



Supplementary Planning Committee

Monday 9 May 2016 at 7.00 pm

Conference Hall - Brent Civic Centre, Engineers Way,
Wembley, HA9 0FJ

Membership:

Members

Councillors:

Marquis (Chair)
Agha (Vice-Chair)
S Choudhary
Colacicco
Ezeajughi
Mahmood
Maurice
M Patel

Substitute Members

Councillors:

Chohan, A Choudry, Hoda-Benn, Hylton, Khan
and W Mitchell Murray

Councillors

Colwill and Kansagra

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The press and public are welcome to attend this meeting

Members' briefing will take place at 6.00pm in Boardrooms 7 and 8

Agenda

Introductions, if appropriate.

Apologies for absence and clarification of alternate members

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Agenda Item 03

Supplementary Information Planning Committee on 9 May, 2016

Case No. 15/4708

Location	Apex House, Fulton Road and Albion House, Albion Way, Wembley, HA9
Description	The demolition of the existing buildings and redevelopment of a part 8-, part 9- and part 28-storey building comprising 558 student accommodation units with associated ancillary facilities at ground floor level, landscaping works, and cycle parking spaces, and a 49sqm cafe (Use Class A3) at ground floor level.

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Members visited the site on 7 May 2016. Members have sought clarification on issues relating to the quality of accommodation, requirements for communal facilities, future uses of the site, and the impact on the view from Barn Hill.

Quality of accommodation and communal facilities

Whilst the proposed building would be sited in close proximity to the adjoining building at Karma House, the orientation of the rooms within Karma House and the layout of that building means that the outlook of the closest units is not significantly affected as they do not directly face the proposed building. The closest elements of the buildings are 4.4m away from each other, however, they contain secondary windows to communal living space for the associated units. There are no windows that directly face each other and rooms will still receive natural daylight will benefit from good outlook from the other windows within those rooms.

Currently there are no policy requirements or standards for student accommodation that would need to be adhered to within the development nor are there set facilities that need to be included in such schemes. It should be noted however that the proposed layout includes a wide variety of facilities and the developers are experienced in creating such environments for students to live and study in. Each bedroom also has an en-suite bathroom as well as a desk for private study space. They have either access to shared kitchen/dining space or cooking facilities in the room itself. Other facilities within the building include:

- Cinema room
- Laundry
- Gym
- Café
- Study room
- Communal Student room
- Top floor games area and study room
- Roof top and courtyard outdoor amenity space

Some of these rooms could be used for other ancillary purposes if required by the operator.

Future uses of the site

The Student Accommodation Demand Assessment submitted with the application shows that demand for such accommodation is still high; however, the Council would be able to consider the merits of alternative uses for the subject building if they were proposed in the future. Planning permission would be required to change the use of the subject building from its consented use (together with any alterations associated with that change) or to redevelop the site.

If in the future the building was proposed to be used for residential purposes it would fall below the current London Plan standards for total floorspace, balconies and the SPG standards for Amenity space, however, the bedrooms typically meet the minimum requirements in terms of floorspace. If it was proposed to use the building as a hotel then the layout would need to change with alterations being made to the kitchen, living, dining and communal spaces that are currently within the scheme. However, these adaptations may be possible.

Nevertheless, the development is proposed to be used as student accommodation, an assessment has been submitted that shows that there is current and future demand for that accommodation and the use is

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restricted to student accommodation. The student accommodation meets the planning policy requirements associated with the provision of such accommodation.

View from Barn Hill

Within the case officer's report at paragraph 34, it states that there is no significant detrimental impact on the protected views to the stadium from Barn Hill open space. It has been shown that the protected views of the borough's UDP are not interrupted by this proposed development.

Recommendation:

Remains approval, subject to the conditions set out in the draft decision notice, the completion of a legal agreement and the Stage 2 referral to the Mayor of London.

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Agenda Item 04

Supplementary Information Planning Committee on 9 May, 2016

Case No. 15/4714

Location	MAHATMA GANDHI HOUSE, 34 Wembley Hill Road, Wembley, HA9 8AD
Description	Demolition of existing office building and redevelopment to the site to provide a part 10 and part 21 storey building from podium level with 1,416sqm of A1 floorspace and 133sqm of flexible A1, A2 and A3 floorspace on the ground floor and 198 residential units (use class C3) above with car parking, communal and private amenity space, public realm improvements, landscaping and other associated works (revised description).

Agenda Page Number: 47-90

Members Site Visit

Members visited the site on Saturday 7 May 2016. The following issues were raised:

Clarification on the quality of the trees to be lost

Four of the trees to be lost are category B trees and the remainder of the trees (16 in total) are category C trees. Category B are defined as those of moderate quality with an estimated remaining life expectancy of at least 20 years; and category C trees are defined as of low quality with an estimated remaining life expectancy of at least 10 years.

Further details on the cantilevered upper floors

The cantilevered upper floors of the building will overhang the lower floors by 1.16m.

The upper floors maintain a distance of 9.5m to the front edge of the pavement on South Way (7.4m maintained from the projecting balconies at level 2 upwards within the east tower to the front edge of the pavement on South Way) and a distance of 25m to the proposed building SW01 at south west land (being considered under application reference 14/4931), and a distance of 24.4m to 32m to the proposed building SW02 at south west lands (excluding the overhanging balconies).

The upper floors maintain a distance of 5.7 to 9.8m to the front edge of the pavement on Wembley Hill Road. A minimum distance of 20.4m is maintained between the west building and the buildings on Wembley Hill Road. It should be noted that the buildings on Wembley Hill Road are much closer to the road with a pavement width of approximately 3.6m compared to this building providing a pavement width of 5.7m to 9.8m. They are also lower in height.

The cantilever has been incorporated as a design feature. When considering the appearance of the building, potential effects on the streetscene and the relationship with adjoining sites, officers considered the location of the upper floors of the building. The proposed building is considered to be set well back from the carriage way, providing significant improvements to the public realm with regard to its design and depth from the carriage way. Officers consider that the proposals will improve rather than detract from the streetscene.

Clarification on the distance to "red" car park.

The "red" car park is around 170m from the site, and is well placed for customers of the proposed retail store.

Disabled parking for retail units

Officers in Transportation have advised that the "red" car park is available for public town centre parking. Disabled visitors can also use their Blue Badges to park in the Mostyn Avenue bays which are situated opposite the site if they wish to park closer to the retail unit.

The proposed loading bay will also offer scope for disabled parking, as Blue Badge holders may park on double yellow lines for up to 3 hours, as long as there are no loading restrictions. It should be noted that the

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existing loading restrictions are to be removed. Nevertheless, there is scope to extend the lay-by further to accommodate a disabled parking space if this is required by members, through Section 278/38 works to the highway, secured within the Section 106 agreement.

CPZ Contribution

Officers in Transportation have advised that for a CPZ contribution, the main development in the area is Quintain's revised Masterplan. There are about 1350 dwellings (excl. car-free housing) in the area across which the Council would probably look to bring in a CPZ and if each of these is offered a £56 parking permit (up to 130gCO₂/km or 1200cc) for three years, this would cost about £225,000. The proposed development provides approximately 5% of the units, so a contribution of £10,000 would be sought.

Other matters

To reflect the update in the tenure split to provide 20.2% affordable housing, revisions have been made to the Schedule of Areas and Accommodation, Level 6 Floor Plan and Pages 90 and 91 of the Design and Access Statement. It is recommended that condition 2 is amended to reflect the revised plans/information.

Amendments to conditions

The agent has requested that a number of minor amendments are made to the conditions. These mainly relate to time triggers for discharging the conditions, together with queries on whether conditions 8 and 11 duplicate each other and the specifications of condition 24. Your officers request that these can be reviewed under delegated authority, in the event that planning consent is forthcoming.

Recommendation:

Remains approval subject to conditions as set out after paragraph 177 of the main committee report (with minor amendments as discussed above) and the completion of a satisfactory Section 106 Agreement to include CPZ contribution and any revisions to the lay by in front of the site to accommodate a disabled parking bay.

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Agenda Item 05

Supplementary Information Planning Committee on 9 May, 2016

Case No. 16/0223

Location	Elsley Primary School, Tokyngton Avenue, Wembley, HA9 6HT
Description	Proposed expansion of primary school from 2FE to 4FE with associated works including: <ol style="list-style-type: none">1. Demolition of former caretaker's bungalow, removal of disused swimming pool and lean-to changing rooms.2. Construction of new 2 storey classroom block providing 16 classrooms and associated spaces, new single storey building providing nursery classrooms and a new courtyard infill extension providing studio/dining space, and external works.3. Internal alterations and remodelling to main school building converting existing classrooms into new staff areas, new nursery areas and improved classrooms.4. New canopies5. Provision of temporary classrooms for the duration of the works6. Related landscaping works including new playgrounds, creation of a habitat area, increased cycle and scooter parking, remodelling of existing site entrances, new site boundary fences and new pedestrian access gate7. New multi-use games area (MUGA) in western part of the site with 3.2m high perimeter fencing

Agenda Page Number: 91-126

Members site visit

Access to Ark Elvin Playing Fields

A legal agreement for Elsley Primary to use the Ark Elvin playing fields existed for some years with the former Copland Community School. The Council's current lease arrangements for the land with Ark Elvin inadvertently omit this usage but the intention to continue the existing arrangements for use of the playing fields was agreed with Ark at the time and the use has continued. Some revisions are required to the Ark Elvin lease following the planning approval granted in late 2015 and it is intended that the necessary amendments to secure the playing field use for Elsley Primary within that lease will be made at the same time.

Clarification on Berkhamsted Entrance

The proposed pedestrian access from Berkhamsted Avenue is proposed to be improved as part of this application by both wheelchair and pushchair users through the introduction of both stepped and ramped access. The stepped access is 2.5m wide and the ramped access is 1.4m. Officers in Transportation have advised that the width of the ramp complies with DDA standards. Your officers have already conditioned further details of the access ramp to include details of its proposed gradient, but in the event that members were concerned that the entrances gates, steps or access ramps were too narrow a condition could be added to any forthcoming consent securing revised details on this access.

Recommendation: Remains approval subject to conditions set out after paragraph 141 of the main committee report.

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Agenda Item 06

Supplementary Information Planning Committee on 9 May, 2016

Case No. 15/3950

Location	1C Carlyon Road, Wembley, HA0 1HP
Description	Demolition of former print workshop and redevelopment to provide a part four, part five and part six storey building to accommodate 28 flats (8 x 1bed, 17 x 2bed and 3 x 3bed units) with associated vehicular crossover, car and cycle parking spaces, bin stores, amenity space and landscaping (revised description)

Agenda Page Number: 127-158

Members Site Visit

Members of the Planning Committee attended a site visit on Saturday 7 May 2016. The following issues were raised:

CPZ contribution to be sought

Officers in Transportation have advised that for the CPZ contribution, a sum of £13,000 would be proportional to the sum of £60,000 provided by the development at the adjoining 255 Ealing Road site. Therefore a sum of £13,000 is sought.

Need for visitor space to be provided

In the event that members wish to see a visitor space provided within the site, there is scope to replace one of the off-street bays within the frontage with a visitor space, as the number of disabled bays on site are in excess of one space.

Such details can be secured by condition.

Parking arrangement - how allocated and clarify cost of parking

Your officers recommend that a condition is secured requiring the approval and implementation of a car park management plan. This should set out how the car parking spaces will be allocated between the different tenures with a requirement that half of the spaces should be of the affordable units, together with clarification on the cost of car parking. It should be noted that at the site visit the agent confirmed that the parking spaces would be free for the affordable units.

Other matters

Clarification on internal floorspace of Flat 22

Within the main committee report in paragraph 28, it refers to the floorspace of Flat 22 being below London Plan standards. The agent has confirmed that Flat 22 is a two bedroom 3 person flat. It has a floorspace of 64sqm which meets London Plan requirements. A revised schedule of accommodation has been submitted to reflect this, and the list of approved documents set out in condition 2 will be amended accordingly.

Recommendation:

Remains approval subject to conditions set out after paragraph 91 of the main committee report and completion of satisfactory legal agreement which includes the addition of a CPZ contribution, together with an update to condition 2 and an additional condition being secured requiring details of a car park management plan and the need to provide a visitor space if requested by members.

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Agenda Item 07

Supplementary Information Planning Committee on 9 May, 2016

Case No. 16/0073

Location	Stonebridge Primary School Annexe, Twybridge Way, London, NW10 0ST
Description	Outline planning permission for the demolition of the Former Day Centre and erection of up to 55 units comprising of 15 x houses up to 3-storeys in height (use class C3), one apartment block comprising 5 x 1bed and 7x 2bed flats up to 5-storeys in height (use class C3) and one apartment block comprising 28x 1bed flats up to 5-storeys in height with an element of care (use class C3b) and a new one-way access loop road and on-street parking bays with all matters reserved (as amended).

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Planning Committee members visited the site on 7 May 2016 and sought further clarification on some matters had a number of questions about the proposal which are addressed below.

Ownership of the retained house-

This property is privately owned. No objection has been received.

Distance between retained house and the proposed dwellinghouses-

Proposed houses to the northern end of the site will be separated by between 12.5m and 14.6m from the flank elevation of the retained house. Proposed houses to the east will be between 20m and 24m from the rear elevation of the retained property. This demonstrates a level of compliance with SPG17, and where the separation is less than 20m this is across the width of the access road, and the relationship to the retained house is onto a flank elevation. On balance this is considered acceptable.

Why the Leylandii aren't being retained?

These are along the northern edge of the site and are all either assessed as being category B (moderate quality and value) or category C (of low quality and value) in the Middlemarch Arboricultural Survey. The Council's Principal Tree Officer is broadly in agreement with the Survey and does not deem this group of Leylandii to be of particular merit. These could be easily replaced as part of the tree replacement strategy, which is to be secured through condition and this will provide the opportunity for suitable native species in proximity to the canal feeder.

What does the green on the plan represent?

The application is submitted in outline with all matters reserved, including detailed landscaping. This represents indicative landscaping for the purposes of this application demonstrating both private amenity space and public realm landscaping.

Clarificaton on where parking will be?

As shown on the proposed site plan parking is to be provided in the form of parallel bays around the new loop road and echelon parking bays. Some further bays will be provided along the Twybridge Way frontage. This is supported by Transportation.

Does the line of the loop road follow the existing road?

No it does not, this is reconfigured differently as shown on the proposed site plan (Drg 003 revB).

What is NAIL accommodation?

This stands for New Accommodation for Independant Living. This provides self-contained supported accommodation for adults with physical and learning impairments. This type of accommodation is in demand within Brent's Adult Social Care department.

Why can't the affordable housing offered be to the London Plan requirement rather than 80% market rent?

The 80% of market rent approach that is proposed is in conformity with London Plan policy 3.10 and the definitions for what constitutes affordable housing. The applicants, in this case the Council's Property department has advised that the setting of lower rents would affect the viability of the scheme. Members should note that the overall affordable housing offer will be tested by the Local Planning Authority at reserved

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matters stage when the applicant is required to submit a detailed financial viability assessment.

Confirmation that the affordable housing and parking provision would be secured if the site was sold on.

The delivery of affordable housing is to be secured through condition. The condition states the applicant's are required to provide not less than 35% across the linked sites. The submission of a detailed financial viability assessment at the reserved matters stage which shall be tested by the Local Planning Authority to ensure that 35% does in fact represent the maximum reasonable amount of affordable housing that can be delivered across these sites.

The indicative layout plans show that an acceptable level of parking can be achieved within the site. This level of parking is supported by Transportation officers. At reserved matters stage detailed approval will be sought for layout, and this will include parking layout and numbers.

Both of the above will be secured by condition, and compliance with this will apply in the event of the site being sold on.

Other matters discussed below have also been raised by the Committee.

Parking provision -

The proposed development attracts a maximum parking standard of 41 spaces across the site. The proposed provision of 28 parking bays within the site therefore accords with standards. However, where the full residential parking standard is not met within any site, Policy TRN23 requires the impact on on-street parking to be assessed, with on-street parking able to be counted towards standards along the site frontage only, as long as the site is located on a local access road that is not heavily parked and has sufficient width to accommodate parking on both sides.

Twybridge Way is a local access road that is not noted as being heavily parked at night. This application includes the re-provision of the parking bays along the Twybridge Way site frontage within a lay-by, in order to provide additional on-street parking along the site frontage. This would take total parking provision within and adjoining the development to 33 spaces, which is considered to be close enough to the maximum allowance to satisfy likely future parking demand.

On balance the level of parking is considered to be appropriate to the scale of development and is supported by Transportation officers.

To confirm the new loop road will be one-way access only.

Affordable Housing -

For clarification please refer to paragraph's 51 - 56 within the main report.

Why is the school development being cross-subsidised?

Further update on this is to be provided at the meeting.

Tree replacement strategy - A comprehensive replacement tree planting strategy is proposed as mitigation for the trees that will need to be removed, and this replacement planting is to be secured through Condition 16. This approach is supported by the Council's Principal Tree Officer.

Additional neighbour representations received -

Objection has been received from a property on First Drive. This objects to the revised application on the following grounds:-

- This will increase existing congestion and parking problems locally.
- 5-storey buildings will have a negative impact on light for surrounding residences.
- More private housing will have no benefit for existing residents, and will result in the loss of more social infrastructure locally.
- Increased population will lead to increased congestion for the No 18 bus route.

Representation has been received from a resident of Twybridge Way. They have not confirmed their address but their comments are critical of the level of consultation undertaken by the Council. To confirm, a total of 336 addresses were consulted, that included all properties within 100m of the site, and this included a large number of properties on Twybridge Way. The level of consultation meets the Council's statutory requirement, and accords with SPG2, which is used to determine the appropriate level of consultation depending on the nature of a particular application.

Additional conditions and amendments to existing conditions -

Notwithstanding that all matters are reserved in the outline parts of the application it is considered necessary to add a condition that will control the scale of development at reserved matters stage. The following condition is recommended:

The details of the Reserved Matters submitted in relation to Condition 1 shall be in accordance with the limitations set by the approved parameter plans specified in Condition 2, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to ensure development proceeds on the basis of the scale of development shown on the submitted parameter plans.

Recommendation: Remains approval subject to additional condition

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Agenda Item 08

Supplementary Information Planning Committee on 9 May, 2016

Case No. 16/0077

Location	The Stonebridge School Site & Adventure Playground, Shakespeare Avenue, Stonebridge Estate Open Space, Hillside and Open Space, Milton Avenue, NW10
Description	Hybrid planning application comprising: Full planning permission for the demolition of the Former Adventure Playground; the construction of a two-storey building providing new nursery, assembly hall, reception and teaching facilities with first floor walkway connecting to the main school building; reconfiguration of Stonebridge Primary School's playground including the provision of two Multi-Use Games Areas and the erection of new perimeter fencing and the creation of 1.2ha of public open space with associated ancillary works ("Phase 1").

AND

Outline planning permission for the erection of an apartment block up to 6-storey's comprising up to 51 residential units (16x 1bed, 25x 2bed and 10x 3bed flats) and 246sqm of commercial floorspace (Use class A3) and car parking at ground floor at Stonebridge Open Space, Hillside, the reconfiguration of Shakespeare Avenue, access to the residential units and up to 22x 3-storey houses (use class C3) at Open Space, Milton Avenue with all matters reserved. ("Phase 2").

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Planning Committee members visited the site on 7 May 2016. They have sought further clarification on some matters, and had a number of questions about the proposal which are addressed below.

Building set back along Hillside -

As this element is submitted on outline only, with all matters reserved then the plans submitted are indicative only. Should Members consider that a greater set back from Hillside is preferable this can be secured through condition, requiring the submission and approval in writing of the building layout, which shall incorporate an appropriate level of set back.

Height of proposed building on Hillside -

Scale is one of the reserved matters, but for indication purposes the plans submitted show a building stepping up to 6-storeys, which translates to 16.6m at the eastern end, stepping up to 22m at the western end towards Wesley Road.

The condition below in the 'additional conditions' section is recommended to be added, this will ensure that at reserved matters stage the scale of building proposed cannot exceed the approved parameter plans.

Which parts of Stonebridge School are listed?

Stonebridge School main building is Grade II Listed, the listing also applies to other ancillary buildings, boundary walls, gates and railings within the curtilage.

Where will each of the play areas be located?

This is demonstrated by Drg (90)LP003 revB.

Further clarity sought on the play space offer -

Two separate play areas are proposed to cater for different age groups. The play area for children between 0 - 6 years is the northern one, located closer to the proposed school extension. The play space catering for children between 6 - 14 years is located to the south, closer to Milton Avenue.

The type of play equipment envisaged has been shown in the landscape concept report. It is envisaged that for the 0 - 6 age range equipment will include climbing, swinging, sliding and imaginative play. For the 6 - 14 age range a range of timber and metal equipment is envisaged, which is likely to comprise of climbing structures, balancing poles, jumping discs, wheelchair accessible carousel, slides and sculptural objects.

The final detailed specification of play equipment is to be secured through planning condition.

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Further details of the MUGA -

Floodlighting has not been proposed, and any future lighting is controlled by condition 12. This does require further details of any floodlights or other form of lighting to the MUGA to be approved in writing.

The MUGA surface will be a polymeric sports surface with line markings for different sports. Boundary treatment will be fencing to a maximum height of 3m at either end. Further details of this fencing will need to be secured by condition (see below).

Will the school MUGA's be open for community use?

No there are no plans for this. The School has set out its position in respect of this. They have advised that existing hardsurfaced play areas are well used both during the school day and before and after school by school clubs. Re-provision of these areas as modern MUGA's will increase the opportunity for the school to use them, meaning opportunities for community use will be limited.

The design and configuration of the existing and proposed school also mean that it will not be practicable for the MUGA's to be served by segregated access and supervision out of hours.

Provision of a MUGA within the adjacent open space is not considered practicable. The open space has been designed to include new bespoke play space / equipment for children of all age groups, and this would be compromised and space lost if a MUGA was added.

An important point to note is that there is an excellent, and well used facility very nearby. Stonebridge Pavillion to the west provides a number of all weather pitches for play and sport. This serves Stonebridge well and is used by the local community.

What facilities are provided within Hillside Hub and are these used by Stonebridge School?

This comprises of a community hall, community rooms for hire and use and PCT clinic. This facility is not used by the school.

Confirm the boundary treatment between the houses proposed on Milton Avenue and the school site.

As this element is submitted in outline with all matters reserved detailed landscaping has not been provided. This will come forward at reserved matters stage, and will be secured through conditions.

Clarify the number of parking spaces on Stonebridge School site.

Please refer to paragraph's 31 - 34 within the main report.

Will the additional vehicle movements to the Stonebridge School site have an acceptable impact?

A full Transport Assessment has been submitted in support of the application. The closure of the Twybridge Way annexe building and the expansion of Stonebridge School main site will allow consolidation onto one site, which is generally welcomed in terms of minimising car travel between the two sites. In terms of the assessment vehicular trips to the soon to be redundant Twybridge Way site have been reassigned on the highway network to the main school site, based upon existing modal splits. Junction capacities have then been tested, and this shows that there will be plenty of spare capacity at junctions after this development has been completed. This is considered acceptable by Transportation officers.

Other matters discussed below have also been raised by the Committee.

Open space - The width of the open space along the canal feeder is 56m at the southern end, the width of the space increases to 59m in part and reduces down to 33m in part due to the layout of Johnson Road.

Tree replacement - Further details of replacement trees are secured through conditions. The replacement planting strategy has been set out in the landscape concept report. This provides detail on the location and specifications of proposed trees.

In total 60 trees are proposed for removal. The replacement strategy proposes 132 newly planted trees, 85 replanted in the open space and 47 replanted within the Stonebridge School site.

Why is the school development being cross-subsidised?

Further update is to be provided on this at the meeting.

Affordable Housing -

Please refer to paragraphs 117 - 122 within the main report for a breakdown.

s106 contributions -

As London Borough of Brent is the applicant then there is not a S106 Legal Agreement. The Council cannot enter into a Legal Agreement with itself. Planning conditions are recommended to capture matters relating to affordable housing, sustainability / energy and highway works that would have otherwise been secured through the s106 agreement.

Additional conditions and amendments to existing -

Notwithstanding that all matters are reserved in the outline parts of the application it is considered necessary to add a condition that will control the scale of development at reserved matters stage. The following condition is recommended:

The details of Phase Two submitted in relation to Condition 1 shall be in accordance with the limitations set by the approved parameter plans specified in Condition 3, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to ensure development proceeds on the basis of the scale of development shown on the submitted parameter plans.

A condition is recommended to require the submission and approval of fencing / boundary treatments to the MUGA pitches.

A condition is recommended requiring details demonstrating that the developer or constructor has joined the Considerate Constructors Scheme , as per application 16/0073.

There is also an error in the drafting of Condition 9, as this should cross reference to Condition 1.

Recommendation: Remains approval subject to amendments to conditions

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