

RECEIVED: 24 May, 2006

WARD: Kensal Green

PLANNING AREA: Harlesden Consultative Forum

LOCATION: DOYLE NURSERY SCHOOL, College Road, London, NW10 5PG

PROPOSAL: Erection of a part 2-storey, part 3-storey building to provide 7 x 1-bedroom flats and 7 x 2-bedroom flats (a total of 14 units) with 14 parking spaces and 8 Sheffield-type cycle stands within the basement, involving the demolition of the existing nursery building and the relocation of the electricity substation (as accompanied by Sustainable Development Checklist and Design Statement)

APPLICANT: Twinsectra Ltd

CONTACT: SLLB Architects Ltd

PLAN NO'S: AL(PL)100 Rev. F, AL(PL)101 Rev. I, AL(PL)102 Rev. D, AL(PL)103 Rev. F, AL(PL)104 Rev. C, AL(PL)105 Rev. C, AL(PL)106 Rev. E

RECOMMENDATION

Grant planning permission subject to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Director of Environmental Services to agree the exact terms thereof on advice from the Borough Solicitor.

SECTION 106 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.
- Payment of £11,000 towards non-car access/highway improvements in the area.
- Payment of £10,000 towards environment and/or open space in the local area.
- Payment of £36,750 towards the provision and improvement of education facilities within the borough.
- A Sustainability Strategy shall be submitted for Council approval, prior to commencement on site. This shall demonstrate how the scheme shall achieve an EcoHomes BREEAM "Very Good" Rating, and how the following measures listed below (Energy, Water, Materials, Construction & Pollution) are designed into the scheme.
 - (a) measures to achieve a higher Carbon-index or SAP rating than the minimum in the Building Regulations.
 - (b) water-saving fittings in each unit (spray taps, showers, low-flush WC/urinals) to reduce water demand.
 - (c) ensuring a proportion of the site's energy demand (10%) will be supplied from renewables, e.g. on-site solar water/wind, geothermal, etc.
 - (d) localised lighting with user controls and low energy fittings/white goods.
 - (e) appropriate design measures to ensure the installation of water meter and water leak detection.

(f) full or limited greywater recycling system.

(e) Appropriate measures (e.g. permeable paving, Sustainable Urban Drainage system, etc.).

- Evidence of materials shall be submitted to, and approved, in writing, by the Local Planning Authority prior to commencement of the development. Such materials shall be of a comparable sustainability standard to that indicated on (or negotiated through) the Checklist submitted with the application. Where recycled materials or content are involved, such details should also be included within the Demolition Protocol section of the Construction Management Statement (CMS).
- Prior to commencement, a Construction Method Statement (CMS) shall be submitted to, and approved, in writing, by the Local Planning Authority. CMS to include measures to adopt and implement the ICE Demolition Protocol and minimise construction waste. The CMS shall include a requirement for/evidence of Considerate Contractor Scheme registration and operation.
- Prior to commencement, details of an integrally-designed waste separation/recycling facility shall be submitted to, and approved, in writing, by the Local Planning Authority.
- On completion, an Independent (BRE Post-Construction) review shall be submitted on the scheme as built, verifying the achievement of a "Very Good" rating on BREEAM/EcoHomes assessment, and the implementation of sustainability measures indicated on the Brent Checklist and/or subsequently negotiated/stipulated in the consent. This shall include measures listed in the above clauses, relating to reuse of buildings, energy & water conservation, sustainable materials, construction/demolition, operational pollution, and waste.
- Compensatory Measures or Payment: If the evidence of independent post-construction reviews, show that any of these sustainability measures have not been implemented within the development, then the applicant shall either:
 1. Propose acceptable measures to remedy the omission or propose acceptable compensatory measures on site and implement these, or otherwise,
 2. Pay to the Council a sum equivalent to the cost of the omitted measures, to be used by the Council to secure sustainability measures on other sites in the Borough.

EXISTING

The site, formerly in use as a nursery school, lies in a mixed residential and commercial area on the west side of College Road at the junction with Doyle Gardens, and contains a detached single-storey building with amenity space to the side and rear. There is an electricity sub station to the rear.

The site adjoins a public house to the south and a large warehouse and the rear gardens of residential dwellings to the west. On the opposite side of College Road, to the east, is a parade of local shops with two storeys of accommodation above.

PROPOSAL

The application proposes the erection of a part two-storey, part three-storey building to provide 7 x 1-bed and 7 x 2-bed flats (a total of 14 units) with 14 parking spaces and 8 Sheffield-type cycle sheds within the basement, involving the demolition of the existing nursery building and the relocation of the existing substation.

HISTORY

05/3693 - Erection of a part two-storey, part three-storey building to provide 7 x 1-bed and 7 x 2-bed flats with 12 parking spaces and 7 Sheffield Type cycle sheds involving the demolition of existing nursery building and the relocation of the existing sub-station.

Members resolved at the Planning Committee of 1 March 2006 to grant consent for the development subject to a S106 Legal Agreement which included a Controlled Parking Zone restriction whereby residents were not to be issued with parking permits for the Controlled Parking Zones in the area. The applicants later refused to agree to the Heads of Terms relating to the restriction of parking and the application was subsequently

reported to the 29 March 2006 Planning Committee where planning permission was refused.

04/3740 - Erection of a part two-storey, part three-storey building to provide 8 x 2-bedroom flats and 4 x 1-bedroom flats with associated car parking involving the demolition of the existing nursery building and the relocation of electricity sub-station - Granted 03/03/2005.

04/2190 - Erection of a part two-storey, part three-storey building to provide 6 x 2-bedroom flats and 4 x 1-bedroom flats with associated parking along with the erection of a three-storey building to provide a 5-bedroom house - Withdrawn 06/09/2004.

03/2694 - Erection of 3 three-bedroom and 3 two-bedroom three-storey terraced houses, associated parking and vehicle crossovers. - Refused and dismissed on appeal 15/04/2004.

02/2619 - Demolition of the existing nursery building and redevelopment of the site to provide 3 three-bedroom and 3 two-bedroom, three-storey terraced houses, associated parking and vehicle crossovers and relocation of electricity substation - Withdrawn 15/04/2004.

01/2309 - Demolition of the existing nursery buildings and re-development of the site to provide a three-storey terrace comprising 6 x 3 and 1 x 4-bedroom houses with integral garages and one separate detached garage including the relocation of an electricity sub station - Withdrawn 22/07/2002.

98/0583 - Redevelopment of nursery school as residential: 1 x 4-bedroom house and 3 x 3-bedroom houses (outline application) - Granted 10/02/1999.

POLICY CONSIDERATIONS

The following policies and standards contained within the Council's Adopted Unitary Development Plan 2004 are considered to be relevant to consideration of the application. Specific issues relate to urban design, impact on adjoining occupiers and highway considerations.

Unitary Development Plan 2004

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

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

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

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

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

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

H12 - Layout and urban design of residential development should reinforce/create an attractive/distinctive identity appropriate to the locality, housing facing streets, have access and internal layout where cars are subsidiary to cyclists and pedestrians, appropriate car parking and cycle parking ,where dedicated on-street parking is maximised as opposed to in curtilage parking and avoids excessive tarmac and provides an

amount and quality of open landscaped area appropriate to the character of the area, local availability of open space and needs of prospective residents.

H14 - The appropriate density will be determined by achieving an appropriate urban design which makes efficient use of land, particularly on previously used sites and meets the amenity needs of potential residents. The most dense developments will be in areas with good and very good public transport accessibility. Surrounding densities should at least be matched unless it would harm residential amenity. The density should have regard to the context and nature of the proposal, the constraints and opportunities of the site and type of housing proposed.

H17 - Frontage redevelopment in residential areas must make an equal or greater contribution to the character and quality of the streetscene. The spacing around the development shall be compatible with the character of the surrounding area. If extending beyond the rear boundaries of neighbouring properties it should not have a detrimental effect on its residential amenities.

TRN23 - Parking for residential development should be to the standard specified in PS14.

OS7 - The provision of new or extended open space will be sought on appropriate sites in local public open space deficiency areas when redevelopment takes place.

CF6 - Contributions to build new school classrooms and associated facilities will be required where new housing development would worsen or create a shortage of school places. The payments will apply to new housing developments capable of development for 10 or more units that contain two or more bedrooms.

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

CONSULTATION

Letters were sent to the following occupiers: 1-19 Herbert Gardens, NW10, 104-132 (evens) College Road, NW10, 123 College Road, NW10, 131 College Road, NW10, 143 -153 (odds) College Road, 1-18 Doyle Gardens (inc), NW10, The Head Teacher, Doyle Nursery School, NW10.

Local Ward Councillors were also consulted in connection with the proposed development.

Three letters of objection were received from the occupiers of 6 Doyle Gardens, NW10, and 124A and 147 College Road, NW10. Their objections are summarised as follows:

- Obstruction of light in an already built-up area.
- Intrusion of privacy.
- Out of character with the area.
- Detrimental impact on the environment.
- Increase in traffic.
- Resiting of the vehicular access is inappropriate.
- A playground would be preferable to the development.

REMARKS

Previous History:

The current scheme is a resubmission of a previous application for a similar proposal for the erection of a part two-storey, part three-storey building to provide 7 x 1-bedroom and 7 x 2-bedroom flats residential units (a total of 14 units) with 12 car-parking spaces and 14 cycle spaces at basement level and involving the demolition of the existing nursery building and the relocation of the existing substation.

The application was reported to the Planning Committee of 1 March 2006 when Members resolved to grant consent for the development subject to a 106 Legal Agreement which included within its Heads of Terms a Controlled Parking Zone Restriction whereby residents were not to be issued with parking permits for the Controlled Parking Zones in the area. The applicants subsequently refused to agree to these Heads of Terms and the scheme was then reported to the 29 March Planning Committee where members agreed to

refuse the proposal for the following reason:

- **The applicant's failure to agree to the Section 106 Legal Agreement Heads of Terms relating to a Controlled Parking Zone Restriction for the development is likely to generate additional on-street parking in an area where there is already high demand for on-street parking given that both College Road and Doyle Gardens and street within the vicinity of the street are defined within the Brent Unitary Development Plan 2004 as Heavily Parked Streets. The development would thus be detrimental to highway and pedestrian safety contrary to policies TRN23, TRN24 and PS14 within the Brent Unitary Development Plan 2004.**

The need for a "car-free" development, given that only 12 parking spaces were proposed for 14 units, was identified to the applicant's agent prior to the application being reported to the Planning Committee. Officers recommended the development for a "car-free" development (Controlled Parking Zone Restriction) on the basis that College Road, Doyle Gardens and other streets within the vicinity of the site are defined as Heavily Parked Streets within the Brent Unitary Development Plan 2004.

The refusal to agree to a Controlled Parking Zone Restriction, allied to the already high demand for on-street parking in the area, was considered to be to the detriment of the free and safe flow of traffic in the area as well as exacerbating the existing high level of parking demand and the application was refused.

The **current** development now proposes the erection of 14 flats in a part two-storey, part three-storey building, with 14 car-parking spaces and 16 cycle spaces at basement level, and involves the demolition of the existing nursery building and the relocation of the existing substation. This scheme is **similar** in all respects as that previously reported to the 1 March 2006 Planning Committee and the subsequent Committee of 29 March 2006 and **differs** solely from that previous scheme (Ref: 05/3693) by the introduction of **14** parking spaces (1 space per unit) as opposed to the **12** parking spaces originally submitted and the inclusion of **16** cycle spaces as opposed to the 14 previously submitted.

The site is currently occupied by a single-storey building and has a total site area of 0.09 hectares which originally provided nursery facilities for the local area. However due to a rise in demand for nursery places, the Doyle Nursery School sought larger premises and in September 1998 your Committee granted planning consent for a replacement nursery building at the former Youth Centre at the junction of Harding Road and College Road which was constructed and is now operating. Accordingly there is no overall loss of community facilities. An outline application for 5 dwellinghouses was subsequently approved in October 1999 (98/0583).

Given that the site is not designated for any specific use within the Adopted UDP, the fact that the character of the area is predominantly residential and the principle of redeveloping the site for residential use has already been established by the permission granted in October 1999 and also by the grant of permission in March 2005 for 12 residential units on the site, it is considered that a residential development of the site is acceptable.

Residential Design Standards

In respect of the size of the accommodation proposed all of the proposed units comply with the space standards set out in the Supplementary Planning Guidance No. 17 with the two second floor flats having internal measurements well in excess of this standard. A 1-bed/2 person flat requires a minimum internal floor area of 45 sq. m. and a 2-bed/4 person unit, a minimum of 65 sq. m.

Ground Floor:

Flat 1 - 2-bed - 67 sq. m
Flat 2 - 2-bed - 80 sq. m
Flat 3 - 1-bed - 53 sq. m
Flat 4 - 1-bed - 47 sq. m
Flat 5 - 2-bed - 75 sq. m

First Floor:

Flat 6 - 2-bed - 74 sq. m
Flat 7 - 2-bed - 80 sq. m
Flat 8 - 1-bed - 47 sq. m
Flat 9 - 1-bed - 57 sq. m
Flat 10 - 2-bed - 73 sq. m

Second Floor:

Flat 11 - 1-bed - 53 sq. m

Flat 12 - 1-bed - 58 sq. m

Flat 13 - 1-bed - 48 sq. m

Flat 14 - 2-bed - 82 sq. m

All bedrooms and living/dining rooms with kitchens enjoy the benefit of natural light. Vertical stacking between living and-bedroom accommodation in different occupation is satisfactory, although the only instance where the scheme does not quite meet the standard is where a small proportion of the bedroom to flat 9 on the first floor is located beneath the dining room of flat 14 on the second floor. The need for achieving successful stacking in order to minimise the transmission of noise between flats is well recognised by the Council. However, as the units are all new build, this is a matter that could be dealt with by the Building Regulations. The flats all have a single lobby with stair and lift linking all floors to the basement car-park level as well as providing a raised front entrance lobby off College Road which has a fully compliant disabled external ramp.

Building Form, Design and Scale:

To the south of the application site, on the western side of College Road is situated a Public House comprising a part two-, part three-storey building. The two-storey part of these premises has a flat roof and the three-storey element is provided in the form of a mansard roof. The ground floor of the building is constructed of brick with the upper storeys in artificial slate.

Immediately to the west of the site, fronting Doyle Gardens, is situated a high, single-storey warehouse building, the walls of which are constructed of brick with a corrugated roof. Beyond this building is situated a terrace of two-storey houses with pitched roofs, typical of the early 20th century, constructed primarily of brick with slate roofs.

To the east of the application site on the opposite side of College Road is situated a terrace of shops with residential accommodation above. The terrace is three storeys in height with the third floor being accommodated within a mansard roof. Within the immediate vicinity are primarily residential properties in the form of two-storey terraced housing with pitched roofs.

The new building is to be located on the College Road and Doyle Gardens frontages and will be part two-storey, part three-storey in nature with the second-floor flats set back 1.2m from the front elevation of the building.

In terms of the appearance of the building, it is considered that the contemporary approach adopted is a reasonable one and, although evidently "modern" in design, the new development would have the architectural quality, and detailing, sought in all new developments within the Borough. It is the view of your Officers that the modern architectural style will be capable of providing a distinctive development that will provide interest to the locality and is of sufficient quality to contribute to the local streetscene. The facade of the premises on the Doyle Gardens elevation aligns with the warehouse elevation to the west, with the corner of the building articulated by repeating the College Road facade treatment on the Doyle Gardens elevation.

The entrance to the flats and the car-parking within the basement is from College Road. The slope gradient to the basement car-park is 12% with transition zones top and bottom and is acceptable on highway grounds.

There is a distance of some 10m between the ground floor part of the premises to the flank wall of the warehouse building and there will be no sole habitable-room windows of the new development directly facing on to this wall. In this respect the scheme will comply with advice within the SPG17 on privacy and outlook.

The new development will also suffer no detriment to amenity in relation to the Public House to the south of the site as the flank wall of the building will align with that of the flank wall of the Public House.

There has been a previous application on the site for the erection of 3 x three-bedroom and 3 x two-bedroom, three-storey terraced houses and associated parking. This scheme was refused on 12 November 2003 (Ref: 03/2694) and subsequently dismissed on appeal on 15 April 2004 on the grounds of a significantly reduced amount of private amenity space resulting in a cramped form of development, a reduction in the amount of planting that could be accommodated and the adverse effect on the living conditions in terms of visual impact on future residents of the three northern houses.

The dismissed scheme showed the three northern plots abutting the warehouse wall some 7.7m from the rear wall of the houses and less than 10m as advised within SPG17 for privacy, which the Inspector considered would have a "significant and overbearing impact on the outlook from these properties" given that there were habitable-room windows facing onto to this wall. The current proposal however is set at a distance of 10m in line with standards and there are no habitable-room windows facing this warehouse wall. The current scheme shows adequate planting to the Doyle Gardens and College Road frontages which was not possible on the dismissed development given the positioning of the houses on the site and the frontage car-parking.

The Inspector had no objections to the contemporary design on the three storeys, which he noted would be ". . .noticeably different both in style and height from the nearby houses. . ." and he continued in paragraph 14 of the appeal decision that " in fronting College Road and respecting the building lines in both roads , the proposed development would , in my opinion, conform with the general pattern of development in the area". The current scheme therefore is not at odds with comments raised by the Inspector and in terms of visual impact, landscaping and layout would not create a cramped or unacceptable form of development, notwithstanding the increase in the number of units on the site.

More recently in March 2005, under planning reference: 04/3740, planning permission was granted to demolish the existing nursery building and erect a part two-storey, part three-storey building to provide 8 x 2-bedroom flats and 4 x 1-bedroom flats, also with 12 car-parking spaces within the basement area.

This development is basically similar to that currently being considered. The main differences being as follows:

- The two larger 2-bedroom units on the second floor of the previous permission have now been subdivided to create four units (3 x 1-bedroom and 1 x 2-bedroom) at this level, thus increasing the residential flats from 12 to 14.
- Flat 5 on the ground floor has increased in size from 70 sq. m. to 75 sq. m. with the addition of a second bathroom (floorspace for this was taken from the internal entrance lobby area of the main building).
- At basement level there are now 7 bicycle sheds (5 sheds were incorporated within the previous development) yielding a total of 14 cycle spaces.
- The private amenity space to flat No. 1 has now been aligned with the adjacent property increasing the area to 43.5sq. m. and decreasing the communal garden area to 184.5sq. m.
- The scheme was proposed to be "Car-Free" whereby residents are not to be issued with parking permits for the Controlled Parking Zones in the area, although the scheme still proposes 12 parking spaces.

The mass, scale, elevations of the building plus the amenity provision remain unchanged from the approved scheme.

Amenity:

Communal amenity space has been provided to the rear of the site to the north west. Some 184.5 sq. m. of communal amenity area is indicated to the south west of the site. In addition 20 sq. m. has been allocated to flat 2 on the ground floor and plans now show the private amenity space to flat 1 to align with the adjacent property increasing the area to 43.5sq. m.

In addition 15 sq. m. each of terrace area has been allocated to flats 11 and 13. Also 16 sq. m. and 21 sq. m. provided for units 12 and 14 respectively.

The amenity area therefore totals some 315 sq. m. which amounts to 22.5 sq. m. per residential unit.

This is in compliance with the 20 sq. m. per unit amenity requirement stipulated within the SPG17. However given that the site lies within an area of open space deficiency as defined within the UDP, the applicants have agreed to make a financial contribution of £10,000 towards open space provision and or/ environmental improvements in the locality.

Landscaping:

The Landscape Officer considers that the landscape design shows a good amount of tree planting and an interesting selection of shrubs and has no objections to the scheme.

Notwithstanding the submitted details, a condition has been imposed requiring further details of planting and clarification on boundary treatment.

Education:

The scheme will necessitate the requirement for education contributions under the provisions of policy CF6 of the adopted UDP, given that more than 10 residential units are to be created that contain two bedrooms. In this respect a contribution of £36,750 is required (£2,240 - nursery, £28,350 primary and £6,160 secondary school provision).

Sustainability:

The Council's Sustainability Checklist has been included as part of the planning submission. The indicative sustainability rating from this list is 47% (slightly up from the 45.5% rating of the previous application). This is considered to lie within the "fairly positive" category and would be acceptable on a development of this size. Materials to be used for the construction of the building include: white render, brick work, FSC durable timber, aluminium for the window frames and Green Sedum turf for the flat roof covering.

The S106 Heads of Terms include sustainability measures that will be legally binding and ensure a commitment from the applicants of their intentions in this regard.

Highways:

The scheme proposes a straightened and widened 4.1 metre access ramp to the basement from Doyle Gardens. This access ramp is at a gradient of 12%, with a 1.3 metre footway and a 300mm margin, with sufficient visibility to meet sightline requirements. The access ramp is considered to be sufficiently wide to allow cars to pass one another and to ensure safe pedestrian access.

The proposal includes 14 basement parking spaces, one of which is a wide disabled space and is in accordance with the Borough's parking standards. Given the current spaces, officers consider that there is now no requirement to impose a Controlled Parking Restriction on the application.

Cycle parking for sixteen bicycles has also been provided within the development and accords with standards. Whilst the refuse-storage area has been relocated to the rear of the site, alongside the car-park access ramp. The proposed refuse storage is positioned within 9 metres of Doyle Gardens and is considered to be satisfactorily close to the road for purposes of refuse collection. Space has also been allocated for recycling bins in the car park on the advice of the Community Waste and Recycling Officer.

The electricity substation has also been relocated from its present position to the rear of the site to be sited in the car-park basement beneath the ramp. An informative has been included advising the applicants that the development should take account of guidelines in respect of limiting exposure to time-varying electric, magnetic and electromagnetic fields.

Ventilation to the naturally ventilated car-park has also been revised, achieving the required free area. The ventilation openings have been relocated away from windows and the majority of the air infiltration will be via open-grille shutters. The Environmental Health Officer has no objections to the ventilation proposals but has suggested as a safeguard that a condition be imposed requesting further details of the ejection of emissions from the car park and also a condition requesting that a site investigation be carried out prior to commencement of the development to determine the nature and extent of any contamination present on site.

In the event of any planning approval, the Borough's Transportation Unit recommends that a standard financial contribution of £11,200 is sought towards non-car access improvements in the area, and new crossovers are provided at the developer's expense.

Response to Representations:

Concern about the development from residents has included obstruction of light, intrusion of privacy and the development being out of character with the area, inadequate parking and lack of open space.

The new premises will be situated at a distance of 14m from the rear garden of 2A Doyle Gardens and at least some 30m from the garden of 10 Doyle Gardens and officers consider that there will be no loss of amenities in terms of light or privacy to nearby residential dwellings. With regard to issues raised about parking, the Director of Transportation is satisfied that the development will be in compliance with Council policy, with adequate parking being provided.

Officers would also reiterate that the site lies within an area of open space deficiency and the applicants

have agreed to pay £10,000 towards open space improvements within the locality.

The introduction of a residential development in the area is compatible with the surrounding area and the contemporary approach will provide a distinct development that will provide interest to the locality.

Conclusion:

Officers consider that the current scheme will not conflict with Council policy with regard to flat layout, parking, siting or access and will comply with SPG17 standards on privacy and outlook and Council policies in general. Development on the site will enable the use of the site to be maximised and will fit within the existing environment providing an attractive building through the use of high quality materials. The development is thus recommended for approval.

RECOMMENDATION: Grant Consent subject to Legal agreement

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

Brent Unitary Development Plan 2004

Relevant policies in the Adopted Unitary Development Plan are those in the following chapters:-

Environmental Protection: in terms of protecting specific features of the environment and protecting the public

Open Space and Recreation: to protect and enhance the provision of sports, leisure and nature conservation

Transport: in terms of sustainability, safety and servicing needs

Community Facilities: in terms of meeting the demand for community services

CONDITIONS/REASONS:

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

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

- (2) Notwithstanding the submitted plans, there shall be no increase to the number of bedrooms through internal works to the proposed residential units, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To enable the Local Planning Authority to exercise proper control over the development.

- (3) Notwithstanding the submitted plans, further details of the ejection of emissions from the basement car park shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of works on site and the development shall be carried out in accordance with any additional works required, as approved by the Local Planning Authority.

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

- (4) During demolition and construction on site:-

The operation of site equipment generating noise and other nuisance-causing activities, audible at the site boundaries or in nearby residential properties, shall only be carried out between the hours of 0800 - 1800 Mondays - Fridays, 0800 - 1300 Saturdays and at no time on Sundays or Bank Holidays.

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

- (5) All areas shown on the approved plans shall be suitably landscaped with trees/shrubs/grass in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority prior to commencement of any demolition/construction work on the site. Such landscaping work shall be completed during the first available planting season following completion of the development hereby approved.

The submitted scheme shall include details of:

- (a) proposed walls and fencing, indicating materials and heights;
- (b) any screen planting on the boundary;
- (c) adequate physical separation such as protective walls and fencing, between landscaped and paved areas;
- (d) treatment of areas of hardstanding.

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

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

- (6) Samples of materials to be used on all external surfaces of the building(s) shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of works on site and the development shall be carried out in accordance with the approved materials.

Reason: To ensure that a satisfactory development is achieved.

- (7) Notwithstanding the submitted plans, details of proposed walls and fencing, indicating materials and heights, any screen planting on the boundary and adequate physical separation, such as protective walls and fencing, between landscaped and paved areas and treatment of areas of hardstanding, shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of works on site. The approved details shall be fully implemented.

Reason: These details are required to ensure that a satisfactory development is achieved.

- (8) Prior to commencement of the development hereby approved:

(a) A site investigation shall be carried out by a person approved by the Local Planning Authority to determine the nature and extent of any contamination present. The investigation shall be carried out in accordance with a scheme, which shall be submitted to and approved in writing by the Local Planning Authority, that includes the results of any research and analysis undertaken as well as details of remediation measures required to contain, treat or remove any contamination found; and

(b) remediation work shall be carried out in accordance with a scheme approved in writing by the Local Planning Authority.

(c) a completion report and certification of completion shall be provided to the Local Planning Authority by a person approved by the Local Planning Authority, stating that remediation has been carried out in accordance with the approved remediation scheme and the site is permitted for end use.

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

- (9) Further detailed plans shall be submitted to and approved in writing by the Local Planning Authority, prior to any work commencing on site and the works shall be carried out in accordance with the details thus approved. These plans shall include details of:

- (a) windows and doors;

(b) balconies.

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

- (10) All parking spaces, turning areas and footways shall be constructed and permanently marked out prior to commencement of the use of any part of the approved development or upon further application within such longer period as may be approved in writing by the Local Planning Authority. Such works shall be carried out in accordance with the approved plan(s). They shall thereafter, be maintained and used solely in connection with the development hereby approved.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic or the conditions of general safety within the site and along the neighbouring highway.

- (11) Details of all external lighting so as to ensure safety and convenience on roads, footpaths and other pedestrian and vehicular routes within the site, approximately baffled where necessary to avoid glare, shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of any works on site and such details as are approved shall be implemented.

Reason: In the interests of safety, amenity and convenience.

INFORMATIVES:

- (1) The applicant is advised to contact Jennifer Barrett of Environmental Health on (020) 8937 5252 prior to commencement of works on site.
- (2) The applicant is advised to contact Brent Council's Director of Transportation on (020) 8937 5116 with respect to undertaking the necessary crossover works.
- (3) The development should be constructed with regard to current ICNIRP guidelines for limiting exposure to time-varying electric, magnetic and electromagnetic fields.

REFERENCE DOCUMENTS:

Brent Unitary Development Plan 2004
Supplementary Planning Guidance 17 "Design Guide For New Development"
Supplementary Planning Guidance 19 "Sustainable Design, Construction & Pollution Control"
3 Letters of objection

Any person wishing to inspect the above papers should contact Mrs L Sowah, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5232



Planning Committee Map

Site address: DOYLE NURSERY SCHOOL, College Road, London, NW10 5PG

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