

# COMMITTEE REPORT

Planning Committee on  
Item No  
Case Number

15 November, 2017  
07  
17/2477

## SITE INFORMATION

RECEIVED	6 June, 2017
WARD	Dudden Hill
PLANNING AREA	Brent Connects Willesden
LOCATION	60 Neasden Lane, London, NW10 2UW
PROPOSAL	Demolition of existing buildings on site and erection of new four storey commercial building fronting Neasden Lane comprising a total of 2,131 sqm, of which 117sqm is for flexible use within use classes A2, A3 or B1 and 898sqm of affordable workspace B1(a), and the remaining floorspace for use classes of A2 or B1, and new three to five storey residential building to the rear comprising 121 self-contained units (38 x 1bed, 73 x 2bed and 10 x 3 bed) with associated car and cycle parking, bin stores, landscaping and public realm works
APPLICANT	London Square
CONTACT	QUOD
PLAN NO'S	A2641 200 R9 A2641 201 R5 A2641 202 R5 A2641 203 R6 A2641 204 R6 A2641 205 R5 A2641 300 R3 A2641 301 R3 A2641 302 R3 A2641 303 R3 A2641 304 R2 A2641 310 R3 A2641 311 R3 A2641 400 R4 A2641 401 R4 A2641 402 R4 A2641 403 R4 A2641 404 R4 A2641 405 R2 A2641 406 R2
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><b><u><a href="#">When viewing this on an Electronic Device</a></u></b></p> <p>Please click on the link below to view <b>ALL</b> document associated to case <a href="https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_134633">https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_134633</a></p> <p><b><u><a href="#">When viewing this as an Hard Copy</a></u></b></p> <p>Please use the following steps</p> <p style="text-align: right;"><i>DocRepF</i> Ref: 17/2477 Page 1 of 23</p>

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2. Select Planning and conduct a search tying "17/2477" (i.e. Case Reference) into the search Box
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## RECOMMENDATIONS

### RECOMMENDATION

That the Committee resolve to GRANT planning permission subject to:

The prior completion of a legal agreement to secure the following planning obligations:

Fees for a) preparing and completing the agreement and b) monitoring and enforcing its performance

Notification of material start

Affordable Housing - 22% of dwellings shall be for Affordable Units 60% to be affordable rent units (by habitable room); 40% to be shared ownership units (by habitable room)

Affordable Housing Review Mechanism - post implementation

Managed Affordable Workspace of 898sqm GIA

Parking Permit restricted

Training and Employment targets

Highway works: reinstatement of footway at developer cost

Sustainability / Energy - zero carbon

Considerate Contractors Scheme

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:

1. Standard three year
2. Approved drawings
3. Materials
4. Landscaping
5. Construction Method Statement
6. Cycle parking
7. Drainage
8. Blue badge parking
9. Air quality
10. Contaminated land
11. Means of enclosure
12. BREEAM Excellent
13. Any other planning condition(s) considered necessary by the Head of Planning

#### Informatives

1. CIL liable
2. Repair highway if damaged
3. Fire Safety Strategy
4. Soil verification
5. Asbestos
6. Air quality
7. Vibration
8. Highways
9. Licences
10. Noise
11. Structural integrity

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.

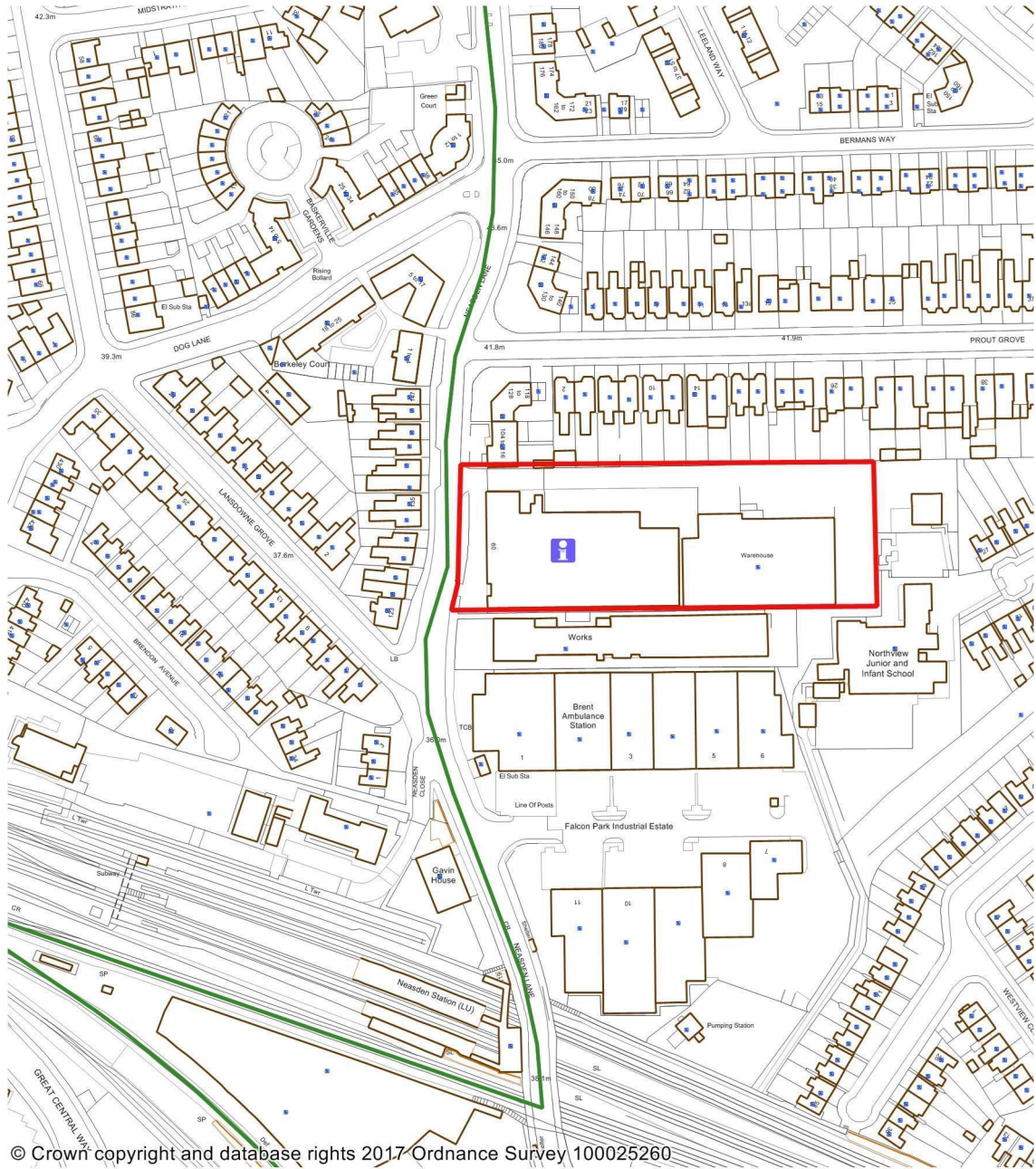
## SITE MAP



# Planning Committee Map

Site address: 60 Neasden Lane, London, NW10 2UW

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This map is indicative only.

## PROPOSAL IN DETAIL

The proposal seeks permission for the demolition of all existing buildings and redevelopment for a new building to provide employment space and new buildings to the rear to provide 121 dwellings.

The new frontage building would be four storeys in height with the top storey set back. This will provide replacement employment space of 1,694sqm. To the rear of this and occupying the majority of the site the new residential units would comprise one, two and three bedroom units. These would be accommodated in three five storey blocks, with two linking blocks positioned towards the site's northern boundary. Landscaping and shared amenity spaces are to be provided in two main areas fronting the linking blocks and at the eastern (rear) part of the site. Disabled parking, separate vehicle and pedestrian accesses, servicing space and cycle parking are also to be provided. Amendments to the proposal were secured during pre-application discussions with the applicant. The amendments secured improvements related to scale, layout, design, reduced parking in favour of increased landscaping/amenity space, and provision of separate vehicle and pedestrian accesses.

## EXISTING

The application site is 60 Neasden Lane. The site (0.79ha) comprises a two storey office building fronting the east side of Neasden Lane with industrial/warehouse buildings to the rear. The site is located approximately 150m north of Neasden Lane station. No.58 Neasden Lane adjoins the site to its south (previously in industrial use but with a recent permission for redevelopment to hotel). Northfield Primary School adjoins the site to its rear. Adjoining the site to its north and adjacent opposite to the west is residential development, primarily two storey semi-detached houses.

The site is currently occupied by a vehicle maintenance company and accommodates a detached two storey office building which fronts Neasden Lane and a number of industrial warehouse buildings used for vehicle repair and storage to the rear. In total the buildings comprise approximately 5,294m<sup>2</sup> GIA.

The site falls within a designated Locally Significant Industrial Site. It has a Public Transport Accessibility Level (PTAL) of 4.

## SUMMARY OF KEY ISSUES

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

- 1. Objections received:** There have been no objections received to the proposal.
- 2. Principle of Development:** The site is located within the designated Neasden Lane Locally Significant Industrial Site (LSIS) and is not identified for release in the Employment Land Demand Study. However, given that the site does not have a medium to long term future as an industrial site and the wider regeneration proposed, it is considered the principle of the development can be accepted.
- 3. Affordable Housing:** The application proposed 21% affordable housing which has been supported by a financial viability assessment. In addition an affordable housing review mechanism is to be secured post implementation. This is considered to meet policy objectives.
- 4. Residential Mix:** The application provides 17% family sized accommodation with 40% of the provision within the affordable rented tenure. The overall level and priority within the affordable tenure is considered acceptable.
- 5. Density:** The density proposed is 429hr/ha which is within the suggested density range in the London Plan of 200-700 hr/ha.
- 6. Employment:** The application proposes managed affordable workspace which is considered to be of significant benefit and is likely to result in significantly higher employment levels than the current industrial use.
- 7. Design, Massing & layout:** The proposed development is of a scale and design considered appropriate in the locality and the quality of accommodation would meet London Plan space standards and provide an acceptable provision of external amenity space.

8. **Neighbouring Amenity:** Whilst the development does not fully accord with the relationship guidance set out in SPD1, the failings are marginal and the scheme will have a more aesthetically pleasing appearance. Furthermore, the proposed uses are likely to result in a reduction in noise and disturbance to residents in view of the current industrial operation.
9. **Transportation:** The scheme does not propose residents parking on site other than disabled provision. A car-free agreement will be secured where residents will not be able to apply for parking permits in the local area. In view of the proximity to public transport the scheme can be supported on this basis.
10. **Sustainability** The scheme incorporates suitable sustainability measures and the commercial building is capable of achieving BREEAM Excellent in line with policy.

## RELEVANT SITE HISTORY

### RELEVANT SITE HISTORY

The site has been the subject of various planning applications, mainly for minor developments. In 2009 an application was submitted for a change of use from part office, part car showroom to D1 residential use (17/3012). This was refused and subsequently dismissed at appeal, the principal issue being the adverse effect on the industrial function of the LSIS. It is also noted that the Inspector considered the two-storey building fronting Neasden Lane to be in office use with the land to the rear being used for vehicle repairs.

The present application was the subject of a member briefing at the committee of 26 April 2017.

Also relevant is the recent history of the adjacent site to the south 58 Neasden Lane, which falls within the same LSIS designation as no.60. Application 14/1544 sought permission here for:

'Partial demolition and change of use of the retained building from light industrial (B1) to 69 bedroom hotel (C1) including ancillary restaurant, 11 car parking spaces, associated landscaping, alterations to windows, railings and fire escape stairs'.

The officer's committee report recommended refusal, primarily on grounds of conflict with development plan employment policy as it relates to sites within a Locally Significant Industrial Site. Members resolved that they were minded to grant permission due to the narrowness of the site and access difficulties, the high level of public transport accessibility and evidence of unsuccessful marketing. Permission was granted 27 August 2015.

A subsequent application at no.58 (17/1296) sought permission for a larger hotel at the site: 196 rooms as opposed to 69 rooms:

'Demolition of existing three storey light industrial building and erection of a 5 storey hotel comprising 196 rooms with ancillary cafe/bar, restaurant, gymnasium/meeting room, roof top plant compound and associated car, coach and cycle parking spaces, landscaping and boundary treatment'.

In light of the existing permission for a hotel at the site permission was granted for this proposal on 14 July 2017

## CONSULTATIONS

Neighbour letters were issued to 341 properties. A site notice was displayed on 20/6/17 and a press notice was advertised on 29/6/17. No representations have been received to date.

### Internal consultees:

Transport & Highways: The low parking available within the site can be accepted as any overspill parking can be controlled by the surrounding CPZs. Insufficient information was initially provided on servicing /refuse collection. Vehicular tracking should demonstrate that vehicles can negotiate the vehicular access and further information required on convenience of the loading bay for employment uses. Further information required on where bins will be stood for collection day and this arrangement is considered to be acceptable. Travel plan proposals should be submitted for both residential and commercial units to help mitigate any impacts. In absence of the required information, the proposal is likely to result in servicing on street to the detriment of the free and safe flow of traffic and pedestrians.

#### Design:

Only one minor concern relating to the appearance of the brick wall on the site's southern boundary: a fence atop a lower wall would give a better appearance and improve light to the employment building.

The applicant held a public consultation event in March 2017, prior to the application's submission, at St. Catherine's Church Hall, close to the site, to give residents/stakeholders the opportunity to view the proposals and discuss with the applicant's project team.

Further information/amendments were subsequently submitted following discussion with the Council on affordable housing offer and housing mix. These amendments have not changed the essential nature of the proposal which remains as originally submitted in terms of scale, design and number of units. The revisions were not therefore subject to further public consultation.

## **POLICY CONSIDERATIONS**

For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the Development Plan in force for the area is the London Plan 2016, 2010 Brent Core Strategy 2010 and the Brent Development Management Policies - 2016. Document and the 2016 London Plan (Consolidated with Alterations since 2011).

The following are material considerations:

The National Planning Policy Framework (2012).

#### London Plan

- 3.3 - Increasing housing supply
- 3.4 - Optimising housing potential
- 3.5 - Quality and design of housing developments
- 3.8 - Housing choice
- 3.9 - Mixed and balanced communities
- 3.11 - Affordable housing.
- 3.12 - Negotiating affordable housing
- 3.13 - Affordable housing thresholds
- 4.1 - Developing London's economy
- 4.4 - Managing industrial land premises.
- 5.2 - Minimising carbon dioxide emissions
- 5.3 - Sustainable design and construction
- 5.6 - Decentralised energy networks in development proposals
- 5.7 - Renewable energy
- 5.10 - Urban greening
- 5.12 - Flooding
- 5.13 - Sustainable drainage
- 5.21 - Contaminated land
- 6.3 - Assessing effects of development on transport capacity
- 6.9 - Cycling
- 6.10 - Walking
- 6.13 - Parking
- 7.1 - Lifetime neighbourhoods
- 7.2 - Inclusive environment
- 7.4 - Local character
- 7.5 - Public realm
- 7.6 - Architecture
- 7.14 - Improving air quality

Mayor's Housing SPG (2016)

Mayor's Sustainability Design SPG (2014)

#### Brent Local Plan

Core Strategy (2010)

CP2 - Population and housing growth

CP6 - Design and density in place shaping  
CP20 - Strategic Industrial Locations and Locally Significant Industrial Sites  
CP21 - A balanced housing stock

Development Management Policies (2016)  
DMP1 - Development Management General Policy  
DMP14 - Employment sites  
DMP15 - Affordable housing  
DMP12 - Parking

Other material considerations: Employment Land Demand Study 2015

## DETAILED CONSIDERATIONS

### DETAILED CONSIDERATIONS

#### 1. PRINCIPLE OF DEVELOPMENT:

1.1 The site is located within the designated Neasden Lane Locally Significant Industrial Site (LSIS). Development Plan policy seeks to protect LSIS sites (together with Strategic Industrial Locations) to ensure a sufficient stock of land and premises for the needs of future industrial uses. London Plan policy 4.4 (Managing industrial land and premises) also requires boroughs to demonstrate how LSIS sites will be managed in line with this strategic policy. Policy DMP14 of the Brent Development Plan Policies DPD (Employment sites) states that in recognition of the weight attached to retaining LSIS sites, their release for non-employment purposes will only be permitted where:

- a) it is a low quality employment site identified as suitable for release in the Employment Land Demand Study; and*
- b) it can be shown to be integral to and developed as part of a wider comprehensive housing-led regeneration scheme with substantial benefits to Brent, providing at least 50% affordable housing, and consistent with the wider objectives of the Development Plan and/or is of strategic significance to London; or*
- c) where it delivers social and physical infrastructure on a substantial scale, for example secondary schools, for which there is a significant identified Brent need and which cannot reasonably be provided on other sites in the borough.*

1.2 The 2015 Employment Land Demand Study does not identify the Neasden Lane LSIS as suitable for release from the LSIS designation and therefore the proposal for a residential-led mixed use development would not accord with the provisions of Policy DMP14 (part a). To support a departure from this policy, marketing information and consideration of the future use of the site for industrial purposes has been reviewed by BPS Chartered Surveyors on behalf of the Council. The report concludes that:

- In view of the value of the site, in effect the property is economically obsolescent. This would not preclude ongoing occupation of the industrial element but this is unlikely to be sustainable into the medium term.
- Marketing exercise intended to represent a two year marketing campaign to establish market interest in the property from an occupier perspective does not meet the objective.
- Consider site to be fundamentally flawed for continued industrial purposes in view of the site constraints detailed below:
  - limited frontage and considerable depth making servicing problematic;
  - surrounding residential uses and school; and
  - forthcoming hotel development effectively isolating the site.

1.3 In view of the above, whilst it is noted that the marketing did not meet the level expected, the site is clearly compromised and would not have a medium to long term future as an industrial site. It is important to note in considering the application that a non-employment use (permission for a hotel) was granted on the site adjoining the application site to its south: this site also falls within the LSIS designation and was also not identified for release by the ELDS. The permission here significantly changes the physical context of the application site, creating a buffer between the site and the main area of the LSIS, and isolating it within surrounding non-employment uses (residential, school, hotel). As such, it is considered that the site is suitable for release subject to delivering a scheme which meets either part b) or c) of Policy DMP14 detailed above.

1.4 In terms of c) no substantial infrastructure such as a secondary school is proposed. As such, the proposal is being assessed against the objectives of part b) where the scheme must demonstrate substantial regeneration benefits in terms of affordable housing and the wider objectives of the Development Plan.

1.5 It is considered that the scheme which provides residential accommodation (including affordable housing), managed affordable workspace, flexible commercial uses and aesthetic improvements to the area through its redevelopment would combine to constitute a level of regeneration benefit sufficient to justify approval against policy DMP14. The elements of the proposal are considered in more detail below.

## **2. AFFORDABLE HOUSING:**

2.1. London Plan policies 3.11A, 3.11B and 3.12 require boroughs to maximise affordable housing provision, to set an overall target in Local Plans for the amount of affordable housing provision needed over the plan period, and seek the maximum reasonable amount of affordable housing when negotiating on individual private and mixed use schemes. Brent's Core Strategy Policy CP2 identifies capacity for at least 22,000 homes over the Local Plan period 2007-2026 and sets a target that 50% of new homes should be affordable. Developers are required to provide development appraisals to demonstrate that a scheme maximises affordable housing provision. Policy DMP15 of the Brent Development Management Policies DPD reinforces Policy CP2. The application as originally submitted proposed 31% affordable housing (32% by habitable room) This has been justified by submission of a viability statement which was independently reviewed on behalf of the Council. This review of viability evidence identified that the proposal represented the maximum reasonable level of affordable housing provision.

2.2. The revised proposal would provide an increase in affordable rent units from 6 to 15 with a reduction in shared ownership units from 32 to 10. This change achieves a London Plan policy compliant mix of 60% affordable rent (by habitable room) and 40% shared ownership (by habitable room). The reduction in shared ownership units impacts on the scheme's finely balanced viability and in order to achieve the desired tenure mix, officers considered it more beneficial to Brent's residents and a reasonable balance to accept a lower overall proportion of total affordable housing: 21% affordable housing (22% by habitable room) would now be provided. It is accepted that the reduction in the headline affordable housing figure from 31% to 21% is a notable change, but officers are of the view after careful consideration that this is outweighed by the benefits of the close to policy compliant tenure mix, the increased proportion of affordable family units (see below) and the other employment and environmental benefits the scheme would deliver (see below).

## **3. RESIDENTIAL MIX:**

3.1 Policy CS2 of the Core Strategy states that at least 25% of new homes should be family sized (3 bedrooms or more). The initial proposal included a mix of 38 x 1-bed units (32% of accommodation), 73 x 2-bed units (60%) and 10 x 3-bed units (10%). The revised proposal amends this mix to 38 x 1 bed, 63 x 2 bed and 20 x 3 bed. The number of three bed units is therefore doubled from 10 to 20 with a corresponding reduction of two bed units from 73 to 63. Twenty 3 bed units comprises 17% of the total proposed homes (up from 8%). A good proportion of these would be provided in the affordable rented tenure: 40% of 3 bed units would be affordable rent compared to 33% in the scheme as originally submitted. This complies with the requirement of London Plan Policy 3.11 that priority should be accorded to provision of affordable family housing. Therefore the proposal is considered to have a reasonable housing mix.

## **4. DENSITY:**

4.1. London Plan policy 3.4 (Optimising housing potential) supports higher densities in areas of good public transport accessibility. In this urban location with a PTAL of 4, the London Plan density matrix Table 3.3 indicates an appropriate residential density range of 200 - 700 hr/ha. The proposed scheme has a density of 429 hr/ha. The residential density is acceptable in this location. Being a large site with an opportunity to increase densities without a significant impact on the existing surrounding properties allows a relatively high density.

## **5. EMPLOYMENT:**

5.1 The applicant explains that the site will become vacant in November and that their application aims to secure a long term commercial function here by provision of improved office stock and a more intensive, more viable employment offer.

The proposal includes a four storey building to accommodate employment space at the Neasden Lane frontage. The scheme as originally submitted proposed 2,131sqm GIA of commercial floorspace within this

building (Use Class A2, B1 with 117sqm of the total to be used for A2, B1, A3), to provide modern, flexible commercial space for small businesses and start-ups. The revised proposal does not alter the proposed overall commercial floorspace but now commits to 898sqm GIA of this (at ground and first floor levels) to be Managed Affordable Workspace. This area equates to 42% of the total commercial floor space. It would be offered at a rate of 50% of market rent level and aimed at smaller operators in the local market. The applicant states that this will ensure local businesses have access to genuinely affordable workspace, sitting alongside other commercial units, in all providing businesses with flexible uses and floorspace to reactivate the site as an employment location. This managed affordable workspace would be secured via legal agreement, which should also require appointment of a managed workspace provider to be approved by the Council, and the provider to submit a managed workspace plan, also for approval by the Council, to demonstrate how the workspace would be let and managed.

5.2 The applicant estimates the total commercial space proposed would have a realistic employment potential of between 121 and 187 new jobs (stated to be a 400% increase over employment at the existing operations).

## **6. DESIGN, MASSING, LAYOUT**

### *6.1 Massing*

The residential blocks are consistent at five storeys in height. The linking blocks are designed to ensure a subordinate appearance to the flanking principal blocks. The built form is further broken up by detailed articulation.

### *6.2 Layout*

The layout has been designed to maximise sunlight into the south facing courtyards with the majority of units east or west facing with dual aspect with dual aspect south facing units in the link blocks. All of the units to be provided are dual aspect. The layout is designed with separate access points for pedestrians/cyclists and vehicles.

### *6.3 Materials*

The materials comprise a palette of three brick colours to differentiate the set back top floors with different types of brickwork will accentuate the different block. A simple palette of materials is to be used to achieve a structured, coordinated appearance. A condition is proposed to secure control over final material samples.

### *6.4 Landscaping*

At present the site is 100% hardsurfaced. Extensive soft landscaping would be introduced in the main courtyards, adjacent to the rear and north boundaries and on the site frontage, including tree planting. A schedule of soft and hard landscaping would be secured and approved by condition. The scheme would introduce extensive green infrastructure where at present there is none, with accompanying biodiversity, sustainable drainage and amenity benefits. Planting is to include a mixture of native and introduced tree and plant with a focus on habitat creation for invertebrates and birds species. The proposal would create appropriate useable areas for the future residents and create an attractive setting for the proposed buildings.

### *6.5 External amenity space and playspace*

All dwellings would benefit from external balconies, terraces or gardens. All one, two and three bedroom units would have balconies of 8.6sqm. Ground floor units would have private amenity space of between 11sqm and 15sqm. Total private amenity space across the development would comprise 1,364sqm. Although this falls below the policy DMP19 requirements of 20sqm for flats and 50sqm for each family unit, when considering the design of the development and proposed public realm and open space, this provision is considered to be useable and practical.

In terms of shared amenity space, the proposed courtyard gardens would comprise 1,229sqm. Total shared amenity space would comprise 1,983sqm. 417sqm of children's play areas for age groups 0-5 years, 5-11 years and 12 years plus, would be incorporated into the central courtyards and eastern yard.

### *6.6 Internal space.*

All the proposed residential units are consistent with London Plan Policy 3.5 Table 3.3 Minimum Space

Standards for New Dwellings and have been designed to meet Lifetime Homes Criteria. The proposal would therefore result in good standard units set within an attractive development context and provide a good quality living environment.

### *6.7 Relationship to hotel*

In terms of potential overlooking of the new dwellings from the consented hotel at no.58, adjoining to the south, the facing elevations of the new blocks at ground, first and second floor have no facing windows. The proposed building would have a distance of approximately 8.6m from the southern side boundary of the site. The permitted hotel does not require the same living conditions of a permanent residential dwelling, and this arrangement would not result in primary habitable room windows facing other habitable room window. At third and fourth floors there are a total of six living rooms with small facing windows. These windows are small and all of these rooms have their main (balcony) aspects facing east or west and so would not experience any significant overlooking. The facing elevations at third and fourth floors contain a total of 15 bedrooms with small south facing windows. Six of these have their main, larger windows facing east or west. For the remaining south facing bedrooms at these floors, the relationship to the prospective hotel is considered acceptable overall given that these rooms are set back from the building line of the ground to first floors, that the context is a relatively dense urban environment, and that potential occupiers will be aware of the consented adjoining development.

### *6.8 Townscape*

The front four storey commercial building (top storey recessed) would not be out of scale with the broadly two and three storey residential development to its north. The higher residential building to the rear would be read behind the commercial building and behind existing surrounding buildings. Although visible from Neasden Lane and nearby roads, it would be shielded by and seen in the context of existing development. The good quality of design would enable the buildings to blend effectively with and enhance the appearance of the area.

In conclusion on design, having regard to the site's size and proximity to public transport, it is considered to fall within the Transitional typology of the emerging supplementary planning document Brent Design Guide (SPD1). The proposal is considered to accord with the design guidelines contained in this document for Transitional locations, and to comply with London Plan policies 7.4 and 7.6 and with Brent Development Management Plan policy DMP1.

## **7. NEIGHBOURING AMENITY**

### *7.1 Daylight/sunlight/overshadowing*

A Daylight and Sunlight Assessment was submitted which assesses the potential effect of the development on daylight, sunlight and overshadowing on existing surrounding development. The report also assesses the internal daylight provision to the proposed accommodation within the scheme.

In respect of existing neighbouring dwellings the proposal is shown to result in a very high rate of compliance with Building Research Establishment. In terms of the VSC (Vertical Sky Component) daylight analysis, 92% (431 out of 467) windows meet the BRE guidelines typical recommendations. In relation to the NSL (No Sky Line) analysis, 94% (235 out of 251) rooms meet the typical BRE recommendations. The APSH (Annual Probable Sunlight Hours) assessment shows that 97% (346 out of 355 windows) meet the BRE recommendations. In the few instances where any technical reductions occur beyond the typical parameters recommended by the BRE guidelines, they are shown to be so by a very minor margin or are clearly influenced by design features in the surrounding properties rather than the scale of the proposed development.

The overshadowing effect of the proposed development upon the surrounding properties is shown to be well within the guideline recommendations in respect of all but one of the surrounding gardens and sensitive receptors. The garden of 104-116 Neasden Lane experiences an overshadowing impact but very good levels of sunlight availability in the summer period are considered to satisfactorily offset a slight temporary adverse effect in March.

The assessment of the sunlight to the proposed amenity areas within the scheme shows all four areas receiving in excess of 90% of sunlight potential. This is well above the suggested thresholds in the BRE.

The internal daylight assessment for the proposed accommodation demonstrates there would be a good rate of compliance with the internal daylight recommendations for an urban environment, with 74% of the

habitable rooms tested across the development achieving the minimum ADF levels for a bedroom or living room. The applicant states that internal daylight availability is offset in some instances by the provision of valuable private amenity space in the form of external balcony space, and this is demonstrated by an alternative assessment with the balconies removed which confirms that 89% of the rooms tested would achieve the recommended minimum ADF target levels.

In terms of the relationship to the consented hotel, given the transient nature of occupation and the expectations of these occupiers the hotel is not considered a particularly sensitive receptor. However the assessment indicates the daylight/sunlight impact would be not dissimilar to that which would be expected for residential dwellings.

It is concluded that the proposed development is satisfactory in terms of its daylight and sunlight impacts.

### *7.2 Privacy/outlook*

The site adjoins the southern boundary of properties fronting Prout Grove and also the western boundary of the school to the east. The Prout Grove rear gardens are relatively deep and the footprint of the proposed development is set well back from the common boundary. The separation distances between existing and proposed buildings meets the 18m standard set out in SPD1 Brent Design Guide: the narrowest distance between the existing and proposed buildings is approximately 20.3m with most properties having separation distances well in excess of this. It is considered that no harmful impact on privacy will result.

Although the new development would be noticeable from the rear gardens of Prout Grove properties, which have benefited from a relatively open aspect given the relatively low rise nature of the site's existing buildings, the impact on outlook would not be such as to cause an adverse impact in terms of a sense of enclosure. As mentioned above the separation distances between the buildings is 20.3m at its narrowest point with most distances well in excess of this. The 45degree test from the rear gardens' boundary is narrowly failed (approximately 50degrees), but it is considered that the impact of a higher form of development would be offset to a large extent by the marked improvement in design and appearance of the new development over the existing. Similarly the development is set off the eastern boundary with the school and a good separation is maintained here also.

### *7.3 Impact of commercial uses*

It is not anticipated that the new commercial uses in close proximity to the residential element would result in any adverse amenity impact. Uses A2 (financial and professional services) and B1 (light industry/office) are uses which can co-exist with residential occupation. Future external plant/equipment may require a separate planning permission where an assessment would be made to ensure any potential noise or visual impacts would be acceptable.

## **8. TRANSPORT**

8.1 The site has a PTAL of 4 and falls within a Controlled Parking Zone. The application is accompanied by a Transport Statement and Travel Plan. Parking provision is limited to blue badge parking for the disabled only. This is acceptable in this location subject to a legal agreement requirement for a permit-free scheme, so that future residents would not be allowed to park in surrounding streets during CPZ hours. Blue badge parking is provided to accord with policy requirements: 12 spaces for the residential element and one space for the commercial element.

8.2 Cycle parking (279 spaces) is to be provided to accord with policy requirements. Cycle parking for the commercial element would be provided at the rear of the commercial building. Cycle parking for the residential element would be provided in separate externally accessed bike stores located conveniently in landscaped areas across the site.

8.3 Separate vehicle and pedestrian accesses are to be provided, the existing main access for vehicles and a new separate pedestrian access at the southern corner of the site, although the vehicle access would have sufficient width for pedestrians also. The footway would be reinstated to replace the existing vehicle crossover at the southern corner under an s.278 agreement.

In response to Brent Transport's comments, additional drawings including tracking diagrams have been submitted which demonstrate access width and the servicing area layout are adequate for larger vehicle manoeuvring, that the service bay is convenient and useable, and that the bin storage arrangements are practical and appropriate.

8.4 The Travel Plan submitted with the application relates to the residential element of the development only. A Travel Plan for the commercial element is also required. A condition is proposed to require this.

## **9. ENERGY and SUSTAINABILITY**

### *Energy:*

London Plan policy 5.2 requires development proposals to minimise carbon dioxide emissions in accordance with the energy hierarchy – use less energy, supply energy efficiently and use renewable energy. Major developments are required to achieve carbon emissions reduction targets leading to zero carbon. The carbon reduction targets should be met on site. An Energy Assessment is submitted to demonstrate that the development would be constructed to achieve energy targets in accordance with policy 5.2.

The proposed development is currently predicting a site-wide 43.5% carbon dioxide emissions reduction over Part L 2013, through the following measures:

- BE LEAN (energy efficiency delivering up to a 3.9% improvement);
- BE CLEAN (CHP unit providing a further 13.1% savings);
- BE GREEN (Photovoltaic panels and Heat pumps delivering 26.4% savings).

Importantly the scheme includes a CHP plant, a measure encouraged by London Plan policy 5.3. Photovoltaic panels to provide the renewable element of the strategy are also proposed, the precise number and their siting would be controlled when agreeing the carbon dioxide reductions details required by the S106.

### *Sustainability*

9.1 Core Strategy policy CP19 seeks all development to contribute towards achieving sustainable development. The scheme is accompanied by a Sustainability Statement which explains how sustainability issues have informed and been addressed within the proposal. These issues include matters addressed elsewhere in this report such as energy biodiversity, sustainable drainage, air quality, noise, water efficiency and contamination. The scheme is considered to comply with Development Plan policy in this respect.

9.2 In respect of the employment building, a pre-assessment has been carried out to evaluate the development's possible BREEAM score. The design is capable of achieving a BREEAM Excellent rating the design is capable of achieving a BREEAM 'Excellent' rating and is therefore in line with Core Strategy policy CP19. Achievement of BREEAM Excellent is secured by a proposed condition.

## **10. AIR QUALITY**

10.1 The site is located within an Air Quality Management Area. London Plan policy 7.14 requires that major development should be at least air quality neutral and not lead to further deterioration of existing poor air quality. An Air Quality Assessment has been submitted.

Potential impacts on local air quality at construction phase arising from construction activity, vehicles and plant are identified as a medium risk (dust soiling and human health impacts). However, through good site practice and the implementation of suitable mitigation measures, the effect of dust and particulates releases would be significantly reduced. The residual effects of dust and particulates generated at construction phase are assessed to be negligible. An assessment of the potential impacts during operational phase was undertaken to predict the changes in and total concentrations of NO<sub>2</sub> and particulates resulting from traffic movement on the local road network, and emissions from the proposed energy centre. The results show that the proposed development would cause negligible changes in pollutant concentrations and is not anticipated to not cause any new exceedances of the AQS objectives.

Any future plant/ventilation equipment which may be required to serve the potential A3 (restaurant) use within unit D-1, could require a further planning permission. The application has noted this and an informative is recommended to highlight this to the applicant.

## **11. CONTAMINATION**

11.1 A Geotechnical report accompanied the application. Given the history of industrial use and the proposed residential end user, a condition is proposed to secure any further site investigation required and

implementation of any identified necessary remediation measures.

## 12. FLOODING

12.1 London Plan policy 5.12 requires developments to comply with flood risk assessment and management requirements set out in the NPPF. The site is situated within Flood Zone 1 and therefore has the lowest level of flood risk, and is below the 1 hectare threshold for undertaking a full Flood Risk Assessment (FRA). The flood risk is therefore low, and it is noted that the site improves the drainage position through introduction of significant soft landscaping to a site which is at present entirely hard surfaced.

12.2 London Plan policy 5.13 requires developments to use sustainable urban drainage systems (SUDS), aim to achieve greenfield run-off rates and to ensure surface water run-off is managed as close to source as possible. A condition is imposed to require submission and approval of a drainage strategy to address these requirements. The applicant advises that the design of the rainwater disposal system will incorporate appropriate storage should attenuation be required to the outflow to the surface water mains.

## 13. CONCLUSION

The scheme has been carefully assessed in terms of whether it can demonstrate the significant regeneration benefits which officers consider are necessary to allow development of the site for the proposed mixed residential and commercial development, having regard to its Local Plan designation as a Locally Significant Industrial Site and the provisions of Policy DMP14.

Officers consider that on balance the application does achieve a significant package of regeneration benefits. 121 new residential units are to be provided. Of these units 21% would be affordable. Although this is below the proportion proposed within the scheme as originally submitted, the amended offer enables a close to policy compliant split of the affordable housing with 60% now to be affordable rent and 40% shared ownership, within a viable proposal. The number of three bed units has been increased and a good proportion of these would be within the affordable rent tenure. Modern, flexible commercial floorspace would also occupy approximately a quarter of the site and almost 900sqm of this would be available as Managed Affordable Workspace at 50% of market rent for local firms. In addition the proposed new built form would be an attractive addition in the streetscape to replace existing utilitarian structures, with a significant upgrade in green infrastructure and a more neighbourly relationship to surrounding development, particularly dwellings in Prout Grove. No objections to the scheme either as original or as amended were received from neighbours.

Officers conclude that the above considerations provide significant benefits. The proposal sufficiently complies with the development plan and the altered context of the site following the recent grant of a hotel development on the site adjacent to the south (no.58) justify a grant of permission for the proposed development.

## CIL DETAILS

This application is liable to pay **£1,861,592.49\*** 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): 5294 sq. m.

Total amount of floorspace on completion (G): 12414 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	10283	0	5897.77348 155309	£200.00	£35.15	£1,484,975.11	£260,984.38
Shops	2131		1222.22651 844691	£40.00	£35.15	£61,547.84	£54,085.16

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)	282	
<b>Total chargeable amount</b>	<b>£1,546,522.95</b>	<b>£315,069.54</b>

\*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.**



**DECISION NOTICE – APPROVAL**

Application No: 17/2477

To: Mr Tom Vernon  
QUOD  
17 Broadwick Street  
London  
W1F 0AX

I refer to your application dated **31/05/2017** proposing the following:

Demolition of existing buildings on site and erection of new four storey commercial building fronting Neasden Lane comprising a total of 2,131 sqm, of which 117sqm is for flexible use within use classes A2, A3 or B1 and 898sqm of affordable workspace B1(a), and the remaining floorspace for use classes of A2 or B1, and new three to five storey residential building to the rear comprising 121 self-contained units (38 x 1bed, 73 x 2bed and 10 x 3 bed) with associated car and cycle parking, bin stores, landscaping and public realm works

and accompanied by plans or documents listed here:

A2641 200 R9  
A2641 201 R5  
A2641 202 R5  
A2641 203 R6  
A2641 204 R6  
A2641 205 R5  
A2641 300 R3  
A2641 301 R3  
A2641 302 R3  
A2641 303 R3  
A2641 304 R2  
A2641 310 R3  
A2641 311 R3  
A2641 400 R4  
A2641 401 R4  
A2641 402 R4  
A2641 403 R4  
A2641 404 R4  
A2641 405 R2  
A2641 406 R2

at **60 Neasden Lane, London, NW10 2UW**

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

Date: 03/11/2017

Signature:

Alice Lester

**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 relevant policies contained in the:-  
National Planning Policy Framework (NPPF)  
London Plan 2016  
Brent Local Plan:  
Core Strategy 2010  
Development Management Policies 2016  
Brent Supplementary Planning Guidance:  
SPG17: Design guide for new developments  
Draft SPD1: Brent Design Guide
  
- 1 To assist applicants the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website and offers a pre planning application advice service. The scheme does comply with guidance and pre application discussions were entered into.
  
- 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
  
- 2 The development hereby permitted shall be carried out in accordance with the following approved drawings:  
  
A2641 200 R9  
A2641 201 R5  
A2641 202 R5  
A2641 203 R6  
A2641 204 R6  
A2641 205 R5  
A2641 300 R3  
A2641 301 R3  
A2641 302 R3  
A2641 303 R3  
A2641 304 R2  
A2641 310 R3  
A2641 311 R3  
A2641 400 R4  
A2641 401 R4  
A2641 402 R4  
A2641 403 R4  
A2641 404 R4  
A2641 405 R2  
A2641 406 R2  
  
Reason: For the avoidance of doubt and in the interests of proper planning.
  
- 3 The refuse and recycling storage and disable parking bays as shown on the approved drawing shall be provided prior to the occupation of the development and shall be retained for the

lifetime of the development.

Reason: To ensure adequate provision is made for these matters in the interests of amenity and disabled parking requirements.

- 4 Not less than 10% of residential units shall be constructed to wheelchair accessible requirements (Building Regulations 4(3)).

Reason: To ensure suitable facilities for disabled users to comply with the requirements of Policy 4.5 of the London Plan.

- 5 In respect of the commercial building:

Prior to the occupation of the development a Post Construction Stage Review BRE Certificate demonstrating that the Development has achieved BREEAM "Excellent" shall be submitted to and approved in writing by the Local Planning Authority. The Development shall be maintained so that it continues to comply for the lifetime of the Development.

Reason: To ensure the Development is designed and constructed to improve environmental performance and adapt to the effects of climate change over time and to comply with London Plan Policy 5.3.

- 6 No work shall be commenced unless and until details and samples of all materials to be used for all external surfaces have been submitted to and approved by thereLocal Planning Authority in writing. The development shall not be implemented otherwise than in accordance with the approved details.

Reason: To ensure a high quality of design and appearance.

- 7 Details of all hard and soft landscaping shall be submitted to and approved in writing by the local planning authority prior to this part of the development commencing. All planting shall occur during the first available planting season following completion of the development hereby approved. Details to be submitted shall include details of proposed arrangements for the maintenance of the landscaping. 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, to ensure that the proposed development enhances the visual amenity of the locality, to ensure sustainable development, and to provide tree planting pursuant to s.197 of the Town and Country Planning Act 1990.

- 8 279 cycle spaces shall be provided in accordance with the approved drawings prior to occupation of the development. Prior to work commencing to install cycle parking full details of the cycle parking including the design of cycle parking enclosures shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented in full accordance with the approved details and retained as such unless otherwise agreed in writing with the local planning authority.

Reason: To enhance sustainable means of transport and ensure a good quality appearance.

- 9 Prior to the commencement of drainage works full details of a drainage strategy detailing any on and/or off site drainage works which shall include but not be limited to a scheme of drainage measures for all areas of hard surface, showing those areas to be treated by use of sustainable urban drainage systems (SUDS) to reduce run-off rates, shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented in full prior to first occupation of the development and shall be retained for the lifetime of the development.

Reason: To ensure the development meets the requirements of London Plan Policy 5.13 Sustainable Drainage.

- 10 Prior to commencement of development an Air Quality Neutral Assessment shall be submitted to and approved in writing by the local planning authority. The Assessment shall be undertaken in accordance with guidance published by the GLA and shall include appropriate mitigation measures should it be found that the development is not air quality neutral. The development shall be implemented in full accordance with the approved Assessment and any approved mitigation measures shall be implemented prior to the occupation of the development and shall be retained for the lifetime of the development.

Reason: To protect local air quality and to comply with the requirements of London Plan Policy 7.14.

- 11 (a) Prior to commencement of any works on site, with the exception of works necessary to facilitate compliance with part (a) of this condition, a Site Investigation shall be submitted to and approved in writing by the Local Planning Authority. The Site Investigation shall be carried out by competent persons in accordance with the principles of BS 10175:2011 to determine the nature and extent of any soil contamination present; include the results of any research and analysis undertaken as well as an assessment of the risks posed by any identified contamination; and include an appraisal of remediation options should any contamination be found that presents an unacceptable risk to any identified receptors

(b) Prior to the commencement of any works, with the exception of works necessary to facilitate compliance with part (b) of this condition and UNLESS the Local Planning Authority has previously confirmed in discharging part (a) above that no remediation measures are required, a Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy shall specify measures to contain, treat or remove any soil contamination to bring the site to a condition suitable for the intended residential use; include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures; 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.

The works shall be carried in accordance with the approved details in accordance with the approved timetable of works. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Any remediation measures required by part (a) above shall be carried out in full.

(c) Prior to the occupation of the Development, UNLESS the Local Planning Authority has previously confirmed in discharging part (a) above that no remediation measures are required, a Verification Report shall be submitted to and approved in writing by the Local Planning Authority. The Remediation Verification Report shall demonstrate that the remediation has been carried out in accordance with the approved Remediation Strategy; and that the Development is permitted for its approved end use.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to future residents, workers, neighbours and other off site receptors, and to comply with London Plan Policy 5.21.

- 12 Details design, height and materials to be used for all walls, fencing, gateways and means of enclosure shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development and the work shall be carried out prior to occupation, in accordance with the details so approved, and the fencing, walls, gateways and means of enclosure shall thereafter be retained at the height and position as approved.

Reason: To ensure a high quality of development in the interests of the visual amenity and character of the locality and to comply with London Plan Policies 7.4 and 7.6.

- 13 Prior to the occupation of the development a Travel Plan which passes TfL's ATTrBuTE programme shall be submitted to and approved in writing by the Local Planning Authority. The

Travel Plan shall relate to both the residential or the commercial elements of the development. Alternatively two separate Travel Plans may be submitted. The approved details shall be implemented in full for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: To minimise the impacts of the development on the highway and to maximise use of sustainable modes of transport and to comply with London Plan Policy 5.2.

- 14 Prior to first occupation of the development confirmation from the Building Control body to demonstrate that the relevant building has been designed so that mains water consumption does not exceed a target of 105 litres or less per person per day, using a fittings-based approach to determine the water consumption of the development in accordance with requirement G2 of Schedule 1 to the Building Regulations 2010 (as amended) shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to protect and conserve water supplies and resources in order to secure London's needs in a sustainable manner.

## INFORMATIVES

- 1 The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website [www.communities.gov.uk](http://www.communities.gov.uk)
- 2 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at [www.brent.gov.uk/CIL](http://www.brent.gov.uk/CIL).
- 3 The applicant is advised to ensure that demolition and construction works follow Best Practicable Means (BPM) of Section 72 of the Control of Pollution Act 1974 to minimise noise and vibration effects.
- 4 A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquires should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing [wwriskmanagement@thameswater.co.uk](mailto:wwriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality)."
- 5 Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
- 6 Applicants are reminded of hazards caused by asbestos materials especially during demolition and removal works and attention is drawn to the Asbestos Licensing Regulations 1983. Licensed Contractors only are permitted to remove asbestos which must be transferred to a licensed site. For further advice the Council's Chief Environmental Health Officer should be contacted.
- 7 The applicant is advised to notify the Council's Highways Service of the intention to commence works prior to commencement. They shall contact Mark O'Brien (Public Realm Monitoring Manager) at [Mark.O'Brien@brent.gov.uk](mailto:Mark.O'Brien@brent.gov.uk), and include photographs showing the

condition of highway along the site boundaries.

- 8 Prior consent may be required under the Town and Country Planning (Control of Advertisements) Regulations 1990 for the erection or alteration of any
  - (a) illuminated fascia signs
  - (b) projecting box signs
  - (c) advertising signs
  - (d) hoardings
- 9 The quality of imported soil must be verified by means of in-situ soil sampling and analysis. We do not accept soil quality certificates from the soil supplier as proof.
- 10 The applicant is advised that external plant and equipment not illustrated on the plans may require a further planning application.

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