

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

14 October, 2020
03
18/4904

SITE INFORMATION

RECEIVED	24 December, 2018
WARD	Willesden Green
PLANNING AREA	
LOCATION	96 High Road, London, NW10 2PP
PROPOSAL	Part demolition of existing buildings and retention of the original police station building comprising flexible commercial space (Class A1, D1, B1a, B1b, B1c) and redevelopment of the site to provide 28 residential units within a building extending up to 4 storeys together with private and communal space, waste/cycle storage, associated landscaping and public realm (amended scheme)
PLAN NO'S	refer to approved plans condition
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_143280</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 "18/4904" (i.e. Case Reference) into the search Box3. Click on "View Documents" tab

RECOMMENDATIONS

That the Committee resolve to GRANT planning permission subject to:

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

1. Payment on completion of the deed of the Council's legal and professional fees in preparing and thereafter monitoring the agreement
2. Notice of commencement within 28 days of a material operation
3. Secure affordable housing contribution and viability review mechanism
4. That the development is "parking permit restricted" - future occupants will not be eligible for on-street parking permits.
5. S278 Agreement to undertake highway works
6. Training and Employment - Prior to a material start (excluding demolition and piling) 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
7. Considerate Constructors 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 informatics) to secure the following matters:

Conditions:

1. Standard 3 year permission
2. Approved plan numbers / documents
3. Number/Mix of Units
4. Supply Materials
5. Plant noise
6. Water efficiency
7. Trees
8. Restriction of HMOs
9. SUDS Implementation
10. Surface water capacity
11. Sewerage capacity
12. Landscaping
13. Non-use of roofspace
14. Details of obscure glazing/screening
15. Construction Management Plan
16. Restriction of uses on Police building's use
17. Non road machinery
18. Air quality
19. Lighting
20. Bikes storage
21. Ecological Enhancements
22. Historic Recording
23. Satellite dishes
24. SUDS/Flood risk
25. Site Investigation
26. Remediation
- 1.

Informatives

1. Asbestos
2. Party Wall
3. Building near boundary
4. CIL liable approval
5. London living wage
6. Quality of imported soil
7. Fire Safety
8. Damage to highways
9. Thames Water
10. Thames Water pressure
11. Highways licence

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 agreed determination date for this application (including determination dates set through agreement), the Head of Planning is delegated authority to refuse planning permission.

SITE MAP



Brent

Planning Committee Map

Site address: 96 High Road, London, NW10 2PP

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This map is indicative only.

PROPOSAL IN DETAIL

Part demolition of existing buildings and retention of the original police station building comprising 148 sq.m GIA of flexible commercial space (Class A1, D1, B1a, B1b, B1c) and redevelopment of the site to provide 28 residential units (4 x studio, 9 x 1-bed, 9 x 2-bed and 6 x 3-bed) within a building extending up to 4 storeys together with private and communal space, waste/cycle storage, associated landscaping and public realm.

Summary of changes since original submission

- Reduction in size of development adjacent 6 Huddlestone Road has been made, to form a better transition between Willesden High Road and Huddlestone road.
- A reduction in the number of units to 28 from 30
- Balconies have been added to the two studio units at first and second floor levels fronting Huddlestone Road while others have increased in size.

EXISTING

The site consists of the former Willesden Police Station and ancillary buildings, which are of late Victorian heritage, the site also includes 2, two-storey dwellings of 1960/70s character and appearance.

This corner plot site fronts two roads, the primary frontage of the High Road which is of varied commercial character although at this part of the High Road there are prominent religious buildings. Huddlestone Road is predominantly a residential road characterised by two-storey dwellings.

The site is within Willesden Town Centre and Willesden Green Conservation Area. The site has recently been used for various businesses and artists' studios, as informal meanwhile uses. It forms site allocation BSESA23 in the Brent Preferred Options Local Plan.

The broader area has an air quality management area designation.

SUMMARY OF KEY ISSUES

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

●**Representations received** - A paper based pro-forma petition of 53 signatories objecting to the scheme and 134 individual submissions objecting to the scheme has been received. 8 comments have been received in favour. Objections and a petition have been received and considered. It is considered that the proposal accords with planning policy, having regard to material consideration, and it is recommended that planning permission is granted.

●**Heritage** - The site is located in Willesden Green Conservation Area. The historic police building is to be retained, although not formally listed or locally listed is considered to have some heritage merit and considered a non-designated heritage asset. A cluster of listed buildings sits to the southwest of the site St Andrews Church Grade II* building, the associated Vicarage Grade II and the Church School Grade II (now Islamic College).

●**Principle of use** - The property was disposed of as surplus to requirements by the Metropolitan Police Service and the funds from the station's disposal were used as part of a wider public service transformation plan. No objection raised in principle for the proposed mix of uses.

●**Affordable homes / unit mix** – The proposals have been independently assessed by viability experts and it has been concluded the site can only provide an off-site contribution of £143,453 in lieu of on-site affordable

housing provision. Given the low surplus and lack of appropriate unit to put forward for affordable housing, an off-site contribution is considered acceptable in this case. A post-implementation review mechanism in line with DMP15 will be incorporated into the legal agreement. The unit mix includes 6 family sized units representing 21.4% family housing provision which is slightly short of the 25% borough wide target set out in Core Strategy Policy CP21.

●**Design** – The proposed design is considered to be of high quality appropriate to the local context.

●**Quality of accommodation** – The proposed accommodation would be of good quality size and layout, consistent with London Plan standards, with good access to light, outlook, whilst there is shortfall in amenity space, the town centre location and good quality accommodation offer some mitigation against the identified shortfall.

●**Neighbour amenity** – The proposals generally comply with guidance of SPD1.

●**Highways** – No significant harm is considered to occur to the highway network, subject to conditions.

●**Trees, landscaping and public realm** – The large tree to the front of the site is to be retained and landscape improvements delivered.

●**Environment and sustainability** – Consideration has been given to ecology and the sustainable development of the proposals.

RELEVANT SITE HISTORY

No relevant planning history for the applications site.

A meanwhile use has occurred for various businesses since the Police vacated the site, without formal consent.

Adjacent the site to the east at Willesden Green Baptist Church a development (18/1798) has been approved for:

Demolition of existing single storey adjoining structure to rear of church and erection of a part two and part three storey rear extension including basement, internal alterations to create new mezzanine and upper floors to facilitate the creation of 8 self-contained flats (2 x 1-bed, 4 x 2-bed and 2 x 3-bed) including 7no. side and rear dormer windows; new front entrance and residents lobby area, retention of the Huddlestone Street facade; alterations to front boundary wall, new access gates to allow vehicle and pedestrian access from Huddlestone Road; with associated residential cycle storage and refuse facilities to serve both the residential and church buildings. **Granted 20/07/2018**

CONSULTATIONS

Site notices were placed outside the site, neighbour notification letters were sent to nearby addresses and a press notice was placed in the local paper.

A re-consultation took place on 12th September 2019 to advise of amendments to the scheme

In total 134 objections were received and 8 supporting comments were received

In addition local ward Councillors Miller and Donnelly-Jackson have objected to the scheme

Summary of Objection Comments:

Comment	Response
Infilling of site will cause overshadowing	The development generally accords with guidance in SPD1 and is considered acceptable,

	refer to neighbour amenity section.
Excessive height and massing, poor relationship with two-storey Victorian dwellings Huddlestone Road	Refer to character and appearance section and heritage section.
Loss residential amenity, outlook, light, privacy	Refer to neighbouring amenity section.
Negative impact upon police building as a heritage asset and conservation area	Refer to heritage section.
Too many studio and one bed unit which will encourage investor buy to let market not, owner occupiers. More family housing needed.	Refer to unit mix section, planning cannot control who purchases properties.
Will increase traffic and parking problems	Refer to highways section.
Lack of affordable housing	Refer to affordable housing section.
Not in keeping with area	Refer to character and appearance section and heritage section.
Excessive noise and nuisance	Refer to noise section.
Right to light	Is a civil matter not a planning matter. The impact on the sunlight and daylight neighbouring properties receive has been assessed within the report.
Not clear what materials will be used, should match police station	This will be secured by condition.
Pressure on infrastructure and community cohesion	There is no evidence to suggest that the local area could not accommodate the additional residents from the proposed 28 units. The proposals would contribute the local economy and offer a building for either retail. employment or community uses as well as contributing to the Community Infrastructure Levy which is used to support local infrastructure needs.
Insufficient information	Officers have reviewed the level of details which meets the statutory requirements for a valid submission and it is considered to be sufficient to assess the proposed development.

Summary of support comments

Comment
Site needs re-development, proposals a big improvement over existing, will improve community in the long term
Landscaping much needed green intervention in area
Reduce litter, fly tipping and anti-social behaviour
Improved natural surveillance

Proposed massing and design is appropriate
Bin and bike storage well situated
Impact on neighbouring properties will be minimal
Will help local economy

External Consultees:

NHS – No comment.

West London Waste Authority – No comment.

Internal consultees

Lead Local Flood Authority – Support, improved flood risk.

Highway Authority – No objection, subject to conditions.

Heritage – No objection.

Tree Officer – No objections are raised, subject to conditions.

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

Key relevant policies include:

The London Plan

- 2.18 Green infrastructure
- 3.1 Life Chances for All
- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 3.6 Children and Young People's Play and Informal Recreation Facilities
- 3.8 Housing Choice
- 3.9 Mixed and Balanced Communities
- 3.12 Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes
- 3.16 Protection and Enhancement of Social Infrastructure
- 3.18 Education Facilities
- 5.2 Minimising Climate Change
- 5.3 Sustainable Design and Construction
- 5.6 Decentralised Energy in Development Proposals
- 5.7 Renewable Energy
- 5.10 Urban Greening
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 5.15 Water Use and Supplies
- 6.3 Assessing Effects of Development on transport Capacity
- 6.9 Cycling
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.5 Public Realm
- 7.6 Architecture
- 7.7 Location and Design of Tall and Large Buildings

- 7.8 Heritage Assets and Archaeology
- 7.14 Improving Air
- 7.15 Reducing and Managing Noise
- 7.19 Biodiversity and Access to Nature
- 7.21 Trees and Woodlands

Brent Core Strategy (2010)

- CP1: Spatial Development Strategy
- CP2: Population and Housing Growth
- CP5: Placemaking
- CP6: Design & Density in Place Shaping
- CP16: Town Centres and Sequential Approach to Development
- CP18: Protection and Enhancement of Open Space, Sports and Biodiversity
- CP19: Brent Strategic Climate Change Mitigation and Adaptation Measures
- CP21: A Balanced Housing Stock
- CP23: Protection of existing and provision of new Community and Cultural facilities

Brent Development Management Policies (2016)

- DMP1: Development Management General Policy
- DMP2: Supporting Strong Centres
- DMP3: Non Retail Uses
- DMP7: Heritage Assets
- DMP9A: Managing Flood Risk
- DMP9B: On Site Water Management and Surface Water Attenuation
- DMP11: Forming an Access on to a Road
- DMP12: Parking
- DMP13: Movement of Goods and Materials
- DMP15: Affordable Housing
- DMP18: Dwelling Size and Residential Outbuildings
- DMP19: Residential Amenity Space

In addition the Examination in Public for the Draft New London Plan has been completed and the Panel Report has been received by the GLA. The GLA have now released an "Intend to publish" version dated December 2019. This carries substantial weight as an emerging document that will supersede the London Plan 2016 once adopted. As such considerable weight should be given to these policies.

Draft London Plan

- GG1 Building Strong and inclusive communities
- GG2 Making the best use of land
- GG3 Creating a healthy city
- GG4 Delivering new homes Londoners need
- GG5 Growing a good economy
- GG6 Increasing efficiency and resilience
- D1 London's form, character and capacity for growth
- D2 Infrastructure requirements for sustainable densities
- D3 Optimising site capacity through the design-led approach
- D4 Delivering good design
- D5 Inclusive design
- D6 Housing quality and standards
- D7 Accessible housing
- D8 Public realm
- D11 Safety, security and resilience to emergency
- D12 Fire safety
- D14 Noise
- H1 Increasing Housing Supply
- H4 Delivering affordable housing
- H5 Threshold approach to applications
- H6 Affordable housing tenure
- H10 Housing size mix
- S1 Developing London's Social Infrastructure
- S3 Education and childcare facilities
- S4 Play and informal recreation

E1	Offices
E2	Providing suitable business space
E3	Affordable workspace
HC1	Heritage conservation and growth
HC5	Supporting London's culture and creative industries
G1	Green infrastructure
G5	Urban greening
G6	Biodiversity and access to nature
SI1	Improving air quality
SI2	Minimising greenhouse gas emissions
SI3	Energy infrastructure
SI4	Managing heat risk
SI5	Water infrastructure
SI7	Reducing waste and supporting the circular economy
SI12	Flood risk management
SI13	Sustainable drainage
T4	Assessing and mitigating transport impacts
T5	Cycling
T6	Car parking
T7	Deliveries, servicing and construction
DF1	Delivery of the Plan and Planning Obligations

In addition, the council is currently reviewing its Local Plan. Formal consultation on the draft Brent Local Plan was carried out under Regulation 19 of the Town and Country Planning Act (Local Planning) (England) Regulations 2012 between 24 October and 5 December 2019. At its meeting on 19 February 2020 Full Council approved the draft Plan for submission to the Secretary of State for examination. Therefore, having regard to the tests set out in paragraph 48 of the NPPF it is considered by Officer's that greater weight can now be applied to some policies contained within the draft Brent Local Plan.

Key draft Local Plan policies include:

Brent Draft Local Plan (2019)

DMP1	Development management general policy
BP6	South east
BD1	Leading the way in good urban design
BH1	Increasing housing supply in Brent
BH5	Affordable housing
BH6	Housing size mix
BH13	Residential amenity space
BSI1	Social infrastructure and community facilities
BE1	Economic growth and employment opportunities for all
BHC1	Brent's Heritage Assets
BGI1	Green and blue infrastructure in Brent
BGI2	Trees and woodlands
BSUI2	Air quality
BSUI3	Managing flood risk
BSUI4	On-site water management and surface water attenuation
BT1	Sustainable travel choice
BT2	Parking and car free development
BT3	Freight and servicing, provision and protection of freight facilities

Site Specific Allocations (2011)

West London Waste Plan (2015)

Other Relevant Material Considerations include:

National Planning Policy Framework
National Planning Practice Guidance
National Design Guide

Supplementary Planning Documents/Guidance (SPD/SPG)

Brent SPD1: Design Guide for New Development (2018)
Brent s106 Planning Obligations SPD (2013)

DETAILED CONSIDERATIONS

Principle

1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that 'If regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the development plan unless material considerations indicate otherwise'.
2. The application site is comprised of a former Police Station with a service and training yard and ancillary buildings, in addition there is a pair of 1960s semi-detached two-storey dwellings, historically used for accommodating police staff. The overall use of the site is considered to be a social infrastructure use, a Sui Generis use.
3. London Plan policy 3.16 states:
The London Plan stipulates that redundant social infrastructure premises should be assessed for use as other forms of social infrastructure before alternative developments are considered. As set out by London Plan policy, alternative social infrastructure uses should be defined through a Social Infrastructure Needs Assessment set by the Borough. Brent does not currently have this provision laid out in adopted policy documents specific to the needs of the Willesden area. Therefore, undertaking a Social Infrastructure Needs Assessment is not possible.
4. Policy CP23 seeks to protect existing community facilities or mitigate their loss where necessary, the funds from sale of the police station are to be used for a wider programme of public service transformation. Given the context of London Plan policy 3.16 there is no requirement to re-deliver social infrastructure on site and it is considered acceptable to consider other appropriate uses of the site.
5. This position complies with draft London Plan Policy S1 which states that “*redundant social infrastructure should be considered for full or partial use as other forms of social infrastructure before alternative developments are considered, unless this part of a wider public service transformation plan.*” The loss of the police station is acceptable as it would have contributed to a wider public service transformation plan.
6. The delivery of housing helps meet other objectives of the adopted development plan such as Policies CP2 and CP21 to deliver additional and balanced housing stock.
7. The emerging Brent Local Plan also identifies the site as one suitable for mixed development (BSESA23) and is allocated for mixed-use employment and residential. The adopted development plan currently carries more weight and therefore it cannot yet be reasonably insisted that more affordable workspace or employment use of the site is delivered. Nonetheless the Police Station building is proposed to have a range of possible uses ranging from A1 (retail) B1a (offices) B1 b (research and development) B1c (light industrial appropriate in a residential area) and D1 (non-residential institutions, e.g. crèche, health centres, clinics etc.). These uses would be complementary to the town centre location and surrounding residential context.

Character and Appearance

8. Policy 7.1 (“Lifetime Neighbourhoods”) of the London Plan advises that the design of new buildings and the spaces created by them should “*help to reinforce or enhance the character, permeability, and accessibility of the neighbourhood*” while policies 7.4, 7.5 and 7.6 confirm the requirement for achieving the highest architectural quality, taking into consideration the local context and its contribution to that context. Design should respond to contributing towards “a positive relationship between urban structure and natural landscape features...” Additional design guidance can be found in DMP1 (“Development Management General Policy”) and within the Council’s SPD1 (“Design Guide for New Development”).

9. Policy DMP1 states that development will be acceptable provided it is of a location, use, concentration, siting, layout, scale, type, density, materials, detailing and design and complements the local area.
10. The overall site is in a poor state of repair to the rear and the 1960s residential development on site does not contribute positively to the conservation area. The main police building itself retains much of its character externally and makes a positive contribution to the character and appearance of the area and the heritage asset of the Willesden Green Conservation Area.
11. The proposed L-shape building seeks to turn the corner of the High Road and Huddlestone Road and is prominent location within the Willesden Green Conservation Area, which gives some scope for a building of more scale and prominence. The L-shape respects the frontages to which it relates and settlement pattern, respecting the current set back on the High Road which enables appreciation of the prominent tree in the frontage and the aesthetic value of the Police Station and also the building line established by the uniform pattern of residential development on Huddlestone Road.
12. The reduction in height and scale at the end of the building to match the height of 6 Huddlestone Road and use of pitched roof forms a successful transition in height to Huddlestone Road from the High Road and is considered an appropriate design response to local context.
13. The proposals draw on its local context with reference to the ecclesiastical heritage in the locality with high quality durable materials of brickwork enriched with detailing and slightly angulated gables with steep pitches which add visual interest. There is varied depth and form and good void to mass ratio with appropriate fenestration and use of balconies to reduce the perceived bulk of the building.
14. Although there is an overall increase in scale and mass over existing, this does not appear out of context in the wider Willesden Green area, which has several taller structures including adjacent ecclesiastical buildings. There is sufficient space and setback and landscaping around the building to avoid an unduly cramped appearance.
15. Overall the proposals are considered to represent visually attractive, good quality architecture which will help to improve the function and overall quality of the area, with sympathetic and innovative design with effective landscaping and appropriate mix of uses and improved accessibility consistent with the objectives of the development plan.

Heritage

16. Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("Listed Buildings Act") confirm that special attention shall be paid to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses (s.66) and preserving or enhancing the character or appearance of that area (s.72). As confirmed by the Court of Appeal (Civil Division), the decision in *Barnwell Manor Wind Energy Ltd v East Northamptonshire District Council* [2014] EWCA Civ 137 confirmed that where an authority finds that a development proposal would harm the setting of a listed building or the character and appearance of a conservation area, it must give that harm "*considerable importance and weight*". Further case law has reconfirmed the Barnwell decision and the considerations to be undertaken by a planning authority: *The Forge Field Society & Ors, R v Sevenoaks District Council* [2014] EWHC 1895 (Admin), *Pugh v Secretary of State for Communities and Local Government* [2015] EWHC 3 (Admin).
17. Section 16 of the NPPF ("Conserving and enhancing the historic environment") (paras.184 to 202) advises Local Planning Authorities to recognise heritage assets as an "irreplaceable resource" and to "conserve them in a manner appropriate to their significance" (para.184).
18. When considering the impact of a proposed development on the significance of a designated heritage asset, it is advised at para.193 that "*great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance*". Consent should be refused where there is substantial harm or total loss of significance, unless there are substantial public benefits that outweigh that harm or loss (NPPF, para.195). Where there is less than substantial harm, the harm is to be weighed against the public benefits of the proposal (NPPF, para.196) and with regard to non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset (NPPF, para.197).
19. It is also important to note that with regard to the legislation, the term "setting" only refers to listed

buildings, which is defined in the NPPF as: *The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.*

The Local Plan

20. Policy 7.8 of the London Plan ("Heritage Assets and Archaeology") advises what boroughs should do at a strategic level to identify, preserve, and enhance London's heritage assets. The supporting text to Policy CP17 ("Protecting and Enhancing the Suburban Character of Brent") of the Core Strategy confirms that the Borough's historical assets need to be protected and conserved. Policies DMP1 ("Development Management General Policy") and DMP7 ("Brent's Heritage Assets") confirms the statutory duty of the Council and provides some guidance on how to present and assess applications affecting heritage assets.
21. There are several heritage assets against which the proposed development should be considered. These include:
- St Andrew's Church (grade II* listed -to the south west) (designated heritage asset)
 - St Andrew's Vicarage (grade II listed – to the south west) (designated heritage asset)
 - Islamic college (grade II listed – to the south west) (designated heritage asset)
 - Willesden Green Conservation Area (designated heritage asset)
 - Willesden Police Station (not locally listed but considered to have some historic merit and can be considered to be non-designated heritage asset)
- What must be determined is whether the proposed development will harm the significance of the aforementioned designated and non-designated heritage assets, having regard to the statutory requirement to give special attention to the desirability of preserving a listed building or its setting (s.66) and preserving or enhancing the character or appearance of a conservation area (s.72).

Assessment of Significance of Heritage Assets

St Andrew Church - Grade II listing -*

22. 1885, by James Brooks. Cruciform plan, brick, stone dressings. Four bay nave with triforium, clerestory and small aisles, transepts and lower 3 bay chancel. Small bell turret with flèche at crossing. An elaborate and spacious design with good contemporary fittings and glass.

St Andrews Vicarage – Grade II listing

23. 1889 by James Brooks. Three storeys, 4 irregular bays wide; red brick ground floor, tile-hung above. First floor oriel window to left hand bay. A picturesque example of Brook's late work with central entrance porch; 3 main gables to front elevation.

St Andrews Vicarage – Grade II listing

24. 1889 by James Brooks. Three storeys, 4 irregular bays wide; red brick ground floor, tile-hung above. First floor oriel window to left hand bay. A picturesque example of Brook's late work with central entrance porch; 3 main gables to front elevation.

Islamic College - Grade II listing

25. Circa 1890 by James Brooks. Long range of church school buildings of picturesque appearance. Two buildings, total of 20 bays to street; mostly single storey, end 2 bays raised to 2 storeys. Raised entrance arch and gable emphasized in roof by tall bell-cote. Red brick facing throughout; timber mullioned and transomed windows of Gothic style.

Willesden Green Conservation Area

26. The Willesden Green Conservation Area was originally designated in January 1993 and takes the form of a Victorian commercial centre with buildings of note by several well-known architects: James Brooks, Newman and Newman and Gabriel contributed St Andrew's Church, the library and the bank premises respectively. Sexton's Spotted Dog (1881) and Clark's faience-tiled Met. Station of 1924 are worthy of

note.

27. It is considered that given the siting of the scheme in the streetscape and its complementary character and appearance the identified designated heritage assets will not be harmed from the proposed development and that their significance, character and setting will continue to be preserved.

The application site Willesden Police station (non-designated heritage asset).

28. Paragraph 197 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset requires a balanced judgement having regard to the scale of any harm or loss of the significance of the asset.
29. The main police building is considered to have some historic merit the original development originating from the late Victorian era, the building has some latter additions, a non-original ground floor addition to the side is to be removed. The buildings are not locally listed, nonetheless they are considered to be non-designated heritage assets, and have some heritage and architectural value as does the historic use of the site. The significance of the non-designated heritage asset is limited and the siting of the new development, which retains the original police station as a key feature of the site.
30. The Police Station, rear yard and ancillary buildings was developed in the latter part of the Victorian era. The main police building retains a visually pleasing aesthetic however the rear yard area, associated dwellings and outbuildings are of limited heritage or architectural interest and their loss is not considered to be significant, especially when replaced with a scheme of good quality design. The retention of the police building retains the historical connection of the site for future generations to appreciate.
31. The new development would improve the appearance when viewed from the frontage facing the High Road, with the removal of the two houses and replacement with an appropriately proportioned building that has a better quality design. The other elements of the new building would tie in well with the High Road frontage and set down well to the neighbouring When considering the impact of the proposed development overall, there would be very limited harm to the non-designated heritage asset due to the design quality of the proposal and removal of the low quality buildings.
32. On balance, the proposals overall are considered to preserve the historic character of the Conservation Area. The proposed replacement building would be of an appropriate high quality design and would ensure that there is not any harm to the designated heritage assets surrounding the site When taken with the public benefits of the scheme into account the development is considered acceptable when balanced with the overall benefits of the scheme.
33. A historical records condition is proposed to record anything of heritage value and interest in the buildings prior to commencement of works.

Affordable Housing

34. Brent's adopted local policy (CP2 and DMP15) sets out the affordable housing requirements for major applications and stipulates that schemes should provide 50% of homes as affordable, with 70% of those affordable homes being social or affordable rented housing and 30% of those affordable homes being intermediate housing (such as for shared ownership or intermediate rent). The definition within DMP15 allows for affordable rented housing (defined as housing which is rented at least 20% below the market value) to be an acceptable form of low cost rented housing, which is consistent with the NPPF definition of affordable housing. The policies allow for the reduction in the level of Affordable Housing (below the 50% target) on economic viability grounds. This is discussed in more detail later in this report.
35. The emerging London Plan (Intend to Publish Version) has been subject to examination and the associated affordable housing policies (H4, H5 and H6) are now given greater weight. These policies establish the threshold approach to applications where a policy compliant tenure mix is proposed*, where viability is not tested at application stage if affordable housing proposals achieve a minimum of:
35% Affordable Housing; or
50% Affordable Housing on industrial land** or public sector land where there is no portfolio agreement with the Mayor.
*other criteria are also applicable.
**industrial land includes Strategic Industrial Locations, Locally Significant Industrial Sites and non-designated industrial sites where the scheme would result in a net loss of industrial capacity.

36. The policies set out the Mayor's commitment to delivering "genuinely affordable" housing and the following mix of affordable housing is applied to development proposals:
37. A minimum of 30% low cost rented homes, allocated according to need and for Londoners on low incomes (Social Rent or London Affordable Rent);
 - A minimum of 30% intermediate homes;
 - 40% to be determined by the borough based on identified need.
- When interpreting these policies, the tenure mix set out in Brent's adopted policies (70:30 ratio of Affordable Rent : Intermediate) and Brent's emerging policies (70:30 ratio of London Affordable Rent : Intermediate) provide clarity on the tenure of the third category (40 % to be determined by the borough). This means that this element of Affordable housing mix should be provided as Affordable Rented homes.
38. Policy allows for a reduction to affordable housing obligations on economic viability grounds where it can be robustly demonstrated that the target level of affordable housing would undermine the deliverability of the scheme. The policies require schemes to deliver the maximum reasonable amount of Affordable Housing (i.e. the most that the scheme can viably deliver, up to the targets) and schemes that aren't eligible for the threshold approach must be accompanied by a Financial Viability Assessment. It is important to note that these policies do not require all schemes to deliver 35 % or 50 % Affordable Housing.
39. Brent's emerging Local Plan has yet to be examined by the Planning Inspectorate and as such adopted policy DMP15 and emerging London Plan policies H4, H5 and H6 would carry considerably more weight than the Brent emerging Affordable Housing policy at this point in time.
40. A viability appraisal was submitted and has been independently assessed by industry experts appointed by the council, who consider the scheme capable of delivering a surplus of £143,453, which would not be enough to deliver a unit on site. It was agreed a contribution in lieu of on-site affordable housing consistent with the objectives of DMP15 given the small scale contribution that is viable for this project.
41. A review mechanism will be applied to the legal agreement to capture any potential uplift in profitability as the development transpires, which enable further contributions to be secured if the development proved to be more profitable to achieve policy targets for affordable housing contribution.

Unit Mix/Family sized dwellings

42. Policy CP2 of the Core Strategy sets a target for 25% of the new homes within the borough to be family sized (three bedrooms or more). The proposal achieves 21.4% (6 out of 28 units) family sized units.
43. A high proportion of three bedroom plus homes in flatted development can have a detrimental effect on scheme viability and that there is therefore a balance to be struck between the affordable housing offer and a good number of family sized homes. It is possible the off-site payment in lieu will be used in the development of affordable housing schemes with improved 3 bed offering, given this unit type is where the Council's greatest priority is for affordable housing.
44. On balance the proposals have sought to optimise the mix between the number of units and commercial floorspace possible, affordable housing offer and family sized units and considered to meet the objectives of the plan with regard to provision of family housing given the constraints.

Quality of Residential Accommodation

45. Policies DMP1 and DMP18 state that it is important that development provide high levels of internal amenity and create a high quality environment, and should be consistent with London Plan Policy 3.5, Table 3.3 'Minimum Space Standards for New Dwellings' and the Technical Housing Standards.
46. Of the 28 proposed units, 8 meet with the minimum space standard and the remaining 20 exceed their relevant standard by between 1sqm and 9sqm. All units are therefore considered to satisfy London Plan policy 3.5, DMP18 and the Technical Housing Standards. In addition, they are all considered to have an efficient layout and generally good aspect, and access to outlook and light.
47. Policy DMP19 provides guidance for private outdoor residential amenity space, which should be provided at 20sqm per flat and 50sqm per family unit (including ground floor flats). The policy allows for a shortfall in the provision of private outdoor space to be mitigated through the provision of communal outdoor space. It should also be noted that the minimum private outside space contained within the draft London

Plan is 5sqm for 1-2 person dwellings and an extra 1sqm for each additional occupant.

48. All but three flats (all located within the roofspace) will have access to some form of private amenity space, and only two flats will have total private amenity space in excess of 20sqm (Units 00_05 & 06 on the ground floor). In total, eight flats, all located on the upper floors, will not satisfy the relevant London Plan standard. Small triangular balconies (2.75sqm-2.9sqm) are proposed for the three first floor flats fronting High Road. These will not offer much in the way of useable space but it should be noted that two of these flats (Units 01_06 & 01_07), are also served by balconies at the rear which, although accessed via bedrooms, are independently accessible by each room and are of a good size and regular shape. The remaining flat, Unit 01_05, is only served by a balcony of 2.9sqm. In relation to these three balconies, the applicant has designed them to be relatively shallow and triangular with the intention that their design ties in with the existing development to the west. Whilst officers have suggested a minor amendment to increase the area of these balconies, it is acknowledged that the increase in balcony space (c.1.7sqm) would be marginal. Within the roofspace, as noted above, three flats are without any private amenity space and whilst there are concerns with a family sized unit not having any private amenity space, it is not possible to provide any for these flats because the integrity of the overall design of the building, within a conservation area, adjacent to an undesignated heritage asset and within the vicinity of listed buildings as described above, would be adversely affected.
49. The supporting text of policy DMP19 states: *“New development should provide private amenity space to all dwellings, accessible from a main living room without level changes and planned within a building to take a maximum advantage of daylight and sunlight. Where sufficient private amenity space cannot be achieved to meet the full requirement of the policy, the remainder should be applied in the form of communal amenity space”*. The collective shortfall in private amenity space is 301sqm, and the scheme includes a total of 208sqm of communal space, resulting in an overall shortfall of 93sqm.
50. While the shortfall is regrettable, officers are of the opinion that in this instance, members should weigh this against the following:
51. Additional balconies, particularly in the roofspace, would have a significantly adverse effect on the design of the building and the designated and undesignated heritage assets
- The majority of units exceed their minimum space standard
 - In the 8 instances where there are either no balconies or they fall below the relevant London Plan standard, 5 of the units have internal space standards which exceed the London Plan standard, helping to offset the shortfall in private amenity space
- On balance this aspect of the proposal is considered to deliver high quality of accommodation with flats having good access to outlook, light and general living conditions in addition to adequate outdoor recreation opportunities for future residents.

Neighbouring Amenity

52. DMP1 seeks to ensure new development, amongst other things, provides high levels of internal and external amenity and does not unacceptably increase exposure to noise, light and general disturbance. This is supported by SPD1.

Privacy

53. The design guide for new developments SPD1 outlines the minimum distance between habitable facing windows is 18m and distance from windows to private amenity space should be 9m. These distances are generally exceeded, with 11m from the rear facing wall of the development (facing north) to the boundary wall of no.6 Huddlestone Road. The west facing rear elevation does not afford direct views into other habitable room windows or amenity areas, and some rearward views are generally expected in an inner suburban context.
54. Huddlestone Road objections cited potential harm from the balcony area adjacent their property, a condition will be applied for details of adequate glazed screening on the flank of the balcony shared with no.6 Huddlestone Road to prevent overt overlooking of the property.
55. The distance between the Huddlestone Road facing elevation of the development and properties the other side of the road is approximately 17m distance to across from the other side, however this faces over public land and intervening highway, and respects the established distances between properties in the streetscene, therefore is not considered to be significantly harmful to residential amenity.

56. On balance the development would retain adequate privacy for future occupiers and neighbouring uses.

Daylight/Sunlight/Outlook

57. The applicant has submitted a daylight/sunlight analysis based on the Building Research Establishment (BRE) guidance Site layout planning for daylight and sunlight: a guide to good practice, which advises on planning developments for good access to daylight and sunlight, and is widely used by local authorities during planning permission to help determine the impacts of new developments.

58. The design guide for new developments SPD1 outlines the 25, 30 and 45 degree principles on pg.27 where there are failures of these principles a daylight/sunlight study can establish if any significant harm would arise to residential amenity. The proposals would not encroach significantly upon any of these principles when allowing for existing tall boundary treatments and structures on site.

59. A detailed assessment has been undertaken by EB7 Ltd for daylight and sunlight demonstrates future residents and users of the amenity space areas would retain acceptable levels of access to daylight/sunlight overall when considering the following guidance:

60. The London Plan Housing SPG gives guidance stating at paragraphs 1.3.45 and 1.3.46:

61. 1.3.45 *An appropriate degree of flexibility needs to be applied when using BRE guidelines to assess the daylight and sunlight impacts of new development on surrounding properties, as well as within new developments themselves. Guidelines should be applied sensitively to higher density development, especially in opportunity areas, town centres, large sites and accessible locations, where BRE advice suggests considering the use of alternative targets. This should take into account local circumstances; the need to optimise housing capacity; and scope for the character and form of an area to change over time.*
- 1.3.46 *The degree of harm on adjacent properties and the daylight targets within a proposed scheme should be assessed drawing on broadly comparable residential typologies within the area and of a similar nature across London. Decision makers should recognise that fully optimising housing potential on large sites may necessitate standards which depart from those presently experienced, but which still achieve satisfactory levels of residential amenity and avoid unacceptable harm.*

Assessment of Vertical Sky Component (VSC)

- Vertical sky component (VSC) is a 'spot' measure of the skylight reaching the mid-point of a window from an overcast sky. It represents the amount of visible sky that can be seen from that reference point, from over and around an obstruction in front of the window. That area of visible sky is expressed as a percentage of an unobstructed hemisphere of sky, and, therefore, represents the amount of daylight available for that particular window. As it is a 'spot' measurement taken on the outside face of the window.
62. For existing buildings, the Building Research Establishment (BRE) guideline is based on the loss of VSC at a point at the centre of a window, on the outer plane of the wall. The BRE guidelines state that if the VSC at the centre of a window is more than 27% (or if not, then it is more than 80% of its former value), then the diffuse daylighting of the existing building will not be adversely affected.
63. Whilst the development would result in the loss of vertical sky component (VSC) surrounding properties all retain a VSC of 20 degrees or more which is considered good for inner suburban location and broader urban context. The BRE stated guidance for 27 degrees is based on low density suburban context and is an optimal target, to go below this would not necessarily create unacceptable harm to living conditions. Given the guidance of the Mayors Housing SPG some degree of flexibility must be exercised to optimise housing potential given the town centre context.

Annual Probable Sunlight Hours (APSH)

64. Annual probable sunlight hours (APSH) is a measure of sunlight that a given window may expect over a year period. The BRE guidance recognises that sunlight is less important than daylight in the amenity of a room and is heavily influenced by orientation. North facing windows may receive sunlight on only a handful of occasions in a year, and windows facing eastwards or westwards will only receive sunlight for some of the day. Therefore, BRE guidance states that only windows with an orientation within 90 degrees

of south need be assessed.

65. BRE guidance recommends that the APSH received at a given window should be at least 25% of the total available, including at least 5% in winter. Where the proposed values fall short of these, and the loss is greater than 4%, then the proposed values should not be less than 0.8 times their previous value in each period. As the proposed development would retain 25% of APSH (including at least 5%) to surrounding properties 0.8 times former value assessment does not bite and the development is considered in accordance with BRE guidance. Whilst it is noted some properties will experience some loss over the existing situation such as properties on the east side of Huddlestone Road (nos 3-9) in the winter time (up to half former values).
66. The range of loss to neighbouring primary habitable room windows is not so significant it will outweigh the benefits of the proposals and adjoining residents are considered to retain acceptable living conditions on balance.
67. The siting and layout of the proposals is such that outlook is not considered to be significantly harmed to neighbouring or future occupiers.
68. Windows in the side of 100 High Road overlook the proposed site and would be affected at close quarter from the proposed development affecting outlook and light, however they appear to be secondary windows and adequate light and outlook is retained to this property overall.
69. It should be noted that during the course of the application no.6 Huddlestone removed a pergola type structure to the rear of the property at ground floor level (although this is indicated on plans as being present, officers assessment has been made on the basis this structure is no longer present), given the presence of tall boundary treatment and existing outbuildings adjacent the boundary, and the rear build line of the proposed development not protruding to a significant degree beyond the rear build of 6 Huddlestone Road, no significant harm is considered to occur to the light or outlook of the property over the existing situation and acceptable living conditions would be retained.
70. Consideration has been given to the planning approval across Huddlestone Road which seeks to locate additional development to the rear of the Baptist church, at this time the development does not appear to have been implemented. Nonetheless with slightly less weight attached than if the development was in situ the proposals are on balance not considered to unduly harm the living conditions and there will be reasonable expectation of the form of development to future occupiers occurring should this application be approved.

Noise

71. Policy DMP1 states that new development will be acceptable providing it does not unacceptably increase exposure to noise and general disturbances. The predominantly residential use of the site fits with the town centre and surrounding residential context and are unlikely to generate significant noise impacts to neighbouring occupiers.
72. A Noise assessment (NIA/8209/18/8072/V2/Willesden dated 14/12/18) was submitted with the application. The Council's Environmental Health department have reviewed and agree with this report and the requirement for noise mitigation measures to ensure that internal noise levels are achieved. Therefore a condition should be attached requiring the mitigation measures as stated within table 5.1 to be installed.
73. Given the scope of uses potential available at the former police station and their proximity to the residential uses a condition limiting the hours of use is proposed. In relation to plant noise it is recommend that the plant rated noise level is 10dB below the measured background noise level when measured at the nearest residential property, this shall also be secured by condition .

Lighting

74. The proposal is for non-residential uses to be within the same development as the residential units therefore there could be issues with lighting impacting on the residential use. Therefore, details of any external lighting are recommended to be secured through condition.

Highways Considerations

75. Willesden High Rd (WHR) – London distributor road & bus route
76. Huddlestone Rd (HR) – 20mph traffic-calmed local residential access road
 - Controlled Parking Zone “G” – 8am-6.30pm Mondays to Saturdays
 - On-street parking & loading prohibited at all times at junction & Keep Clear zig-zags at site access
 - Zebra crossing with build-out on High Road.
 - Six pay and display bays along both frontages, plus two Car Club bays
 - Huddlestone Road not heavily parked at night
- Policy 6.3 of the London Plan confirms that the impact of development proposals on transport capacity and the transport network are fully assessed. The proposal must comply with policies relating to better streets (Policy 6.7), cycling (Policy 6.9), walking (Policy 6.10), tackling congestion (Policy 6.11), road network capacity (Policy 6.12) and parking (Policy 6.13). Policies DMP11 and 12 provide the criteria upon which developments will be assessed with regard to layout and access / servicing / parking standards. Paragraph 109 of the NPPF states, “Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”
- The site is located within PTAL 4 where generally car free development can be considered acceptable consistent with policy DMP12. Policy DMP12 requires that where additional on-street parking might be generated, this needs to be safely accommodated. The location of the site within a CPZ means that overspill parking by staff is very unlikely.
77. As the site has good access to public transport services, the lower residential car parking standard set out at Appendix 1 of the adopted DMP 2016 applies, whilst the location of the site to the south of the Dudding Hill railway line means the lower employment standards also apply.
78. The former police station would have been allowed just one space, whilst the two houses would have been allowed 1.2 spaces each, giving a total parking allowance of three spaces. The provision of a 10-space car park to the rear thus exceeded standards, although some operational parking for the police station may have been required.
79. The 28 proposed flats would be allowed up to 24 car parking spaces. Parking allowances for the commercial units depend upon their use, but at most only two spaces would be allowed if both units are used for non-food retail purposes. As no off-street parking is proposed anyway, maximum standards would not be exceeded.
80. Policy DMP12 also requires that any overspill parking from new development can be safely accommodated on-street. In this case, the site fronts a main distributor road along which it is important to keep traffic (esp. buses) moving. Although there are pay and display bays in place along the street and along Huddlestone Road, there is not sufficient spare capacity to cater for the likely demand from these 28 flats.
81. The applicant therefore suggests that the development is made ‘parking permit restricted’ and this is supported, being in line with Policy DMP12 (Blue Badge holders would be exempt from the agreement). A condition or legal agreement should be secured to this effect.
82. Two Car Club vehicles are already based directly outside the site to help support a car-free development and it is recommended that the applicant offers subsidised membership of the Car Club for two years for new residents to introduce them to the concept. A further condition or Legal Agreement to this effect is recommended.
83. The London Plan requires at least 45 secure long-term bicycle parking spaces for the flats. A secure ground floor store with capacity for 52 bicycles is proposed in accordance with standards.
84. Bicycle parking requirements for the commercial units again depend on the precise use, but in the worst case, four short-term and one long-term space would be required for retail uses. Three bicycle stands (six spaces) are proposed to the rear of the building to meet this requirement.
85. In terms of servicing, the commercial unit would generally require servicing by transit-sized or 8m Luton vans, depending on its precise use. No off-street servicing space is proposed within the site, so the applicant proposes that a 10m long loading bay is provided on Huddlestone Road close to the junction with Willesden High Road instead, in place of two existing pay and display parking bays.

86. However, once the crossover to the car park from Huddlestone Road and the associated zig-zag markings are removed as part of this development, two replacement pay and display bays can be marked in their place. By doing so, there would be no net loss of on-street parking space in the street, so the provision of the marked loading bay would have no negative impact on on-street parking in the area. The bay would also be available for use by other nearby retail premises.
87. The cost of the works to remove the existing crossover on Huddlestone Road and reinstate it to footway and to alter the parking bays in the street will need to be met by the developer and this has been acknowledged by the applicant.
88. An internal bin store is proposed fronting Huddlestone Road, allowing easy collection of bins from the proposed loading bay. The store is shown with space for six Eurobins and three wheeled bins, in accordance with Brent's standards. The only concern is that the refuse carrying distance for residents of the eight flats at the western end of the building would exceed the 30m maximum distance set out in Part H of the Building Regulations. Whilst this does exceed the recommended distancing, the bin store is sited in the most appropriate place in order to ensure that refuse collection does not take place on High Road.
89. Fire hose access distances are met from the adjoining highways.
90. A Transport Statement has been submitted to consider the likely transport impact of the proposal. Based on surveys of two other small blocks of flats in outer London, the residential element of this development is estimated to generate 4 arrivals/16 departures in the morning peak hour (8-9am) and 14 arrivals/9 departures in the evening peak hour (5-6pm) by all modes of transport.
91. As the development is car-free, none of these trips are likely to be by car. About 80% of trips are estimated to be by public transport, but with numerous bus and tube service passing close to the site each hour, the impact on any particular bus or train is likely to be minimal.
92. The Transport Statement has also provided estimates of the number of delivery vehicle movements per day, although it is unclear how the figures for the commercial use were derived. Nevertheless, the development is estimated to generate 5-6 delivery vehicle movements per day, which could be accommodated in the proposed loading bay.
93. Subject to conditions or a legal agreement to secure: (i) designation of the development as 'car-free' thereby removing the right of future residents to on-street parking; (ii) funding of a minimum of two years' free membership of a Car Club operating in the vicinity of the development for all initial residents of the proposed flats; and (iii) funding of the cost of the works to remove the existing crossover to the site and reinstate it to footway with full height kerbs and amendments to the waiting and loading restrictions along the Huddlestone Road frontage to provide a 10m loading bay and relocated parking bays in place of the existing zig-zag marking to be provided prior to commencement of the development, there would be no objections on transportation grounds to this proposal.
94. Overall the development would be safe with suitable access and any impacts on the highway would be limited.

Wheelchair accessibility

95. London Plan Policy 3.8 requires 90% of new housing to meet Building Regulation requirement M4 (2) "accessible and adaptable dwellings". It also requires 10% of new housing to meet the Building Regulation requirement M4(3) "wheelchair user dwellings".
96. Four of the dwellings are proposed to meet Disability discrimination Act (DDA) guidance to comply with building regulation M4 (3), which complies with the required 10%. As an approved plans condition is proposed there is no requirement to condition this further.
97. Generally accessibility through the site is improved given level differences present and wheelchair accessibility for uses on site will be required to be built in accordance with building control regulations.

Air quality

98. Environmental Health have assessed the submitted HRS Services Ltd Air Quality assessment. It is noted that the annual mean for NO₂ exceeds the national objective in 2023 on several floors. Potential mitigation measures, such as filtered ventilation systems, can be considered by condition. It should also

be noted that with regard to an Air Quality neutral assessment, the development is expected to meet transport and buildings emissions benchmarks, therefore mitigation measures will not be required.

99. Demolition and construction therefore has the potential to contribute to background air pollution levels and cause nuisance to neighbours. Prior to the commencement of the development a Construction Method Statement shall be submitted to and agreed by the Local Planning Authority outlining measures that will be taken to control dust, noise and other environmental impacts of the development.
100. Brent is part of the 'London low emission construction partnership', therefore the use of Non Road Mobile Machinery of net power between 37kW and 560kW is required to meet at least Stage IIIA of the EU Directive 97/68/EC and its amendments. This will apply to both variable and constant speed engines for both NOx and PM. This can be secured by condition.

Land Contamination

101. The site to be redeveloped has been identified as previously contaminated and therefore a full assessment of land contamination should be undertaken especially as the proposed use includes residential. The applicant has submitted a Hydrock Desk Study and Ground Investigation dated March 2018. This site investigation has identified that soils have high levels of Lead and benzo-a-pyrene and that further gas monitoring should be undertaken. Appropriate remediation can be secured by condition.

Trees / Landscaping

102. London Plan Policy 5.10 ('Urban Greening') and DMP Policy DMP1 seeks to retain high amenity trees and landscape features and provide appropriate additions or enhancements. Trees are a key component of green infrastructure and help to create resilient and more sustainable development. Core Policy 18 ('Protection and Enhancement of Open Space, Sports and Biodiversity') of the Core Strategy confirms that support will be given to the improvement of the built environment.
103. None of the trees within the site are covered by a tree preservation order (TPO) however, the Sycamore tree on the High Road frontage, is considered to have amenity value and will be retained, with the plans also showing the retention of the Weeping Birch tree on the south-east corner of the site. Approximately 11 trees will be removed but these are all ornamental trees of not high quality. Fifteen ornamental trees, in addition to the feature tree within the courtyard at the rear, will replace those removed.
104. A tree protection plan and arboricultural method statement, will be conditioned to protect the Sycamore and Birch trees during the construction process and ensure the development does not affect their long term health or viability.
105. The landscaping arrangements offer a more flexible and diverse arrangement of amenity areas and is considered to take opportunity to improve the existing arrangements. Details of a landscaping scheme will be secured by condition.

Biodiversity / Ecology

106. Policy 7.19 ('Biodiversity and access to nature') of the London Plan requires development proposals to contribute to mitigating the effects of climate change by considering integrating green infrastructure and to make a positive contribution, where possible, to the protection, enhancement, creation, and management of biodiversity. Core Policy 18 ('Protection and Enhancement of Open Space, Sports and Biodiversity') of the Core Strategy confirms that support will be given to the improvement of the built environment for biodiversity and nature conservation.
107. Local authority has a duty to consider potential impacts upon biodiversity, wildlife and protected species as part of policy and decision making as set out in sec 40 of the National Environment and Rural Communities Act 2006 (as amended) (NERC) and The Wildlife and Countryside Act 1981 (as amended) and Schedule 2 of the Conservation of Habitats and Species Regulations 2010 (as amended). It is an objective of the NPPF (paragraphs 8 and 175) to help improve biodiversity.
108. The applicant has submitted an ecology report to identify the potential risks to protected species. The Council's officers have reviewed the report and agree with the conclusions the risk to protected species is low. No immediate risk is identified to wildlife or protected species from the proposals.

109. The ecology report recommends that suitable protective measures be undertaken around retained trees during construction activity, landscaping to be provided using native species, the installation of bat and bird boxes in suitable locations and in accordance with good practice. In particular, boxes suitable for House Sparrows should be provided as these have been recorded within the study area. The report also recommends that consideration should be given to a lighting strategy designed to limit spillage onto any bird and bat boxes installed. These recommendations have been included in relevant proposed conditions.

Flood Risk

110. London Plan policies 5.12 and 5.13 require the consideration of the effects of development on flood risk and sustainable drainage respectively. Policy DMP9A ('Managing Flood Risk') confirms that new development must avoid and reduce the risk of flooding, and not increase the risks elsewhere and that planning permission will only be granted for proposals which have addressed all sources of flood risk and would not be subject to, or result in unacceptable levels of flood risk on site or increase the level of flood risk to third parties. DMP9B ('On Site Water Management and Surface Water Attenuation') requires minor schemes to make provision of an appropriate SuDS scheme where feasible.
111. The Council's drainage engineer has reviewed the application and supports the improvements proposed. It is noted the developments peak flow rate of surface water will be reduced from 26 l/s for a 1 in 1 year storm event to 5 l/s, and from 82.4 l/s for a 1 in 100 year storm event, also to 5 l/s which is excellent. The site is also within a flood zone 1 and presents no pluvial flood risk either therefore, the drainage and flood risk implementation for this development is acceptable.

Sustainable Design and Construction

112. Planning applications for major development 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 would mitigate and adapt to climate change over the lifetime of the development, including limiting water use to 105 litres per day. Policy DMP9B of Brent's Local Plan also requires sustainable drainage measures to be adequately implemented.
113. Major residential developments are expected to achieve zero carbon standards, including a 35% reduction on Building Regulations 2013 Target Emission Rates (TER) achieved on site, in accordance with London Plan Policy 5.2. An Energy Assessment is required, clearly outlining how these standards would be achieved and identifying, where necessary, an appropriate financial contribution to Brent's carbon-offsetting fund to compensate for residual carbon emissions.
114. In terms of non-domestic floorspace, the policy target is a 35% on-site reduction, and this must be separately evidenced within a submitted Energy Assessment. However, significant weight is also placed on the Intend to Publish London Plan policy SI2, which applies the zero carbon standard (with 35% reduction on on-site emissions) to both residential and commercial elements of the scheme.
115. The energy assessment submitted sets how the London Plan energy hierarchy has been applied, with carbon emissions savings identified from very high standard of insulation, heat pump driven heating/hot water systems, with electricity generation via roof mounted Photovoltaic Cells.
116. The assessment demonstrates that the scheme would deliver an 89% reduction in carbon emissions below the Building Regulations Requirements. A carbon offsetting contribution of £2,376.00 would be required through a S106 payment to account for the shortfall below the zero carbon target, in line with London Plan guidance.
117. The submitted assessment also addresses overheating and details that in line with current GLA Guidance, the project has been designed to ensure the building is not vulnerable to overheating. The design of the proposal has followed the guidance within the London Plan, which consider the control of overheating using the Cooling Hierarchy. Measures such as the buildings' fabric, layout and passive ventilation would help prevent the properties from overheating and ensure there is not a need for mechanical ventilation.

Equalities Assessment

118. In line with the Public Sector Equality Duty, the Council must have due regard to the need to

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

S106 DETAILS

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

- Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance
- Affordable Housing contribution and review mechanism
- Employment and training opportunities during construction and operation phases
- Car-Parking Permit Free development to remove the rights of residents to apply for parking permits in the surrounding roads in the vicinity of the site
- Car Club subsidy arrangement
- Energy/sustainability - Achieve a zero carbon' standard. The remaining regulated carbon dioxide emissions, to 100 per cent, would be off-set through a cash in lieu contribution
- Undertaking of on and off site highway works through an agreement under S38/S278 of the Highways Act 1980

And, to authorise the Head of Area Planning, or other duly authorised person, to refuse planning permission if the applicant has failed to demonstrate the ability to provide for the above terms and meet the policies of the Unitary Development Plan and Section 106 Planning Obligations Supplementary Planning Document by concluding an appropriate agreement.

CIL DETAILS

This application is liable to pay **£902,485.08** * 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): 0 sq. m.

Total amount of floorspace on completion (G): 2614 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
(Brent) Businesses and offices	148	0	148	£40.00	£0.00	£8,827.14	£0.00
(Brent) Dwelling houses	2466	0	2466	£200.00	£0.00	£735,396.43	£0.00
(Mayoral) General business use	148	0	148	£0.00	£60.00	£0.00	£8,960.48
(Mayoral) Dwelling houses	2466	0	2466	£0.00	£60.00	£0.00	£149,301.03

BCIS figure for year in which the charging schedule took effect (Ic)	224	331
BCIS figure for year in which the planning permission was granted (Ip)	334	
TOTAL CHARGEABLE AMOUNT	£744,223.57	£158,261.51

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

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

development.

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

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 18/4904

To: Mr Cifaldi
Savills
33 Margaret Street
London
W1G 0JD

I refer to your application dated **24/12/2018** proposing the following:

Part demolition of existing buildings and retention of the original police station building comprising flexible commercial space (Class A1, D1, B1a, B1b, B1c) and redevelopment of the site to provide 28 residential units within a building extending up to 4 storeys together with private and communal space, waste/cycle storage, associated landscaping and public realm (amended scheme)

and accompanied by plans or documents listed here:
refer to approved plans condition

at **96 High Road, London, NW10 2PP**

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: 06/10/2020

Signature:

Gerry Ansell
Head of Planning and Development Services

Notes

1. Your attention is drawn to Schedule A of this notice which sets out the rights of applicants who are aggrieved by the decisions of the Local Planning Authority.
2. This decision does not purport to convey any approval or consent which may be required under the Building Regulations or under any enactment other than the Town and Country Planning Act 1990.

DnStdG

SUMMARY OF REASONS FOR APPROVAL

- 1 On balance the proposals are considered to meet the objectives of the development plan

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

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

- 2 The development hereby permitted shall be carried out in accordance with the following approved drawings:

AL(00)001 Rev.A	Site Location Plan
AL(00)010 Rev.A	Block Plan
AL(00)100 Rev.A	Existing Site Plan
AL(00)200 Rev.A	Existing Site Elevations 01
AL(00)201 Rev.A	Existing Site Elevations 02
AL(00)202 Rev.B	Existing Police Station
AL(00)203 Rev.A	Existing Police Station
AL(00)204 Rev.D	Proposed Police Station
AL(01)100 Rev.F	Proposed Ground Floor Plan
AL(01)101 Rev.J	Proposed First Floor Plan
AL(01)102 Rev.G	Proposed Second Floor Plan
AL(01)103 Rev.H	Proposed Third Floor
AL(01)104 Rev.F	Proposed Roof Plan
AL(02)220 Rev.B	Proposed Sections A and B
AL(03)320 Rev.D	Proposed North Elevation
AL(03)340 Rev.E	Proposed East Elevation
AL(03)360 Rev.D	Proposed South Elevation
AL(03)380 Rev.E	Proposed West Elevation
535 Massing Comparisons	

Air Quality Assessment (19/12/2018)
 Arboricultural Impact Assessment
 Daylight & Sunlight Statement
 Design and Access Statement
 Energy and Sustainability Statement
 Ecology Assessment
 Flood Risk Assessment & SUDS Report (no.C2084-R1-REV-A)
 Heritage Statement
 Noise Assessment
 Planning Statement
 Transport Assessment

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

- 3 The development shall provide 28 residential units (Class C3), as shown on the consented plans, in the following mix: 4 x studio, 9 x 1-bed, 9 x 2-bed and 6 x 3-bed.

Reason: To ensure an appropriate mix of units having regard to the identified housing needs of the Borough.

- 4 Details of materials for all external work, including samples, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of above ground works. 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.

- 5 Prior to the installation of any mechanical plant together with any associated ancillary equipment ('the plant') further details of the plant shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include: (i) manufacturer's specifications and literature of the plant; (ii) an assessment of the expected noise levels of the plant carried out in accordance with BS4142:2014 'Methods for rating and assessing industrial and commercial sound'; and (iii) any mitigation measures necessary for the plant to achieve noise levels of not louder than 10dB(A) below the measured background noise level when measured at the nearest noise sensitive premises.

The plant shall be installed and maintained in accordance with the approved details for the lifetime of the development.

Reason: To protect acceptable local noise levels, in accordance with DMP1 of the Development Management Policies

- 6 Prior to first occupation of the Residential Development ('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 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.

- 7 Notwithstanding the Arboricultural Impact Assessment submitted with the application, prior to the commencement of development further details of a suitable methodology and tree protection plan including monitoring and supervision during works within the Sycamore and Weeping Birch trees' notional RPA during demolition and construction works shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full and adhered to throughout all demolition and construction works.

Reason: To minimise the impacts of the development on existing trees.

- 8 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

- 9 No properties shall be occupied until confirmation has been provided that either:

- all surfacewater network upgrades required to accommodate the additional flows from the development have been completed; or
- a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied.

Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

Reason - To ensure sustainable development with appropriate infrastructure and protect against sewage flooding and pollution

- 10 The development shall not be occupied until confirmation has been provided in writing to the

local planning authority that either:

- all wastewater network upgrades required to accommodate the additional flows from the development have been completed; or
- a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied.

Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

Reason - To ensure sustainable development with appropriate infrastructure and protect against sewage flooding

- 11 The flood risk attenuation measures set out in the Suds and Drainage Strategy Report MBP-7086-December 2018 v3 shall be implemented prior to occupation of the development hereby approved and thereafter maintained in effective use unless otherwise agreed in writing with the Local Planning Authority.

Reason: in the interests of sustainable development and to alleviate flood risk.

- 12 Notwithstanding any details of landscape works referred to in the submitted application, a scheme for the landscape works and treatment of the surroundings of the proposed development (including species, plant sizes and planting densities) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works above damp proof course level on the site (excluding any necessary demolition works). Any approved planting, turfing or seeding included in such details shall be completed in strict accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. Such a scheme shall include:-

(a) the identification and protection of existing trees and shrubs not directly affected by the building works and which are to be retained;

(b) proposed walls and fences indicating materials and heights;

(c) screen planting along boundaries;

(d) adequate physical separation, such as protective walls and fencing between landscaped and paved areas;

(e) existing contours and any proposed alteration to ground levels such as earth mounding;

(f) provision for the satisfactory screening of balcony areas to the south, west and east elevations

(g) areas of hard landscape works and proposed materials;

(h) details of the proposed arrangements for the maintenance of the landscape works.

Any planting that is part of the approved scheme that within a period of *five* years after planting is removed, dies or becomes seriously damaged or diseased, shall be replaced in the next planting season and all planting shall be replaced with others of a similar size and species and in the same positions, unless the Local Planning Authority first gives written consent to any variation.

Reason: To ensure a satisfactory appearance and setting for the proposed development and ensure that it enhances the visual amenity of the area and protect neighbouring amenity.

- 13 Prior to development above damp proof course level (excluding any necessary demolition works) details of glass screening to be used on balcony area(s) adjacent 6 Huddleston Road shall be submitted to and approved in writing with the Local Planning Authority. The agreed details shall thereafter be permanently maintained unless otherwise agreed in writing.

Reason: To protect neighbour amenity.

- 14 No development shall take place until a Construction Environmental Management Plan (CEMP)

has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include:

- (i) The phases of the Proposed Development including the forecasted start and completion date(s)
- (ii) A commitment to apply to the Council for prior consent under the Control of Pollution Act 1974 and not to commence development until such consent has been obtained
- (iii) A scheme of how the contractors will liaise with local residents to ensure that residents are kept aware of site progress and how any complaints will be dealt with reviewed and recorded (including details of any Considerate Constructor or similar scheme)
- (iv) A scheme of how the contractors will minimise complaints from neighbours regarding issues such as noise and dust management, vibration, site traffic and deliveries to and from the site
- (v) Details of hours of construction including all associated vehicular movements
- (vi) Details of the construction compound
- (vii) A plan showing construction traffic routes
- (viii) An audit of all waste generated during construction works.

The construction shall be carried out in accordance with the approved CEMP.

Reason: To ensure the protection of living conditions, highway safety and managing waste throughout development works due to the risk of harm arising from these works in respect of air quality and highway safety.

- 15 Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), or The Town and Country Planning (Use Classes) Order 1987 Uses Class order, the retained police building shall only be used within the use classes A1, B1(a), B1(b), B1(c) or D1. of The Town and country Planning (Use classes) order 1987 (as amended). The use shall only be operational during the hours of 6.30am to 10.30pm Monday to Saturday and 8am to 8pm on Sundays and Bank Holidays. No deliveries shall occur outside of these hours. for office use or other B type employment use unless otherwise agreed in writing with the Local Planning Authority.

Reason: To protect neighbouring amenity and to enable the Local Planning Authority to regulate and control the development of land and retain employment/retail use of the site in accordance with objectives of the development plan for appropriate mix of uses on the site.

- 16 All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance. Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority. The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>

Reason: To protect local amenity and air quality in accordance with Brent Policy DMP1 and London Plan policies 5.3 and 7.14.

- 17 All roof areas on approved plans unless indicated as a balcony, terrace, private terrace or communal terrace shall not be accessible except for maintenance, repair or emergency means of escape unless otherwise agreed in writing with the local planning authority.

Reason: To protect neighbour amenity

- 18 The approved cycle storage facilities and bin storage facilities shall be installed and made

available for use prior to first occupation of the development hereby approved and thereafter retained, kept free from obstruction and maintained for the life of the development and not used other than for purposes.

Reason: To encourage sustainable forms of transportation in the interest of highway flow and safety and to ensure the appropriate provision of refuse facilities.

- 19 The proposed development shall be carried out in accordance with the mitigation measures, implementation and management plan outlined in approved document FLOOD RISK ASSESSMENT & SUDS REPORT FOR 96 HIGH ROAD, BRENT, NW10 2PP. document no: C2084-R1-REV-A prepared by NIImbus Engineering consultants. The mitigation measures and implementation shall be operational prior to the first occupation of the development hereby approved and thereafter permanently maintained and operational

Reason: To ensure adequate drainage of the site and to prevent flooding.

- 20 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 + A2:2017 and the Environment Agency's current Land Contamination Risk Management Guidance. A report shall be submitted to the Local Planning Authority, 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. The written report is subject to the approval in writing of the Local Planning Authority.

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

- 21 Any soil contamination remediation measures required by the Local Planning Authority shall be carried out in full. A verification report shall be provided to 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

- 22 A. Prior to the commencement of above ground works to the superstructure, details of the number, design and location of bat bricks/tiles and bird bricks/tubes/boxes (inclusive of house sparrow boxes) shall be submitted to the Local Planning Authority for approval in writing.
- B. The design and location of the bricks/tiles/tubes/boxes shall only be undertaken under the supervision of a suitably qualified ecologist prior to first occupation, with photographic evidence of their installation being provided to the Local Planning Authority.

Reason: To enhance biodiversity and mitigate potential impact upon wildlife in accordance with Schedule 5 of the Wildlife & Countryside Act 1981 (as amended) and Schedule 2 of the Conservation of Habitats and Species Regulations 2010 (as amended) and to ensure due regard is paid to likely impact on the habitat of protected species in accordance with national Legislation and London Plan.

- 23 Details of the height, type, position, angle and spread of any external lighting shall be submitted to and approved in writing by the Local planning authority prior to the development hereby permitted being brought into use. The external lighting shall be erected and maintained in accordance with the approved details to minimise light spillage and glare outside the designated area and to minimise the the impact on wildlife.

Reason: In the interests of visual amenity, safety, residential amenity and to ensure that light sensitive receptors are not unduly affected

- 24 Prior to the first occupation of the development an Air Quality Assessment must be undertaken in accordance with guidance published by IAQM and TG16 and submitted to the Local Planning Authority for approval. The assessment shall include mitigation proposals for any identified adverse impacts. All approved mitigation measures shall be implemented in full prior to the first occupation of the development, and properly maintained for the lifetime of the development.

Reason: To protect local air quality, future occupier health and sustainable development.

- 25 No development shall take place before a comprehensive record of the buildings (internally and externally) has been undertaken in accordance to Historic England Level 3 and submitted to and approved in writing by the Local Planning Authority. The recording is to be carried out by a professional archaeological/building recording consultant or organisation in accordance with the approved details.

REASON: To ensure a record of the building is made for future generations of the historic fabric both internal and external and the architectural significance of the heritage asset is recorded prior to demolition and alteration.

- 26 Prior to first occupation of the development hereby approved details of a communal television aerial and satellite dish system for each of the three buildings linking to all residential units within the development, shall be submitted to and approved in writing by the Local Planning Authority, and thereafter implemented in accordance with the approved details. No further television aerial or satellite dishes shall be erected on the premises.

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

INFORMATIVES

- 1 Given the age of the building 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.
- 2 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
- 3 The applicant must ensure, before work commences, that the treatment/finishing of flank walls can be implemented as this may involve the use of adjoining land and should also ensure that all development, including foundations and roof/guttering treatment is carried out entirely within the application property.
- 4 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.

- 5 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.
- 6 The quality of imported soil must be verified by means of in-situ soil sampling and analysis. We do not accept soil quality certificates from the soil supplier as proof of soil quality.
- 7 The Council recommends that the maximum standards for fire safety are achieved within the development.
- 8 The applicant is advised to notify the Council's Highways Service of the intention to commence works prior to commencement. They shall include photographs showing the condition of highway along the site boundaries. 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.
- 9 Thames Water advise the applicant that if they are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at [thameswater.co.uk/buildingwater](https://www.thameswater.co.uk/buildingwater).
- 10 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.
- 11 The applicant should contact the Head of Highways & Infrastructure to secure a licence should any part of the development oversail the footway under S177 of the Highways Act 1980.

Any person wishing to inspect the above papers should contact Damian Manhertz, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5164