

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

15 August, 2018
03
18/0284

SITE INFORMATION

RECEIVED	22 January, 2018
WARD	Alperton
PLANNING AREA	Brent Connects Wembley
LOCATION	Transputec House, 19 Heather Park Drive, Wembley, HA0 1SS
PROPOSAL	Demolition of office building and erection of 2 five storey residential blocks comprising 36 self-contained flats with provision for cycle and refuse storage (14 x 1 bed, 14 x 2 bed and 8 x 3 bed), lower ground floor car parking, associated amenity space, landscaping and installation of new vehicular access
PLAN NO'S	Please see 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_138226</p> <p><u>When viewing this as an Hard Copy</u></p> <p>Please use the following steps</p> <ol style="list-style-type: none">1. Please go to pa.brent.gov.uk2. Select Planning and conduct a search tying "18/0284" (i.e. Case Reference) into the search Box3. Click on "View Documents" tab

RECOMMENDATIONS

Resolve to grant planning permission subject to conditions and the completion of a satisfactory Section 106 or other legal agreement, and delegate authority to the Head of Area Planning or other duly authorised person to agree the exact terms thereof on advice from the Director of Legal Services and Procurement.

Section 106 Heads of Terms:

1. Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance
2. Notification of material start 28 days prior to commencement
3. Affordable Housing – A minimum 50% affordable housing, comprising the following mix: 13 Social or Affordable Rent Units at rents of no more than 80% market rents for 1bed and 2bed units and no more than 60% of market rents for 3bed units (inclusive of any service charge) and capped at Local Housing Allowance rates; and 5 Shared Ownership Units. Provision to be made for a minimum 125 year leasehold disposal of the affordable housing to a Registered Provider, and for Brent Council to have 100% nomination rights
4. Training and employment of Brent residents - Prior to a material start to inform in writing Brent Works of the projected amount of construction jobs, training opportunities and provide a copy of the Schedule of Works. And, prior to a Material Start to prepare and submit for the Council's approval an Employment Training Plan for the provision of training, skills and employment initiatives for residents of the Borough relating to the construction phase of the Development and in relation to the operational phase of the Development
5. Carbon offsetting - Contribution of £44,478 towards a local carbon off-setting scheme to achieve a zero carbon development based on the carbon reduction measures set out in the Energy & Sustainability Statement by Energy Rating Services.com Ltd, 10/4/18). Submission of Energy Assessment Review identifying actual carbon reduction achieved and any additional contribution towards carbon off-setting

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. Three year planning rule
2. Approved plans
3. Materials samples
4. Landscaping scheme
5. Construction Environmental Management Plan
6. Inclusive design
7. Connection to future district heating network
8. Contaminated land risk assessment, remediation scheme and verification
9. Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan
10. Communal TV and satellite system
11. Details of car park including electric vehicle charging points
12. Revised air quality assessment
13. Sustainable drainage scheme
14. Third floor obscured balustrade screening
15. Further details of cycle storage
16. Restricted outlook of specified windows
17. Noise and vibration mitigation measures
18. Provision and retention of parking and bin storage
19. Restrict permitted development rights for conversion to C4

Informatives:

1. Network Rail miscellaneous informatives

2. Network Rail informative re scaffolding
3. Network Rail informative re drainage
4. Network Rail informative re high voltage lines
5. Network Rail informative re tower cranes
6. Network Rail informative re demolition
7. Network Rail informative re Basic Asset Protection Agreement
8. Network Rail informative re Risk Assessment Method Statement
9. Network Rail informative re vibro-compaction and piling
10. CIL liability
11. Asbestos removal
12. Notify highways prior to commencement
13. Vehicle crossover works
14. London Living Wage
15. Fire Safety
16. Legal protection for birds and their nests.

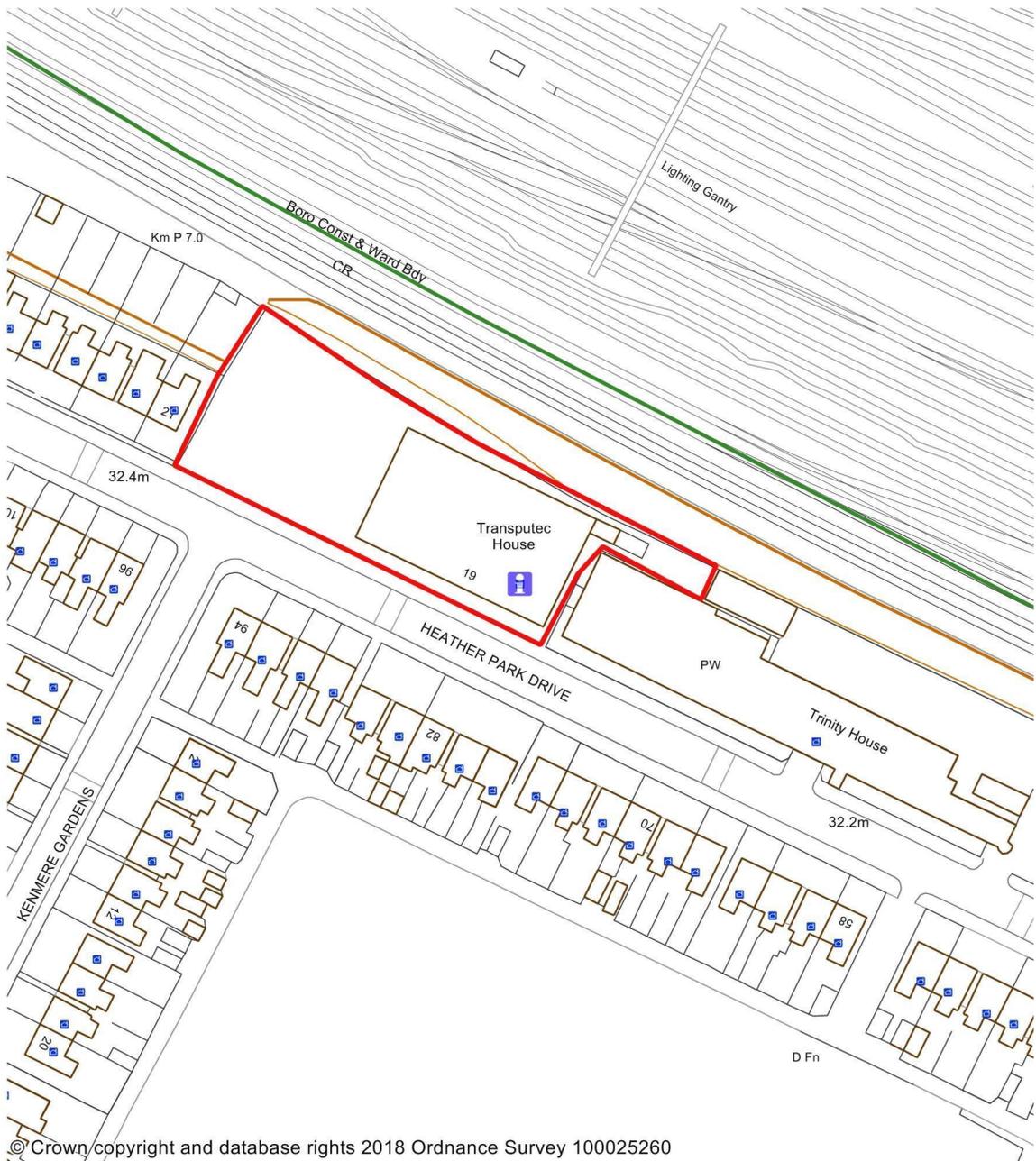
That the Head of Planning is delegated authority to make changes to the wording of the committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied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

That, if the legal agreement has not been completed by the statutory determination date for this application (including determination dates set through agreement), the Head of Planning is delegated authority to refuse planning permission.

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

 The logo of Wembley Council, featuring a central crest with a crown and two lions, surrounded by the words 'W E M B L E Y' at the top and 'C O U N C I L' at the bottom.	<p>Planning Committee Map</p> <p>Site address: Transputec House, 19 Heather Park Drive, Wembley, HA0 1SS</p> <p>© Crown copyright and database rights 2011 Ordnance Survey 100025260</p>
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This map is indicative only.

PROPOSAL IN DETAIL

The proposal is to demolish the existing building and construct two five-storey buildings comprising 36 flats (14 x 1bed, 14 x 2bed and 8 x 3bed units), on either side of a central raised terrace amenity space above a basement parking area.

EXISTING

The existing site consists of a two-storey building, currently in B1 office use but originally constructed as a light industrial unit, which extends across just over half of the site frontage and the full depth of the site, together with a hard surfaced area providing off-street parking for the building.

The site is located on the northeastern side of Heather Park Drive. The surrounding area has a mixed character and the site is at a transition point between the similarly large scale industrial and office buildings to the southeast and the traditional residential areas to the south, west and north. The site is bounded to the rear by railway lines, beyond which are further industrial units and Wembley Brook. The site is not in a conservation area and does not contain any listed buildings.

AMENDMENTS SINCE SUBMISSION

Revised plans were received on 10 April 2018 to address officer concerns relating to design and the layout of the basement parking area, and neighbouring residents were reconsulted. Further revisions were received on 22 June 2018 and 23 July 2018, however these were minor in nature and did not materially affect the proposal, consequently further reconsultation was not necessary.

SUMMARY OF KEY ISSUES

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

Representations received: A total of 248 neighbouring properties were consulted. Two objections were received raising concerns regarding the design and scale of the building, impact on neighbouring amenity and parking pressures.

Principle of development: The site is currently in employment use, however it is not a designated employment site and the submission has demonstrated that the re-use or redevelopment of the site for employment purposes would not be viable. The proposed residential redevelopment would be appropriate to the character of the area and would facilitate the relocation and growth of a business that offers high quality jobs in a growth sector and intends to relocate within the Borough. To be fully compliant with Policy DMP14 the proposal would need to reprovide employment floorspace on site, preferably as managed affordable workspace. However, the proposal does include 50% on-site affordable housing and your officers consider this to be a very significant benefit in planning terms that should carry considerable weight in the determination of the application. A requirement to provide employment floorspace would detract from the viability of the scheme and potentially reduce the amount of affordable housing provided. On balance therefore officers support the loss of employment floorspace and residential redevelopment of this site.

Affordable housing provision and housing mix: A total of 18 affordable units are proposed, including 13 for social / affordable rent and five for intermediate housing. This represents 50% of the development and a tenure mix of 72:28, and is fully compliant with Policy DMP15. The housing mix includes 22% family-sized 3bed units, half of which would be on the ground floor with direct access to private amenity space.

Design: The proposal is considered to be of a good standard of design, providing a successful relationship with the traditional two-storey housing in the surrounding area whilst making good use of the railway line setting to develop to a greater height towards the centre of the site. The arrangement of the two blocks around the central podium space would create a legible layout and the combination of recessed and projecting elements would provide a vertical emphasis and break up the mass and bulk of the buildings.

Relationship with neighbouring properties: The proposal would have an acceptable impact on neighbouring properties in terms of light and outlook and would not lead to any overlooking or loss of privacy

to neighbours, in accordance with standards set out in SPG17 and draft SPD1.

Residential living standards: The development would provide a good standard of accommodation for future residents. All but two of the units would comply with minimum floorspace standards and a combination of private and communal amenity space would be provided in excess of the required standard. All but six of the units would be dual aspect, and the single aspect units would all be south-facing with partially recessed balconies to maximise light received while minimising overheating.

Environment and sustainability: The application has demonstrated that regulated carbon emissions would be reduced by 38% compared to the 2013 Building Regulations baseline, including 35% by the use of PV panels. A carbon offset payment of £44,478 is required to compensate for the shortfall against the London Plan zero carbon target. Measures to mitigate and adapt to climate change are proposed, including green roofs, rainwater harvesting and sustainable drainage measures. Future connection to a nearby district heating network can be secured by condition. Noise and vibration, air quality and contaminated land impacts have been assessed and can be controlled through conditions.

Trees, landscape and ecology: The impact on trees and ecology in and near the site has been assessed, and no significant trees or habitats have been identified. New trees and landscaping are proposed.

Transportation considerations: Sufficient parking would be available within the site and along the site frontage, and traffic generation is predicted to be minimal.

MONITORING

The table(s) below indicate the existing and proposed uses at the site and their respective floorspace and a breakdown of any dwellings proposed at the site.

Floorspace Breakdown

Primary Use	Existing	Retained	Lost	New	Net Gain (sqm)
Assembly and leisure	0		0	0	
Businesses / research and development	0		0	0	
Businesses and light industry	0		0	0	
Businesses and offices	1326		1326	0	0
Drinking establishments (2004)	0		0	0	
Financial and professional services	0		0	0	
General industrial	0		0	0	
Hot food take away (2004)	0		0	0	
Hotels	0		0	0	
Non-residential institutions	0		0	0	
Residential institutions	0		0	0	
Restaurants and cafes	0		0	0	
Shops	0		0	0	
Storage and distribution	0		0	0	

Monitoring Residential Breakdown

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
EXISTING (Flats û Market)										
EXISTING (Flats û Social Rented)										
EXISTING (Flats û Intermediate)										
PROPOSED (Flats û Market)									18	18
PROPOSED (Flats û Social Rented)									13	13
PROPOSED (Flats û Intermediate)									5	5

RELEVANT SITE HISTORY

Relevant planning history

87/1916: Full Planning Permission sought for modifications of conditions 9 and 10 of planning permission reference: 84/0585 (use of business purposes) - Granted, 09/05/1989.

84/0585: Full Planning Permission sought for demolition of 2 storey office building and erection of 2 storey building for light industrial and ancillary office use, access, car parking area and landscaping - Granted 06/06/1984.

Neighbouring sites

21A Heather Park Drive

06/3524 : Erection of first floor side and part rear extension and external alterations to the rear part of the first floor flat - Withdrawn 17/04/2007.

[Officer note: reference was made to this application to determine the internal layout of this property].

Trinity House

15/5564: Full Planning Permission sought to demolish the existing office building and build in its place a housing scheme consisting of 53 flats of 1, 2, 3 bedrooms and studio flats together with underground car parking for 37 cars and 84 bicycles spaces and offices at ground level and basement - under consideration.

[Officer note: reference was made to this application to determine the relationship with the proposed residential development on this site].

CONSULTATIONS

Public Consultation

A total of 248 neighbouring properties were consulted by letter on 13 February 2018 for a period of more than 21 days and again on 20 April 2018 for a further period of more than 21 days.

A press notice was published on 26 April 2018 and a site notice posted on 27 April 2018.

Two objections were received and are summarised below:

Comment	Officer response
Five storey buildings will block light from properties opposite	See paragraph 20, 'Relationship with neighbouring properties'
Tower blocks will make essentially residential street ugly, redevelopment should take same form as existing housing nearby	See paragraphs 14-17, 'Design, scale and appearance'
Parking provision is inadequate as national statistics suggest a 28% increase in car ownership between 2011 and 2016, with the average number of cars being 1.2 per household.	See paragraph 48, 'Transportation'

Internal/statutory consultees

Network Rail: No objection subject to conditions and informatives

London Underground: No objection

Local Lead Flood Authority: No objection subject to conditions

Environmental Health: No objection subject to conditions

POLICY CONSIDERATIONS

National Planning Policy Framework (July 2018)

Paragraph 11 of the NPPF states that planning decisions should apply a presumption in favour of sustainable development, whereby development proposals should be approved that accord with an up-to-date development plan without delay. Paragraph 117 encourages Local Planning Authorities to promote an effective use of land in meeting the needs for homes and other uses, whilst safeguarding and improving the environment and ensuring safe and healthy living conditions. It goes on to require Local Planning Authorities to ensure that developments make optimal use of the potential of each site.

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 2010 Brent Core Strategy, the 2016 Brent Development Management Policies Document and the 2016 London Plan (Consolidated with Alterations since 2011). Relevant policies include:

London Plan Consolidated with amendments since 2011 (March 2016)

- Policy 3.3 - Increasing housing supply
- Policy 3.4 - Optimising housing potential
- Policy 3.5 - Quality and design of housing developments
- Policy 3.6 - Children and young people's play and informal recreation facilities
- Policy 3.8 - Housing choice
- Policy 3.9 - Mixed and balanced communities
- Policy 3.10 - Definition of affordable housing
- Policy 3.11 - Affordable housing targets
- Policy 3.12 - Negotiating affordable housing on individual private residential and mixed use schemes
- Policy 3.13 - Affordable housing thresholds
- Policy 5.1 - Climate change mitigation
- Policy 5.2 - Minimising carbon dioxide emissions
- Policy 5.3 - Sustainable design and construction
- Policy 5.5 - Decentralised energy networks
- Policy 5.6 - Decentralised energy in development proposals
- Policy 5.7 - Renewable energy
- Policy 5.9 - Overheating and cooling
- Policy 5.13 - Sustainable drainage
- Policy 5.21 - Contaminated land
- Policy 6.9 - Cycling
- Policy 6.10 - Walking
- Policy 7.2 - An inclusive environment
- Policy 7.3 - Designing out crime
- Policy 7.4 - Local character
- Policy 7.5 - Public realm
- Policy 7.6 - Architecture
- Policy 7.14 - Improving air quality
- Policy 7.15 - Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes
- Policy 7.19 - Biodiversity and access to nature
- Policy 8.2 - Planning obligations
- Policy 8.3 - Community infrastructure levy
- Policy 8.4 - Monitoring and review

London Borough of Brent Core Strategy 2010

- CP 1 - Spatial Development Strategy
- CP 2 - Population and Housing Growth
- CP 6 - Design & Density in Place Shaping
- CP 17 - Protecting and Enhancing the Suburban Character of Brent
- CP 18 - Protection and Enhancement of Open Space, Sports and Biodiversity

London Borough of Brent Development Management Policies 2016

DMP 1 Development Management General Policy
DMP 9A Managing Flood Risk
DMP 11 Forming an Access on to a Road
DMP 12 Parking
DMP 13 Movement of Goods and Materials
DMP 14 Employment Sites
DMP 15 Affordable Housing
DMP 18 Dwelling Size and Residential Outbuildings
DMP 19 Residential Amenity Space

The following are also relevant material considerations:

The National Planning Policy Framework 2018
SPG 17 Design Guide for New Development 2002
Basement SPD 2017
Brent Waste Planning Guide 2013
Mayor of London's Housing SPG 2016
Mayor of London's Sustainable Design and Construction SPG 2014

All of these documents are adopted and therefore carry significant weight in the assessment of any planning application. In addition, the emerging Draft Brent Design Guide SPD1 is currently undergoing a second period of public consultation and once adopted will supersede SPG17. This document would also carry some weight in the assessment of planning applications, according to its status at the time of the application. The Draft New London Plan has recently been subject to public consultation and would also carry some weight as an emerging document, depending on its status at the time of determining the application.

DETAILED CONSIDERATIONS

Principle of development

1. The NPPF expects the planning system to boost significantly the supply of new homes, and Core Strategy Policy CP2 sets out a target for delivering 22,000 new homes over the 2007-2026 period. The draft New London Plan also sets out significantly higher targets for new housing and is a material consideration in the determination of this application.
2. The site is currently in B1 office use (permission was granted in 1989 for this change from the original industrial use) and is one of a number of employment sites adjoining the Strategic Industrial Location that extends to the junction of Heather Park Drive and Beresford Avenue to the southeast. Policy DMP14 provides two detailed criteria for the release of local employment sites, that continued wholly employment use is unviable or that significant benefits consistent with wider development plan objectives would be achieved. The site does not have any formal designation as an employment site and consequently the proposal has been assessed against the two DMP14 criteria in the following paragraphs in order to address the loss of the employment floorspace.
3. The application has been supported by a commercial report providing evidence that the applicant has invested in the fabric of the building to make it attractive to other sub-tenants for the parts not occupied by Transputec, and that extensive marketing over a sustained period of four years has resulted in only very limited success in finding sub-tenants. This evidence is reinforced by a commercial analysis related to marketing of the existing premises as a whole and the redevelopment of the site for business or industrial purposes, which reviews the current and projected availability of higher quality office space in more accessible areas of Alpertown and other relevant market signals. Taking account of comparable reports on other sites, officers consider that these conclusions are robust and that the applicant has adequately demonstrated that continued employment use is not viable on this site.
4. It should also be noted that a fallback position exists, whereby the existing building could be converted to residential use without planning permission under the prior approval process, as it is not covered by the Article 4 direction applying to the nearby Strategic Industrial Land. An example of such a conversion

exists at the nearby Mercury House and in general officers consider that these can result in poor developments in terms of the efficient use of land, compliance with residential living standards and the overall quality of individual units and the residential environment provided. It is considered that the proposed development is likely to provide a significantly larger number of dwellings of higher quality than could be achieved through conversion of the existing building, and that this is consistent with development plan objectives.

5. Policy DMP14 also seeks the maximum amount of employment floorspace to be reprovided on site as part of a mixed use development. However in this case the commercial report in any case indicates that office floorspace on this site is unlikely to be attractive to commercial tenants, whilst returning the site to industrial use could have adverse impacts on the residential amenities of neighbours. The proposed residential development is intended to support the relocation and expansion of the business, which is established in the area and provides high quality jobs in a growth sector of the economy, whereas the quality and location of the existing building restricts this growth. Officers' previous discussions with the applicant have indicated that they do wish to relocate within Brent and to retain the existing workforce, although there is no certainty that this will happen as it depends on the availability of an appropriate site.
6. Policy DMP14 could be satisfied by requiring a financial contribution towards the provision of managed affordable workspace in another location, however the proposal provides 50% of the units as affordable housing, which fully complies with Policy DMP15 and is considered to be a significant benefit in terms of achieving the objectives of the development plan. Requiring a contribution to affordable workspace would affect the viability of the scheme and could potentially therefore reduce the quantum of affordable housing provided. Policy DMP14 indicates, in relation to allocated sites, that where there is a requirement to make a choice due to viability, affordable housing provision takes priority, and it is considered that this approach is appropriate in this case.
7. Overall, it is considered that the provision of higher quality employment floorspace either on site or via a financial contribution would not be achievable without compromising other development plan objectives. Consequently, on balance officers consider that the principle of the development should be supported, subject to the provision of 50% affordable housing being secured.

Affordable housing and housing mix

1. Core Strategy Policy CP2 sets out aims for new residential developments to achieve the London Plan target of 50% affordable housing and to provide at least 25% family sized accommodation (3bed or larger units). Brent's approach to securing affordable housing provision is set out in more detail in Policy DMP15, which requires an economic viability assessment to support proposals for less than 50% affordable housing and sets out a preferred tenure mix within the affordable housing provision of 70% social or affordable rent and 30% intermediate housing.
2. The application proposes 14 x 1bed, 14 x 2bed and 8 x 3bed units, the latter representing 22% of the total number of units. This is considered to be an acceptable mix given that four of the 3bed flats would be on the ground floor with direct access to private amenity space, and as the size of the development is relatively small and it also includes a significant number of 2bed units.
3. As noted above, the Planning Statement confirms that the application proposes 50% affordable housing including 13 x affordable rented units (5 x 1bed, 4 x 2bed and 4 x 3bed) and 5 x intermediate shared ownership units (2 x 1bed and 3 x 2bed), representing a tenure mix of 72: 28, which is considered to be acceptable in terms of the requirements of Policy DMP15. The location of the affordable units has been confirmed as being the whole of Block B, which would enable separate management arrangements for the affordable units, and these would include four family-sized units for affordable rent. This is fully compliant with policy and a viability assessment is not required. Affordable housing provision would be secured via an s106 agreement.

Design, scale and appearance

4. Policy CP17 aims to protect suburban areas from inappropriate development including infilling of plots with out-of-scale buildings that do not respect the settings of the existing dwellings, while Policy DMP1 requires the scale, type and design of development to complement the locality. The NPPF also emphasises that good design involves responding to local character and history and reflecting the identity of local surroundings and materials, while not discouraging appropriate innovation.
5. The existing building is two stories in height, with a shallow gable roof and maximum overall height of

12.5m, located on the southeast part of the site with the remainder of the site being open for parking. It is not of any architectural merit and there are no objections in design terms to its demolition. The site is at a transition point between other large scale commercial buildings to the southeast and traditional two-storey housing with pitched roofs to the north and west, while to the east a network of railway lines and associated infrastructure rises above the site and forms a backdrop to the street scene.

6. The proposal is for two five-storey flat-roofed buildings, ranging in height from three-storey elements at 9.4m to five-storey elements at 15.7m, flanking a central raised podium area with a height of 1m, and set back from the footway by 6.3m. Street scene drawings have been provided, indicating that the adjacent houses have a maximum height of 10m. The buildings would be set in from the side boundaries by 5m - 7m, with this space landscaped to provide private and communal gardens, and from one another by 20m including the width of the central podium, about which they would be arranged symmetrically. The fourth and fifth stories would be progressively set in from the main bulk of the building on the front and side boundaries of the site, while projecting out further towards the opposing building towards the rear of the site.
7. The greater height of the proposed buildings in comparison to the existing housing is considered appropriate given the setting of the raised railway lines to the rear, and setting back the fourth and fifth stories would considerably reduce the visual impact of the additional height, whereas the lower stories would be of the same overall height as the adjacent properties. The buildings would retain a significant separation distance to the sides and would continue the generous setback from the street established by the adjacent houses, and therefore would not appear oppressive or overbearing in relation to existing housing or to passersby. In terms of overall bulk, the width of the buildings would be significantly less than that of the terraces of houses that characterise the surrounding area, and also less than that of the neighbouring commercial buildings.
8. The elevational treatment features a combination of recessed and projecting elements including two central bays that would establish a strong vertical rhythm and pick up on the repeating bay windows on the adjacent houses. The facades would be mainly of brick with areas of brick detailing to add visual interest, and the alignment and shape of windows would add a further vertical emphasis. Together with the set back fourth and fifth stories, these features would successfully modulate the bulk and mass of the proposal.
9. The residential entrances would be centrally located between the two bays, providing a legible layout and creating a sense of arrival for residents. Cycle storage and bin storage would be conveniently located within the central cores.
10. Overall the proposal is considered to provide a high standard of design that would be appropriate to the character of the area, adding variety and visual interest to the street scene. Although objections have been raised on the basis that the proposal does not follow the existing pattern of residential development in the area (two-storey maisonettes), the NPPF advises that local authorities should not impose particular architectural styles and it is recognised that the character of established residential areas continues to evolve as new developments come forward. Conditions are recommended, to require further details of materials and a landscaping scheme, in order to ensure a high quality development that makes a positive contribution to the character and visual amenity of the area.

Relationship with neighbouring properties

11. Any development will need to maintain adequate levels of light and outlook, privacy and amenity for existing residential properties. To assist in assessing the impact of the proposal upon neighbouring amenity SPG17 seeks developments to comply with the following guidance:
 - Building envelope to be set below a line of 30 degrees from the nearest rear habitable room windows of adjoining existing property, measured from height of 2m above floor level
 - Where a proposed development adjoins private amenity/garden areas then the height of the new development should be set below a line of 45 degrees, measured from height of 2m above neighbouring garden level
 - 20m between directly facing rear habitable room windows
 - 10m from habitable room windows to the boundary with private amenity spaces of adjoining properties
12. The site is bounded to the rear by railway embankments and to the southeast by a building in commercial use. The only residential properties potentially affected by the proposal are those on the northwest

boundary (principally the adjacent property No 21, which is divided into two flats with the upper flat being No 21A) and on the opposite side of Heather Park Drive (Nos 78 to 96). However the potential impact upon future residents at Trinity House to the southeast has also been considered. That site is the subject of a planning application currently under consideration (reference 15/5564), however this development would not feature any side elevation windows or amenity spaces facing onto the application site and consequently the current proposal would not affect the ability of that site to come forward.

13. In terms of light and outlook, ground floor windows at No 21 are already affected by the side boundary hedging to that property. The houses and their gardens sit approximately 1m higher than the ground level on the road and the boundary hedging can be seen to rise correspondingly. Consequently the potential impact on these windows is not considered to be of material significance. The upper flat, No 21A has side windows serving a hallway and a kitchen and the proposed Building A would sit within a 30degree line from these windows. The buildings would also sit within a 30degree line from the front elevations of Nos 78 to 96.
14. Furthermore the applicant has submitted a Daylight Sunlight Report analysing the impact upon these properties. This follows the methodology and recommended standards set out by the Building Research Establishment (BRE), that the Visible Sky Component (VSC) available for existing windows should remain above 27% to give good levels of daylight, and that occupants are likely to notice the loss of daylight if the VSC is both below 27% and less than 0.8 times its previous value. In this case the front elevation windows to Nos 78 to 96 would retain VSCs of above 27% and more than 0.8 times their previous value. Although the two side windows to No 21A would retain a VSC slightly below 0.8 times their previous value, they would still be well above 27% and are considered to comply with the BRE's standards. It is also noted that the hallway is not considered a habitable room and that the kitchen also receives light from an attached utility room with full glazing to both side and rear.
15. In terms of sunlight, the front elevation windows to Nos 78 to 96 face almost directly north and so receive very little sunlight at present and would not be unduly affected by the development, whilst the two side-facing windows at No 21A would continue to receive sunlight levels well above those recommended by the BRE standards and the development would not cause any significant increase in overshadowing to the rear garden.
16. The proposed Building A would be progressively set in from the side boundary and consequently the 2:1 guidance would also be complied with in respect of the rear facing habitable room windows at No 21/21A. The only affected existing window would be a ground floor kitchen window, all other habitable room windows being already affected by the two-storey return on the property. Building A would mostly be within a 45degree line from the shared boundary with No 21/21A and although the fourth storey would cause a slight breach of this line the impact would be minimal given that this storey would be at a distance of 10m from the boundary, and on balance it is considered that this very slight impact upon Nos 21/21A would be acceptable.
17. Privacy distances for existing and proposed residents have also been considered. The northwest side elevation of the proposed Building A would feature side elevation windows to habitable rooms at ground floor level which are not considered to cause concerns about overlooking onto Nos 21/21A due to the existing and proposed boundary screening, whilst upper floor windows on this elevation would be either secondary windows to living rooms or windows to non-habitable rooms, and a condition is recommended that these be obscure glazed and fixed shut below 1.8m above floor level. The front elevations of the buildings would be over 20m distant from the front elevations of Nos 78 to 96, and the rear elevation windows would face onto the railway lines. The inner side elevations of the two buildings would face one another at a distance of 20m, providing adequate levels of privacy, and all balconies and terraces would be either on these internal elevations or on the front and rear elevations.
18. One third floor side facing bedroom window in Building A could cause concerns regarding overlooking onto No21A. To address these concerns, Drawing P10-120 proposes screening the window with a 1.8m high opaque glaze balustrade. The balustrade would be located at a 1.7m distance from the window, across a non-demised and non-accessible area of roof, and it is considered that this would be adequate to prevent overlooking from the window whilst providing an acceptable standard of light and outlook to it. However, the balustrade has not been shown in plan view and consequently further details of its extent are required by condition.
19. All developments are required to comply with standards set out in the Mayor's Housing SPG (including minimum internal space standards based on Technical Housing Standards – Nationally Described Space Standard 2015), and with Brent Policy DMP19, which requires private amenity space of 20sqm per 1bed

or 2bed flat and 50sqm for family housing including ground floor and 3bed or 4bed flats. Balconies should have a minimum width and depth of 1.5m to be considered usable, and single aspect units should be avoided, particularly if north-facing.

20. The Mayor's Housing SPG also requires 90% of units to meet Building Regulations M4(2) 'accessible and adaptable homes' standards and 10% to meet M4(3) 'wheelchair accessible homes' standards. M4(3) compliant layouts have been shown for four of the units, and further details to demonstrate compliance with the M4(2) standard would be required by condition.
21. The proposed units would all comply with minimum internal space standards other than units A0.2 and B0.2 which, at 85.1sqm would be marginally below the minimum 86sqm required for units of this type. This is not considered to represent a reason for refusal, given that the units are only marginally undersized and the development as a whole provides a good standard of accommodation. Most units would be dual aspect with only six being south-facing single aspect units (17% of the total) and this is welcomed as a feature of high quality design. All units would be grouped around central cores serving three or four flats on each floor, and internal layouts would be well designed to minimise wasted space.
22. All units would be provided with private amenity space, either at ground level for ground floor units or as balconies or terraces for upper floors. In addition, communal amenity space would be provided at ground floor level to the rear and side of each building, and a communal amenity space on a raised terrace between the two. The south-facing balconies would be partially recessed and this would provide shade and help to prevent overheating. The balconies and terraces all comply with London Plan requirements (minimum 1.5m depth and 5sqm area) and in total the scheme would provide 1,025sqm of external amenity space, compared to the minimum 960sqm required to comply with Policy DMP19 for a scheme of this size. It is considered that the combination of private and communal spaces would suitably enhance the living standards of residents. Further details would be required in a landscaping scheme as noted above, and these would need to include details of access onto the raised podium including level access and defensible planting to ensure an adequate level of privacy in ground floor habitable rooms.

Environment and sustainability

23. Major planning applications are required to be supported by a Sustainability Statement in accordance with Policy CP19, demonstrating at the design stage how sustainable design and construction measures will mitigate and adapt to climate change over the lifetime of the development, including limiting water use to 105 litres per person per day. Major residential developments are expected to achieve zero carbon standards in accordance with London Plan Policy 5.2, which requires an Energy Assessment setting out how these standards are to be achieved. Any shortfall in achieving zero carbon emissions would need to be compensated for by a financial contribution to the Council's Carbon Offsetting Fund, based on the notional price per tonne of carbon of £60. London Plan Policy 5.5 requires the prioritising of connection to existing or planned decentralised energy networks where feasible, and the Sustainable Design and Construction SDP also requires major developments located within 500m of an existing decentralised energy network to aim to connect to the network. Brent Policy DMP9B also requires sustainable drainage measures, and Policy DMP1 requires proposals not to unacceptably increase exposure to noise, dust, contamination and other pollutants..

Energy and sustainability

24. The Design & Access Statement includes details of how the development has been designed to take account of these policies, and further detail on its expected performance in terms of carbon reduction targets has been provided in an Energy & Sustainability Statement. The proposal includes rooftop solar photovoltaic panels, high performance insulation materials, green roofs, rainwater harvesting and passive solar design. The inclusion of green roofs, a high proportion of soft landscaping within the site and permeable hard surfaces is considered to provide sustainable drainage in accordance with Policy DMP9B.
25. The Energy & Sustainability Statement identifies that carbon emissions will be reduced by 38% from the Building Regulations 2013 baseline, based on a combination of building efficiency measures and renewable energy, to a total of 21.18 tonnes of carbon per year. Based on the notional price per tonne of £60 over a period of 35 years as required by Policy 5.2, a carbon offsetting contribution of £44,478 in order to achieve a zero carbon development. This sum will be secured by the s106 agreement, together with a requirement for a post-completion assessment to demonstrate that the development has met the predicted targets and securing an additional contribution if it is unable to do so.

26. The Energy & Sustainability Statement finds that there are no decentralised energy networks within 500m, with the nearest being 4.55km distant. Officers accept that this is not a viable option, however it is noted that the forthcoming redevelopment of the Northfields Industrial Estate (currently under consideration, reference 18/0321) will include a large site wide heat network within 500m of this site. Consequently it is considered that a condition should be attached, requiring the development to incorporate the ability to connect to a district wide heat network should one be delivered at some point in the future.

Air quality

27. The application has been supported by an Air Quality Assessment as the site is within an Air Quality Management Area and the proposed residential use is considered to be sensitive in terms of the impact of poor air quality. Officers in Environmental Health have reviewed the assessment. They have queried a number of matters within the report which are set out below:

- There was no building emission calculation undertaken as part of the air quality neutral assessment however each unit will have a gas boiler where there will be emissions of NOx. I would therefore request that an air quality neutral assessment for building emissions is undertaken.
- The assessment undertaken for operational use and subsequent levels of PM10 and NOx has not been undertaken using specific receptors and dispersion modelling. I would have expected this as part of the air quality assessment.

28. Officers in Environmental Health have advised that their quality report should therefore be revised to take account of this additional work. It is recommended that a revised air quality assessment is conditioned as part of any forthcoming consent which such details to be submitted to and approved by the LPA prior to any works commencing on site (including demolition of existing buildings).

29. Officers in Environmental Health have also advised that construction has the potential to contribute to background air pollution levels and cause nuisance to neighbours. They have recommended that a condition is secured for a Construction Method Statement shall be submitted to and agreed by the Local Planning Authority outlining measures that will be taken to control dust, noise and other environmental impacts of the development.

Noise and vibration

30. A Noise Assessment and a Vibration Assessment have also been submitted, in view of the site's location adjacent to railway lines and other sites in industrial use. The Noise Assessment concludes that windows will have to remain closed to achieve acceptable noise levels and that alternative ventilation methods will be required, and materials providing adequate noise attenuation are specified. The reports have been reviewed by officers in Environmental Health who have confirmed that they agree with the methodology of these reports and the conclusions. A condition requiring compliance with these measures is therefore recommended.

Contaminated land

31. Due to the previous industrial use of the site, a Phase 1 Contaminated Land Desk Study was carried out, which reviewed existing and historic uses on the site and in the surrounding area, together with other relevant data sources, and concluded that a Phase II Investigation should be carried out, and appropriate remediation measures if necessary. The information has been reviewed by officers in Environmental Health and considered to be acceptable. These matters will be secured by condition.

Trees, landscape and ecology

32. The rear site boundary adjoins a railway embankment which has extensive vegetation and tree growth, is designated as a Wildlife Corridor and as such is protected by London Plan Policy 7.19 and Brent Policy DMP8. To comply with these policies development proposals should seek to avoid, minimise or mitigate any adverse impact on biodiversity. The proposal has been supported by an Arboricultural Survey Report and Ecological Appraisal, which identify no notable trees on or near the site and no habitats of significance on the site, other than possible bird nesting in existing trees.

33. The Council's ecology and tree officers have agreed with these conclusions. However, conditions are recommended, requiring an Arboricultural Impact Assessment, Arboricultural Method Statement and

Tree Protection Plan, together with an informative to advise the applicant to avoid site clearance during the bird nesting season (March to August). As birds and their nests are protected by law, it is not necessary to condition this.

34. The plans indicate new tree planting and areas of communal and private amenity space. A detailed landscaping scheme would be required by condition, including proposed hard surfacing materials, proposed trees and other plant species, and boundary treatments. The retained eastern boundary is a 2.4m palisade railing, which is not considered to be suitable to a domestic residential garden setting. To enhance the quality of amenity space, the landscaping scheme would be required to propose screening to this boundary such as a narrow hedge or climbing plants to grow up trellis screens, using plants of moderate growth habit.
35. There are no objections on these grounds, subject to conditions as detailed above.

Relationship with railway land

36. The site adjoins land owned by Network Rail and they have requested that the development complies with a number of criteria.
37. A minimum 3m gap should be retained between the structures on site and the railway boundary. The plans indicate that this will be achieved, with the minimum distance to the site boundary being 3.7m. A suitable trespass proof fence of a minimum height of 1.8m will be required, to be set back at least 0.5m from the railway boundary to the boundary with the railway land. This will be included in the condition requiring a landscaping scheme.
38. Network Rail would need to review and agree all excavation and earthworks within 10m of the railway boundary, including alterations to ground levels, de-watering works and ground stabilisation works, to determine if the works impact upon the support zone of their land and infrastructure and to determine relative levels in relation to the railway. Methods of construction works on site will also need to be reviewed and agreed by Network Rail to ensure there is no impact on critical railway infrastructure, and no excavation works are to commence without their agreement. These matters can be secured by condition. A method statement would also be required to be submitted to Network Rail for any vibro-compaction or piling works.
39. The developer is also required to submit directly to Network Rail, a Risk Assessment and Method Statement (RAMS) for all works to be undertaken within 10m of the operational railway under Construction (Design and Management) Regulations, in addition to any planning consent. Additional requirements apply in respect of scaffolding, demolition, tower crane usage, drainage measures. Alterations in loading within 15m of the railway boundary would also need to be agreed with Network Rail. A Basic Asset Protection Agreement would also be required. Informatives are recommended to deal with these matters.

Transportation considerations

40. Parking standards are set out in Appendix 1 to the Development Management Policies 2016, and Policy DMP12 requires that any overspill parking generated by a development can be safely accommodated on-street. Policy DMP11 provides criteria for new road accesses. Cycle parking standards are set out in the London Plan, with one space required per 1bed unit and two spaces per 2bed or larger unit. Bin storage requirements are set out in the Brent Waste Planning Guide.

Parking provision

41. The existing site has access via a vehicle crossover towards the northwestern side boundary, into a hard surfaced area providing 27 parking spaces. As the site is situated to the northwest of the Dudding Hill railway line, the higher parking standards for employment uses apply (one space per 200sqm gross floorspace). The existing office building is therefore permitted up to six off-street parking spaces, and the existing provision therefore significantly exceeds standards.
42. The site does not have good access to public transport (PTAL Level 3), and therefore the higher residential parking standards apply. The 36 proposed flats would be permitted up to 40 parking spaces, and the proposal for 18 spaces is in accordance with the maximum standards. Heather Park Drive is not noted as being heavily parked at night, with surveys undertaken by Brent Council and the applicant suggesting spare capacity for 40-50 further cars in the street. The road has sufficient width to

accommodate about 12 parked cars along the front of this site (allowing for the re-located car park access), thus taking total on- and off-site provision to 30 spaces (about 75% of the total allowance). On this basis, the development is considered able to safely accommodate likely future residential demand within and along the frontage of the site.

43. To confirm this, Census data from 2011 has been examined for car ownership amongst residents of flats in this local area. This shows average car ownership of 0.65 cars per flat, equating to 24 cars for 36 flats. Although neighbour objections have referred to statistics showing an increase in car ownership nationally, highway officers consider that local data are more representative of the conditions in the surrounding area and therefore more robust. Four of the proposed spaces are shown as widened disabled parking spaces at ground floor level, thus providing a disabled space for 10% of the units, in line with lifetime homes wheelchair adaptable housing standards. In addition, at least eight spaces should be provided with electric vehicle charging points (four active and four passive) and a condition is recommended to this end.

Access

44. The proposed crossover onto Heather Park Drive is shown with 3m radius kerbs, which can be reduced to 2m to minimise width and maximise on-street parking space. Heather Park Drive is a straight road and sightlines for both vehicles and pedestrians are acceptable, with the road being subject to a 20mph speed limit and associated traffic-calming measures. It is noted that there are speed cushions immediately east of the proposed access point, but these appear just far enough clear of the access not to need adjustment to accommodate the new crossover.
45. The access would lead to a sub-basement parking area, with 14 spaces provided in a double stacking system. Highway officers initially raised concerns regarding the layout, including restricted turning space, ramp width, lack of a delineated pedestrian route into and out of the car park, and the gradient of the access ramp (1:7 or 14%). Amended plans were submitted and have addressed these concerns. The ramp width has been increased to 5.1m, allowing two cars or a car and a pedestrian to pass one another, and transition ramps have been incorporated at either end of the ramp. The stacker system has been repositioned against the rear wall to provide 12 spaces, with one space provided on either side of the access ramp, and this would improve the ability of cars to manoeuvre in and out of the spaces. Highway officers have asked that the gradient of the transition length is kept to a maximum of 1:20 (5%), and have requested further details of the operation of the car stacker system to demonstrate that both upper and lower spaces could be accessed independently. These details would be required by condition, together with a lighting scheme for the car park and details of a means to control access at the top of the ramp.
46. The existing crossover would become redundant and would need to be reinstated to footway with full height kerbs, together with works to create the new crossover, at the applicant's expense. An informative is recommended to this effect.

Cycle parking

47. The total cycle parking requirement for this development is 58 spaces. The proposal includes two internal storage areas, each with capacity for 16 cycles on a double-height system, plus two external sets of Sheffield stands with a capacity for 20 bicycles each and indicated as being for visitors. These would provide more than sufficient cycle parking, however there is no requirement in the London Plan for visitor cycle parking for a development of this size whereas a minimum of 16 external spaces would need to be provided for residents in a secure weatherproof store. These could be provided either in the location identified for the Sheffield stands or in another suitable location within the site, and further details would be required by condition.

Servicing

48. Bin storage would be provided in an integral bin store at the front of each of the two buildings, comprising four x 1,100L bins and two x 240L bins per building, which would be sufficient to provide dry recycling, residual waste and organic (food) waste recycling for the 36 units. The stores would be conveniently located for collection from the highway within a 10m collection distance, and within a 30m carrying distance from individual units.

Trip generation

49. The application is accompanied by a Transport Statement, which considers likely future predicted trips to and from the development, based upon comparisons with seven similar residential developments within other areas of London. The sites chosen are considered to offer an appropriate comparison. The estimated movements to and from the development total four arrivals and 18 departures in the morning peak hour (8-9am) and eleven arrivals and five departures in the evening peak hour (5-6pm).
50. Of these trips, two arrivals and three departures in the am peak hour and three arrivals and one departure in the pm peak hour are estimated to be by car. On this basis, the actual impact of the development on the local road network is not considered likely to be significant enough to warrant further junction analysis, particularly as comparisons with typical vehicular movements for the existing offices suggest that a reduction in traffic to and from the site is likely, particularly in peak hours. In terms of public transport trips, the development is estimated to generate eight journeys in the am peak hour and six journeys in the pm peak hour. This represents less than one additional passenger per bus/train serving the local area, so is not considered significant enough to have any adverse impact on capacity. Future walking and cycling trips to and from the site have been estimated at five trips by foot in the am peak hour and eight trips in the pm peak hour (in addition to the public transport trips which need to travel by foot between the site and the station/stop), whilst two and no trips by bicycle are anticipated in each peak hour. These are again lower than for the existing office use and are not considered sufficient to warrant any further analysis of impact on the local road network.
51. Personal injury accident statistics have been examined for the surrounding area for the five-year period 2012-2016. Although the Transport Statement does not provide a detailed accident analysis, it is noted that only two slight injury accidents have been recorded in Heather Park Drive over the five-year period. It is not considered likely that this development would give rise to any road safety issues in this already traffic-calmed street.

Density of development

52. Development of the site is expected to conform to the density range set out in the London Plan of 200-450hr/ha for urban sites (or 70-170units/ha) with a PTAL score of 3 , unless a higher density can be justified as a result of a scheme being acceptable in planning terms. The proposed density of approx. 425hr/ha or 150units/ha sits within the London Plan density range for urban sites with medium access to public transport and is considered to be appropriate for the site.

Conclusion

53. The proposed development accords with relevant policies and guidance. Approval is recommended.

CIL DETAILS

This application is liable to pay **£577,118.15*** 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): sq. m.

Total amount of floorspace on completion (G): 3178.4 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	3178.4	1422	1756.4	£200.00	£35.15	£490,851.07	£86,267.08

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)	313	
Total chargeable amount	£490,851.07	£86,267.08

*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: 18/0284

I refer to your application dated **22/01/2018** proposing the following:

Demolition of office building and erection of 2 five storey residential blocks comprising 36 self-contained flats with provision for cycle and refuse storage (14 x 1 bed, 14 x 2 bed and 8 x 3 bed), lower ground floor car parking, associated amenity space, landscaping and installation of new vehicular access

and accompanied by plans or documents listed here:
Please see Condition 2.

at **Transputec House, 19 Heather Park Drive, Wembley, HA0 1SS**

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: 03/08/2018

Signature:

A handwritten signature in blue ink that reads "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 policies contained in the:-

NPPF 2018
London Plan 2016
Brent Core Strategy 2010
Brent Development Management Policies 2016

- 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):

2017/074 01 Site survey
2017/074 02 Elevations
P_10_101 Site Location Plan
P_10_102 Rev A Proposed Site Plan
P_10_103 Rev A Lower Ground Floor Level
P_10_104 Rev B Ground Floor Level
P_10_105 Rev B First Floor Level
P_10_106 Rev B Second Floor Level
P_10_107 Rev B Third Floor Level
P_10_108 Rev B Fourth Floor Level
P_10_109 Rev A Roof Level
P_10_110 Rev A South Elevation
P_10_111 Rev A North Elevation
P_10_112 Rev A East & West Elevations
P_10_113 Rev A Section A-A
P_10_114 Rev A Sections B-B and C-C
P_10_115 Rev A Section D-D
P_10_116 Rev A Apartment Layouts
P_10_117 Rev A Streetscene
P_10_120 GA detail section_ Unit A3.4

Supporting documents:

Air Quality Assessment (Phlorum, October 2017)
Arboricultural Survey Report (Phlorum, August 2017)
Commercial Market Report, Analysis and Report on Marketing Campaign (Hicks Baker, December 2017)
Daylight, Sunlight and Overshadowing Report (Delta Green, 29 September 2017)
Design and Access Statement (2 November 2017)
Noise Assessment (Phlorum, September 2017)
Phase 1 Contaminated Land Desk Study Assessment (Phlorum, August 2017)
Planning Statement (Pegasus Group, December 2017)
Preliminary Ecological Appraisal (Phlorum, July 2017)
Transport Statement (Conisbee, ref 161109/H Jenkins, 22 October 2017)
Vibration Assessment (Phlorum, September 2017)

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

- 3 The development shall be carried out in accordance with the noise and vibration mitigation

measures recommended in paragraph 5.16 and Tables 5.4 and 5.5 of the Noise Assessment (Phlorum, September 2017) and paragraph 6.4 of the Vibration Assessment (Phlorum, September 2017). Any works which form part of the scheme shall be completed in accordance with the approved details before any of the permitted dwelling unit(s) are occupied.

Reason: To safeguard the amenities of the occupiers.

- 4 The removal of redundant crossovers, construction of new vehicle crossover, parking spaces, cycle storage and refuse storage as shown on the approved plans or as otherwise approved in writing by the Local Planning Authority shall be provided in full prior to first occupation of the dwellings and shall be permanently retained and used solely in connection with the dwellings hereby approved.

Reason: To ensure that the approved highway works and standards of parking provision and servicing are provided and maintained in the interests of local amenity and the free flow of traffic in the vicinity.

- 5 The residential units hereby approved shall at no time be converted from C3 residential to a C4 small HMO, notwithstanding the provisions of Schedule 2 Part 3 Class L of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order) without express planning permission having first been granted by the Local Planning Authority.

Reason: To ensure that an adequate standard of accommodation is maintained in all of the residential units and in view of the restricted space within the site to accommodate additional bin or cycle storage.

- 6 The windows on the first, second and third floors of the northwestern face of Building A 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 retained and maintained in that condition thereafter unless the prior written consent of the Local Planning Authority is obtained.

Reason: To minimise interference with the privacy of the adjoining occupier(s).

- 7 Prior to any works commencing on site (including demolition of existing buildings) 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. The construction works shall thereafter be carried out in accordance with the approved details.

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

- 8 Prior to commencement of any works on site (including demolition works) a revised Air Quality Assessment shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include:

- (i) Details of an air quality neutral assessment for building emissions.
- (ii) Assessment to include operational use and subsequent levels of PM10 and NOx using specific receptors and dispersion modelling

The revised Air Quality Assessment and any mitigation measures shall thereafter be carried out in accordance with the approved details.

Reasons: In the interests of local air quality.

- 9 No development (including demolition works) shall commence until an arboricultural impact assessment, arboricultural method statement and tree protection plan, appropriate and specific to the approved scheme, to include details of all works within the root protection area of any

retained tree (as per Arboricultural Survey Report, Phlorum, August 2017) has been submitted to and agreed in writing by the local planning authority; details shall include specification, construction methodology and sequencing of works for no-dig surfacing, methodology for demolition and removal of existing buildings, and manual/mechanical excavation within root protection areas including the protection/treatment of any roots encountered. Thereafter, all works shall be carried out and constructed in accordance with the approved details and shall not be varied without the written consent of the Local Planning Authority.

Reason: To ensure adequate protection for retained trees.

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

(b) Any soil remediation required by the Local Planning Authority shall be carried out in full. The development shall not be occupied until a verification report shall be submitted to and approved in writing by the Local Planning Authority, stating that remediation has been carried out in accordance with the approved remediation scheme and the site is suitable for end use (unless the Planning Authority has previously confirmed that no remediation measures are required).

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

- 11 Prior to development (other than site clearance and demolition of existing buildings) commencing, further details of sustainable drainage measures to comply with the requirements of London Plan Policy 5.13 shall be submitted to and approved in writing by the Local Planning Authority. If connection to a soakaway is proposed, results of permeability testing should be submitted to demonstrate that this method would be suitable for the soil conditions on the site. The development shall thereafter be implemented in full accordance with the approved details.

Reason: To ensure that the site can be adequately drained.

- 12 Prior to development (except demolition and site clearance) commencing, further details of the proposed parking provision shall be submitted to and approved by the local planning authority. Such details shall include:

- active provision of electric vehicle charging points to serve four parking spaces, and passive provision of the necessary infrastructure to facilitate charging points to serve an additional four spaces;
- details of the operation of the vehicle stacking system to demonstrate that sufficient headroom would be provided to allow the upper and lower levels to be accessed independently;
- details of the gradients of transition ramps;
- details of a lighting scheme for the car park including lighting fixtures, luminance levels/spillage diagrams and details of any automatic timers or sensors
- details of a means to control access at the top of the ramp.

The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure adequate safe parking provision and to facilitate the use of low emission vehicles.

- 13 Prior to the commencement of construction works (excluding demolition and site clearance), details of how the development is designed to allow future connection to a district heating network should one become available, shall be submitted to and approved in writing by the local planning authority. The development shall be completed in accordance with the approved details.

Reason: To ensure the development is in accordance with the principles of London Plan Policy 5.6.

- 14 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.

- 15 Prior to any works commencing above ground level, details of materials for all external work, (including samples to be prearranged to be viewed on site), shall be submitted to and approved in writing by the Local Planning Authority. The work shall be carried out in accordance with the approved details.

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

- 16 Within three months of commencement of development above ground level, further details of landscaping works within the application site as indicated on the approved plans shall be submitted to and approved in writing by the Local Planning Authority. The landscaped works shall be completed prior to first occupation of the residential units hereby approved, or other timescales to be agreed in writing by the Local Planning Authority.

Such details shall include:-

(i) Boundary treatments

Proposed walls and fencing and other boundary treatments, indicating materials and heights, including a trespass-proof fence of a minimum height of 1.8m and set back by at least 0.5m from the northeastern boundary with the railway land, use of low boundary hedging along the private external amenity spaces fronting Heather Park Drive and screen planting along the northwestern and northeastern boundaries, such as hedging or climbing plants of moderate growth habits.

(ii) Paving and seating

Other appropriate matters within the context of a landscaping scheme, such as details of external furniture, areas of hard landscape works including footways, stepped and level access to the raised podium and other paved pedestrian and vehicle parking areas, including details of materials and finishes. These shall have a permeable construction and include features to ensure safe use by visually impaired and other users.

(iii) Soft Landscaping

Proposed species, location and densities of soft landscaping including the use of native species.

(iii) Defensible planting strips of 1.5m depth outside any habitable room windows on the ground floor that look out onto communal areas including communal amenity space.

(iii) Maintenance details. Details of the proposed arrangements for maintenance of the landscaping.

(iv) Tree pit designs

(v) Proposed soil depths and composition on raised podium

(vi) Details of external lighting (including proposed sitting within the site and on buildings and light spillage plans showing details of lux levels across the surface of the site and at residential windows.

(vii) Details of Bird and Bat Boxes including their location within the development.

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. All footways, parking spaces, vehicle turning areas, cycle storage, bin storage and screen planting shall be

maintained as approved thereafter.

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.

- 17 Within three months of commencement of works, further details of the obscure balustrade on the third floor northwestern elevation, as shown on Drawing No P10-120, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To prevent any overlooking onto neighbouring properties from habitable room windows on the third floor northwestern elevation.

- 18 In order to mitigate against the possibility of numerous satellite dishes being installed on the buildings hereby approved, a communal television system/satellite dish shall be provided. The equipment shall be located so as to have the least impact on the external appearance of the development. Such details shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the residential units.

Reason: In the interests of the visual appearance of the development in particular and the locality in general.

- 19 Prior to first occupation of the residential units hereby approved, and notwithstanding the details shown on Drawings P10-104 Rev B to P10-108 Rev B, further details of cycle storage for 58 cycles to be provided in secure, weatherproof and accessible locations, 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 adequate provision of cycle storage in accordance with London Plan policy.

INFORMATIVES

- 1 Alterations in loading within 15m of the railway boundary must be agreed with Network Rail. Network Rail will not allow any maintenance works for proposal fencing or proposal boundary treatments to take place on its land. Any fencing over 1.8m in height will require agreement from Network Rail with details of foundations and wind loading calculations submitted for review.
- 2 Any scaffolding which is to be constructed within 10 metres of the Network Rail / railway boundary must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffolding must be installed. The applicant / applicant s contractor must consider if they can undertake the works and associated scaffolding / access for working at height within the footprint of their land ownership boundary. The applicant is reminded that when pole(s) are erected for construction or maintenance works, must have at least a 3m failsafe zone between the maximum height of the pole(s) and the railway boundary.
- 3 The applicant must ensure that the proposal drainage does not increase Network Rail s liability, or cause flooding pollution or soil slippage, vegetation or boundary issues on railway land. Therefore the proposal drainage on site will ensure that:
 - All surface waters and foul waters drain away from the direction of the railway boundary.
 - Any soakaways for the proposal must be placed at least 30m from the railway boundary.
 - Any drainage proposals for less than 30m from the railway boundary must ensure that surface and foul waters are carried from site in closed sealed pipe systems.
 - Suitable drainage or other works must be provided and maintained by the developer to prevent surface water flows or run-off onto Network Rail s property.
 - Proper provision must be made to accept and continue drainage discharging from Network Rail s property.
 - Drainage works must not impact upon culverts on developers land including

culverts/brooks etc that drain under the railway.

The applicant must ensure that there is no surface or sub-surface flow of water towards the operational railway.

- 4 The developer should also be aware of the implications for their workers / contractors as there are 25kv overhead lines and there is the risk of induced voltages up to 20-30m from the overhead lines impacting the site.
- 5 With a development of a certain height that may/will require use of a tower crane, the developer must bear in mind the following. Tower crane usage adjacent to railway infrastructure is subject to stipulations on size, capacity etc. which needs to be agreed by Network Rail s Asset Protection prior to implementation. Tower cranes have the potential to topple over onto the railway; the arms of the cranes could over-sail onto Network Rail air-space and potentially impact any over-head lines, or drop materials accidentally onto the existing infrastructure. Crane working diagrams, specification and method of working must be submitted for review and agreement prior to work(s) commencing on site.
- 6 The demolition works on site must be carried out so that they do not endanger the safe operation of the railway, or the stability of the adjoining Network Rail structures and land. The demolition of the existing building(s), due to its close proximity to the Network Rail boundary, must be carried out in accordance with an agreed method statement. Review of the method statement will be undertaken by the Network Rail Asset Protection Engineer before the development and any demolition works on site can commence. Network Rail would like to add that the applicant is strongly recommended to employ companies to demolish buildings / structures belonging to the National Federation of Demolition Contractors. This will ensure that all demolition works are carried out to professional standards and the company itself will also include liability insurance as part of its service and that demolition works on site do not impact the safety and performance of the railway.
- 7 As the proposal includes works which are within 10m of the railway boundary and which could impact the existing operational railway and in order to facilitate the above, a BAPA (Basic Asset Protection Agreement) will need to be agreed between the developer and Network Rail. The developer will be liable for all costs incurred by Network Rail in facilitating this proposal, including any railway site safety costs, possession costs, asset protection costs / presence, site visits, review and agreement of proposal documents and any buried services searches. The BAPA will be in addition to any planning consent. The applicant / developer should liaise directly with Asset Protection to set up the BAPA.

AssetProtectionLNWSouth@networkrail.co.uk

- 8 The developer is to submit directly to Network Rail, a Risk Assessment and Method Statement (RAMS) for all works to be undertaken within 10m of the operational railway under Construction (Design and Management) Regulations, and this is in addition to any planning consent. Network Rail would need to be re-assured the works on site follow safe methods of working and have also taken into consideration any potential impact on Network Rail land and the existing operational railway infrastructure. Review and agreement of the RAMS will be undertaken between Network Rail and the applicant/developer. The applicant /developer should submit the RAMs directly to:

AssetProtectionLNWSouth@networkrail.co.uk

- 9 Prior to the commencement of any works involving vibro-compaction machinery / piling machinery or piling and ground treatment works as part of the development, details of the use of such machinery and a method statement must be submitted to the Network Rail Asset Protection Engineer for agreement.

All works shall only be carried out in accordance with the method statement and the works will be reviewed by Network Rail. The Network Rail Asset Protection Engineer will need to review such works in order to determine the type of soil (e.g. sand, rock) that the works are being carried out upon and also to determine the level of vibration that will occur as a result of the piling.

The impact upon the railway is dependent upon the distance from the railway boundary of the piling equipment, the type of soil the development is being constructed upon and the level of

vibration. Each proposal is therefore different and thence the need for Network Rail to review the piling details / method statement.

Maximum allowable levels of vibration - CFA piling is preferred as this tends to give rise to less vibration.

Excessive vibration caused by piling can damage railway structures and cause movement to the railway track as a result of the consolidation of track ballast. The developer must demonstrate that the vibration does not exceed a peak particle velocity of 5mm/s at any structure or with respect to the rail track.

- 10 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.
- 11 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.
- 12 The applicant is advised to notify the Council's Highways and Infrastructure Service of the intention to commence works prior to commencement and include photographs showing the condition of highway along the site boundaries. The Highways and Infrastructure Service will require that any damage to the adopted highway associated with the works is made good at the expense of the developer.
- 13 If the development is carried out it will be necessary for a crossing to be formed over the public highway by the Council as Highway Authority. This will be done at the applicant's expense in accordance with Section 184 of the Highways Act 1980. An application for these works should be made to the Council's Head of Highways & Infrastructure via <https://www.brent.gov.uk/services-for-residents/transport-and-streets/vehicle-crossings-and-dropped-kerbs/>, tel 020 8937 5600 or transportation@brent.gov.uk. The grant of planning permission, whether by the Local Planning Authority or on appeal, does not indicate that consent will be given under the Highways Act.
- 14 Brent Council supports the payment of the London Living Wage to all employees within the Borough. The developer, constructor and end occupiers of the building are strongly encouraged to pay the London Living Wage to all employees associated with the construction and end use of development.
- 15 The Council recommends that the maximum standards for fire safety are achieved within the development.
- 16 The applicant is reminded that birds and their nests are protected by law, and is advised to carry out vegetation and site clearance outside of the nesting season (May to October) unless in the presence of a suitably qualified ecologist.

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 2233