupants to parking permits in the controlled parking zone operating in the area and a Travel Plan should be secured through the s106 Agreement.

Environmental impact, sustainability and energy

52. The application was supported by an Energy Statement and Sustainability Statement. At the time the application was submitted London Plan Policy 5.2 required a reduction in carbon dioxide emissions of 40% based on 2010 Building Regulations (equivalent to 35% based on the 2013 Regulations) for both residential and non-residential developments. Off-site or financial contributions can be made where these targets cannot be achieved within the development, the latter being based on a notional price of £60 per tonne of carbon per year, over a 30 year period.
53. The Energy Statement demonstrates that, whilst the scale of the development is too small to make CHP or community heating economical, the scheme will make use of energy efficiency measures, advanced fabric and PV panels, resulting in a 15.5% saving in regulated CO2 emissions for the residential part of the scheme. It has been determined that this is the maximum reduction in CO2 emissions that can feasibly be achieved from on-site measures. The remaining 19.5% in CO2 reductions required to achieve the 35% minimum target as required by the London Plan would be provided through a carbon offsetting contribution of £17,280 for the residential element and £3,600 for the commercial element, to be secured through the s106 Agreement.
54. Core Strategy policy CP19 also requires non-residential development to achieve BREEAM Excellent standard. The proposal achieves a BREEAM 2014 fully fitted rating of Excellent where possible, which is acceptable to the Council.
55. London Plan Policy 5.15 requires residential developments to be designed to meet the target of 105 litres or less of water usage per head per day. The Sustainability Statement outlines the measures proposed to deliver the predicted water usage of 102.1 litres per head per day, and this is acceptable to the Council.

Assessment of Flood Risk and Drainage

56. The site is located within Flood Zone 1 and is therefore considered to be at low risk from flooding. The site is less than half a hectare in size, the existing area is impermeable and there are no historical records of flooding. However London Plan Policy 5.13 and Policy DMP9B require development to utilise sustainable urban drainage measures, and a condition would require further details of the sustainable drainage measures proposed to achieve a 5 l/s discharge rate for surface water to be submitted and approved.

Noise, Air Quality and Land Contamination

57. The application is accompanied by a Noise Impact Assessment which examines the local noise environment and proposes mitigation measures to ensure an acceptable standard of accommodation. The findings of the report have been reviewed and are considered to be acceptable. A condition has been recommended to ensure that the mitigation measures are implemented. Objections have been received citing an increase in noise pollution associated with the development.
58. The proposed layout of the building would feature commercial floorspace and car parking below flats. This mix of uses could result in noise disturbance to residents in first floor flats if the sound insulation between the floors is not adequate. Environmental Health Officers have recommended a condition to ensure that Building Regulations Approved Document E 'Resistance to the passage of sound' is implemented in full. However, this would duplicate a control within the Building Regulations and it is therefore not necessary to include this in a planning condition.
59. The proposed demolition and construction would be carried out within close proximity to existing residential premises. Therefore without appropriate controls noise and dust emissions could cause disturbance to local residents and dust emissions could adversely impact on local air quality. A condition would require submission and approval of a Construction Method Statement (CMS), outlining measures

to be taken to limit dust, noise and other environmental impacts of the development, prior to commencement. The ongoing use of the development (i.e. post completion) as residential dwellings and office space are not likely to result in unduly detrimental levels of noise and disturbance due to the nature of those uses, providing noise levels of for any plant equipment is not excessive.

60. The application is also supported by an air quality impact assessment. The assessment has been reviewed and is considered to be sound in relation to the potential transport emissions and building emissions relating to the residential element of the scheme. However the assessment does not consider the potential building emissions relating to the office use. Consequently a condition is recommended requiring an Air Quality Neutral Assessment to protect local air quality.
61. The site investigation report submitted with the application has been reviewed. The reports methodology and conclusions are acceptable to the Council. Conditions are recommended to require the submission, approval and implementation of a remediation strategy.
62. No specific information has been provided on lighting at this stage, a potential environmental impact that must be considered in terms of vertical illuminance causing disturbance to nearby residential premises. Therefore in order to prevent undue levels of disturbance, a condition is recommended to require prior submission and approval of details of the height, type, position, angle and spread of any external lighting installed.

Archaeological Impact

63. The site is not within a site of archaeological importance. Overall, the conclusion is that the proposal is unlikely to impact on any archaeological features (whether statutory or non-statutory).

Other matters raised by objectors

64. The majority of issues raised by objectors have been discussed above. Those that have not been are discussed in this section of the report. Objectors have cited concern that an unwelcome precedent will be set. Concern is also raised that the developer may purchase the land opposite Heron House and redevelop that. Every proposal must be considered on its merits and the proposed development is considered to be acceptable for the reasons set out above. Should an application be submitted for the development of the land opposite Heron House, the merit of that proposal would be considered.
65. Objectors have raised concerns that the proposal represents the overdevelopment of the site and that they are inappropriate for the area. The "over-development" of a site is typically represented by a development which fails to accord with Council policy on a number of grounds, which typically includes the form and massing of a development, the impact of the development on the surrounding properties, the quality of the proposed accommodation and the transportation impacts. The proposal is considered to accord with policy for the reasons set out above and is considered to be appropriate for the site.
66. Objectors are concerned regarding the impact on infrastructure. The development will make significant contributions towards infrastructure through the Community Infrastructure Levy. Within Wembley, projected infrastructure needs are identified through the Wembley Area Action Plan and are being factored into the regeneration of the area.
67. Objectors are also concerned that developers are undermining the planning process through Planning Performance Agreements and other "inducements". There is no Planning Performance Agreement for this site. However, the use of such agreements is supported by Central Government. They are used to plan out the timescales associated with large development proposals, and to secure funding for the human resources associated with the consideration of development proposals to reduce the burden on the Council Tax payer. They do not guarantee an outcome and every proposal is still considered on its merit. It is not clear what inducements are being referred to by objectors. However, the Community Infrastructure Levy (CIL) is applicable to all development that increases the number of units within a scheme, or the floorspace (where more than 100 sqm additional floorspace is proposed). This is applicable across the Country. Again, proposals are considered on their merit and not on the level of CIL that is associated with a scheme.

Density

68. The site has a public transport accessibility level (PTAL) of 5, a site area of 1,570sqm and the characteristics of an urban setting. The London Plan density matrix (Table 3.2) suggests a residential

density of between 70 and 260 units per hectare and between 200-700 habitable rooms per hectare for this area. The density of the proposed development is 255 units per hectare or 669 habitable rooms per hectare, which falls within the acceptable density range identified in the London Plan.

Conclusion

69. Officers consider that the scheme meets planning policy objectives and is in general conformity with local, regional and national policy. The proposal would make a positive contribution to the area, whilst having an acceptable impact on and relationship with the existing surrounding development. Officers recommend the application for approval subject to the conditions and obligations set out in this report.

CIL DETAILS

This application is liable to pay **£417,537.68*** under the Community Infrastructure Levy (CIL).

We calculated this figure from the following information:

Total amount of eligible** floorspace which on completion is to be demolished (E): 1273 sq. m.

Total amount of floorspace on completion (G): 3440 sq. m.

Use	Floorspace on completion (Gr)	Eligible* retained floorspace (Kr)	Net area chargeable at rate R (A)	Rate R: Brent multiplier used	Rate R: Mayoral multiplier used	Brent sub-total	Mayoral sub-total
Dwelling houses	2578	0	1623.99011 627907	£200.00	£35.15	£414,697.48	£72,883.08
Businesses and offices	862	1273	-729.99011 627907	£40.00	£35.15	-£37,281.64	-£32,761.24

BCIS figure for year in which the charging schedule took effect (Ic)	224	224
BCIS figure for year in which the planning permission was granted (Ip)	286	
Total chargeable amount	£377,415.84	£40,121.84

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

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

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

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 16/4156

To: Mr McArthur
Cunnane Town Planning LLP
Churchward House
4 Foundry Court
Gogmore Lane
Chertsey
KT16 9AP

I refer to your application dated **23/09/2016** proposing the following:

Demolition of the existing office building (Heron House) and the construction of a new four to seven storey mixed use building comprising 829sqm of commercial office space on the ground floor (Use class B1a), 40 self-contained flats (23 x 1bed, 7 x 2bed and 10 x 3bed) on the upper floors, a basement level for car and cycle parking, bin stores and associated landscaping and amenity space. (Amended description 21.09.17)

and accompanied by plans or documents listed here:
Please refer to condition 2.

at **Heron House, 109-115 Wembley Hill Road, Wembley, HA9 8DA**

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: 05/10/2017

Signature:

Alice Lester
Head of Planning, Transport and Licensing

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 2012
London Plan 2015
Brent Core Strategy 2010
Brent Development Management Policies 2016
Council's Supplementary Planning Guidance 5 2002
Council's Supplementary Planning Guidance 17 2001

- 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):

E13-042/PRA003 Proposed schedule of Accommodation
E13-042/PRA003 Proposed schedule of Amenity Space
E13-042/EXP100 Rev.D Existing Landscape Plan
E13-042/EXP200 Rev.D Existing Site Plan
E13-042/PRP100 Rev.G Proposed Landscape Plan
E13-042/PRP200 Rev.G Proposed Site Plan
E13-042/PRS008 Rev.A Proposed Section 008
E13-042/PRS009 Proposed Section
E13-042/PRS010 Proposed Section
E13-042/EXS008 Existing Section
E13-042/ EXS009 Existing Section
E13-042/ EXS010 Existing Section
E13-042/PRE001 Rev.G Proposed North-West Elevation
E13-042/PRE002 Rev.H Proposed South-East Elevation
E13-042/PRE003 Rev.K Proposed North-East Elevation
E13-042/PRE004 Rev.F Proposed South-West Elevation
E13-042/PRE005 Rev.G Proposed South-West Elevation
E13-042/PRE006 Rev.G Proposed Long Sections
E13-042/PRE007 Rev.E Proposed Elevations with Line of Ex Bldg shown
E13-042/PRP0B2 Rev.L Proposed Basement Plan
E13-042/PRP0B1 Rev.L Proposed Lower Ground Floor Plan
E13-042/PRP000 Rev.K Proposed Upper Ground Floor Plan
E13-042/PRP001 Rev.J Proposed 1st Floor Plan
E13-042/PRP002 Rev.H Proposed 2nd Floor Plan
E13-042/PRP003 Rev.H Proposed 3rd Floor Plan
E13-042/PRV001 Rev.D Proposed 3D View Down Hill
E13-042/PRV002 Rev.E Proposed 3D View Up Hill
E13-042/EXP001 Existing Lower & Upper Ground Floor Plans
E13-042/EXP002 Existing 2nd-4th Floor Plans
E13-042/EXE001 Existing North-West & South-East Elevations
E13-042/EXE002 Existing North-East Elevation
E13-042/EXE003 Existing South-West Elevation
16108-00-019 Rev.B On Site Loading Bay
16108-00-018 Rev.C Refuse Collection Strategy

Supporting reports:

Technical Note TN02
Framework Travel Plan Statement Report No. 16-081-001 May 2016
Transport Assessment Report No. 16-081-001 May 2016
Acoustic Report September 2016
Addendum to Acoustic Report
Daylight and Sunlight 4th April 2016
Design Statement September 2016
Energy Statement
Sustainability Statement
Statement of Community Involvement
Ground Contamination Risk Assessment Report
Planning Statement

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

- 3 The windows on the approved plans identified with the annotation stating 'obscure glass' shall be constructed with obscure glazing and non-opening or with openings at high level only (not less than 1.8m above floor level) and shall be permanently maintained in that condition thereafter unless the prior written consent of the Local Planning Authority is obtained.

Reason: To protect the privacy of neighbours in accordance with Policy DMP1.

- 4 The car parking spaces, refuse storage, cycle storage, private and communal amenity spaces identified on the approved plans shall be laid out and made available prior to the occupation of any part of the development hereby approved. The spaces / storage shall be retained as such for the lifetime of the Development.

Reason: To ensure that the impact of the development on the highways network is appropriate and that the development is fit for purpose.

- 5 No development shall be carried out until the person carrying out the works is a member of the Considerate Constructors Scheme. Details of the membership and contact details as required through the scheme shall be clearly displayed on the site throughout the duration of construction.

Reason: To limit the impact of construction upon the levels of amenity of neighbouring occupiers.

- 6 Prior to the first occupation of the development, the mitigation measures described in the approved Noise Impact Assessment (Hodkinson Noise Impact Assessment report dated September 2016 and the Noise Report addendum dated January 2017) shall be implemented in full and thereafter retained and maintained.

Reason: To ensure acceptable local noise levels for future residents.

- 7 The building shall be designed and constructed 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.

- 8 Details of materials for all external work, including samples which shall be made available for viewing on site or in another location as agreed, shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced (excluding demolition, site clearance and the laying of foundations). The work shall be carried out in accordance with the approved details.

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

- 9 No development shall take place until a detailed remediation scheme to bring the site to a

condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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

- 10 Any soil contamination remediation measures required by the Local Planning Authority pursuant to condition 9 shall be carried out in full. A verification report shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development hereby approved, stating that remediation has been carried out in accordance with the approved remediation scheme and the site is suitable for end use (unless the Planning Authority has previously confirmed that no remediation measures are required).

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

- 11 Prior to commencement of the development (excluding demolition, site clearance and the laying of foundations), further details of how the development will be built so that 90% of the residential units will achieve Building Regulations requirement M4(2) – ‘accessible and adaptable dwellings’ and that the remaining 10% of the residential units will be easily adaptable to achieve Building Regulations requirement M4(3) – ‘wheelchair user dwellings’ shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full accordance with the approved details.

Reason: To ensure that the development achieves an inclusive design in accordance with London Plan Policy 3.8.

- 12 Details of the siting, height, type, position, angle and spread of any external lighting (including luminance levels) shall be submitted to and approved in writing by the Local planning authority prior to the installation of any such lighting. External lighting shall not erected other than in accordance with the approved details.

Reason: to protect the amenity of nearby residents.

- 13 A scheme for the hard and soft landscaping of the site shall be submitted to and approved in writing prior to first occupation of the development hereby approved and the approved scheme shall be completed in accordance with the approved scheme prior to first occupation of the approved development. The scheme shall include details of:
1. Planting, including a planting plan detailing plant species, size, location and number/density;
 2. Walls / fences / means of enclosure;
 3. Any levels or contouring within the site;
 4. Sub-surface treatments;
 5. Hard landscaping, including materials and any proposed furniture;
 6. Play space and equipment;
 7. Drainage;

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 standard of appearance and setting for the development and to ensure that the proposed development enhances the visual amenity of the locality in the interests of the amenities of the occupants of the development and to provide tree planting in

pursuance of section 197 of the Town and Country Planning Act 1990.

14

- 15 Any externally audible plant within the development 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. Prior to the installation of any such equipment, 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 the findings of the assessment together with any mitigation measures necessary to achieve the above required noise levels shall be submitted to and approved in writing by the Local Planning Authority prior to the installation of any such plant. Thereafter the plant shall not be installed other than in accordance with the approved details.

Reason: To ensure acceptable local noise levels for future and surrounding residents.

- 16 Prior to the commencement of the development a Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority outlining measures that will be taken to control dust, noise and other environmental impacts of the development, including construction traffic. The approved statement shall be implemented throughout the duration of construction.

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

- 17 Prior to the commencement of development a scheme (excluding demolition, site clearance and the laying of foundations) an Air Quality Neutral Assessment shall be submitted to and approved in writing by the Local Planning Authority. The report must be undertaken in accordance with guidance published by the Greater London Authority (GLA). The assessment shall include mitigation proposals should it be found that the development is not air quality neutral. The measures within the approved assessment shall thereafter be implemented in full throughout the construction and occupation of the development (where relevant).

Reason: To ensure that the development would not result in a detrimental impact on local air quality.

INFORMATIVES

- 1 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at www.brent.gov.uk/CIL.
- 2 The applicant is advised to notify the Council's Highways Service of the intention to commence works prior to commencement. They shall include photographs showing the condition of highway along the site boundaries.
- 3 During demolition and construction on site:
 - The best practical means available in accordance with British Standard Code of Practice BS5228-1:2009 shall be employed at all times to minimise the emission of noise from the site;
 - The operation of the site equipment generating noise and other nuisance causing activities, audible at the site boundaries or in nearby residential properties shall only be carried out between the hours of 08:00 – 18:00 Mondays-Fridays, 08:00 -13:00 Saturdays and at no time on Sundays or Bank Holidays unless otherwise agreed in writing by the Local Planning Authority;
 - Vehicular access to adjoining and opposite premises shall not be impeded;
 - All vehicles, plant and machinery associated with such works shall be stood and operated within the curtilage of the site only;

- A barrier shall be constructed around the site, to be erected prior to demolition;
- A suitable and sufficient means of suppressing dust must be provided and maintained.
- A wheel washing facility shall be installed and operated to ensure that dust/debris is not carried onto the road by vehicles exiting the site.

4

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.

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