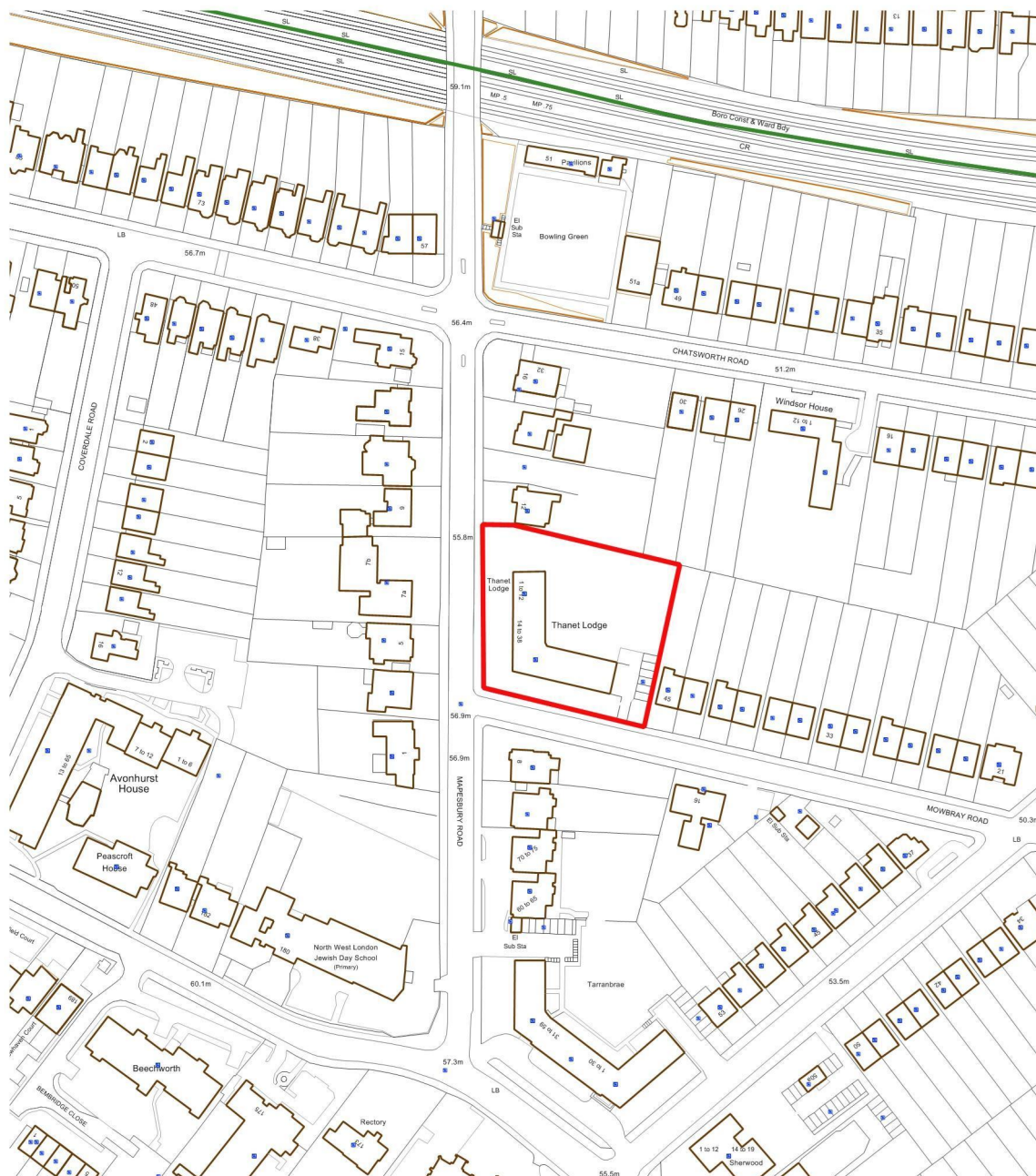




Planning Committee Map

Site address: 1-42 INC, Thanet Lodge, Mapesbury Road, London, NW2 4JA

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This map is indicative only.

RECEIVED: 2 January, 2014

WARD: Brondesbury Park

PLANNING AREA: Kilburn & Kensal Consultative Forum

LOCATION: 1-42 INC, Thanet Lodge, Mapesbury Road, London, NW2 4JA

PROPOSAL: Erection of a 2 storey 1 x 4 bedroom dwellinghouse to the north of Thanet Lodge

APPLICANT: Java Properties International

CONTACT: Michael Burroughs Associates

PLAN NO'S:
Please see condition 2

This application was deferred at the Planning Committee on 9 April 2014 as Members voted to defer consideration of the application to allow for further negotiations to take place between the applicant and the residents of the existing Thanet Lodge.

The Planning Committee wanted the applicant to consider the following points:

- Creation of revised pedestrian access via Mapesbury Road.
- Reinstatement of landscaping on the site after the implementation of the development.
- Consider an enhanced tree planting scheme on the site so that the one to one ratio mentioned in the draft condition is improved upon.
- Construction management plan to cover matters relating to how the development will be implemented (predominantly off Mapesbury Road).
- Consider how the development will impact on communal amenity space/delineation of the rear private terrace area.
- Create self-contained site from the rest of Thanet Lodge.
- Enter into a Considerate Contractors' Scheme (CCS).

A number of changes have been made to the submission and a re-consultation exercise undertaken, as set out below. However, the applicants have now submitted an appeal against the non-determination of this application which means that it will now be for the Planning Inspectorate, rather than the Council, to make a decision on the proposal. In circumstances such as this it falls for the Local Planning Authority to say what decision it would have made had it been in a position to make one.

RECOMMENDATION

The Council would have granted planning permission, had it been in a position to do so, subject to the conditions and reasons set out after paragraph 28 and the completion of a satisfactory Section 106 or other legal agreement.

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
- Car Free Agreement

CIL DETAILS

This application is liable to pay the Community Infrastructure Levy (CIL). The total amount is **£33,877.94** of which **£28,832.29** is Brent CIL and **£5,045.65** is Mayoral CIL.

CIL Liable?

Yes/No: Yes

EXISTING

The site in use as part of a communal garden that services an apartment complex (Thanet Lodge) is located on Mapesbury Road. The property is located within the Brondesbury Conservation Area.

The existing apartment complex (Thanet Lodge) consists of 40 no. self-contained 1-1/2-bed flats, including the 4 no. 2-bed flats at 4th floor level approved in 2003 and completed in 2006.

DEVELOPMENT SCHEDULE

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

Floorspace Breakdown

Primary Use	Existing	Retained	Lost	New	Net Gain
dwelling houses	0		0	141	141

TOTALS in sqm

Totals	Existing	Retained	Lost	New	Net gain
	0		0	141	141

Monitoring Residential Breakdown

Existing

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
Houses										0

Proposed

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
Houses				1						1

PROPOSAL

Please see above

HISTORY

The property has an extensive site history, however of particular relevance in the assessment of this case in the dismissed appeal for, the erection of three flats (1x Two Bed and 2 x One Beds) to the North of Thanet Lodge(Ref No: 12/2813). The Local Authority refused the application for the following reasons:

The proposed development would, by reason of its height, size and siting, be detrimental to the amenities of adjoining occupiers, by reason of loss of light, loss of outlook from, and the creation of an overbearing impact on, the existing property. The proposal would be contrary to policies BE9 and H16 of the adopted Brent Unitary Development Plan 2004 and Supplementary Planning Guidance SPG17: "Design Guide for New Development."

The proposed development, by virtue of a lack of external amenity space will be contrary to Supplementary Planning Guidance SPG17: "Design Guide for New Development."

In the absence of a legal agreement to control the matter, the development would result in additional pressure on parking demand and transport infrastructure, without a "car-free" agreement or any contribution to sustainable transport improvements in the area, an increased pressure for the use of existing open space, public sports facilities and education infrastructure, without any contribution to assist in their delivery and enhancement respectively. As a result, the proposal is contrary to policies STR19, TRN, TRN23, OS7 and CF6 of the adopted London Borough of Brent Unitary Development Plan 2004 and Supplementary Planning

Document: "S106 Planning Obligations".

Although the appeal was dismissed, the Inspector unfortunately did not support the Council on all its objections. It was only dismissed on two particular aspects, these were:

- Loss to neighbouring amenity at Thanet Lodge
- Absence of a 'Car free' development

POLICY CONSIDERATIONS

The following planning policy documents and guidance are considered to be of particular relevance to the determination of the current application

The National Planning Policy Framework (NPPF)

National Planning Policy Framework (NPPF)

The NPPF was published on 27 March 2012 and replaced Planning Policy Guidance and Planning Policy Statements with immediate effect. It seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. It includes a presumption in favour of sustainable development in both plan making and decision making. The NPPF is intended to provide a framework within which local people and Councils can produce their own distinctive Local and Neighbourhood Plans. It aims to strengthen local decision making and reinforce the importance of keeping plans up to date.

Saved policies from the adopted UDP will have increasingly less weight unless they are in conformity with the NPPF and can be demonstrated to be still relevant. The Core Strategy will also need to be in conformity with both the London Plan and the NPPF. In doing so it has significant weight attached to it.

The recommendation here is considered to comply with the Core Principles set down in the NPPF:

- Planning should be genuinely plan led empowering people to shape their surroundings. Plans should be kept up-to-date and provide a practical framework within which decisions on planning applications can be made.
- Creation of the opportunity to be creative in finding ways to enhance and improve places in which people live their lives.
- Proactively drive and support sustainable economic development to deliver homes, business and industrial units, and thriving local places that the country needs. Plans should set out a clear strategy for allocating sufficient land which is suitable for development in their area taking account of the needs of the residential and business communities.
- Secure a high standard of design and levels of amenity.
- Promote the vitality of the main urban areas whilst protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside.
- Aim for a low carbon future in a changing climate and encourage the use of renewable resources.
- Conserve and enhance the natural environment and reduce pollution. Allocations of land for development should prefer land of lesser environmental value.
- Encourage the use of brownfield land provided it is not of high environmental value.
- Promote mixed use developments.
- Conserve heritage assets in a manner appropriate to their significance.
- Manage patterns of growth to make the fullest use of public transport, walking and cycling focussing significant development on locations which are or can be made sustainable.
- Support strategies which encourage health, social and cultural well being for all and deliver community and cultural facilities and services to meet local needs.

Mayors London Plan 2011

The London Borough of Brent LDF Core Strategy 2010

CP2 Population and Housing Growth

CP21 A Balanced Housing Stock

The London Borough of Brent Unitary Development 2004 ('saved' policies)

BE2 Townscape: Local Context & Character

BE7 Public Realm: Streetscape

BE9	Architectural Quality
BE25	Development in Conservation Areas
BE26	Alterations and Extensions to Buildings in Conservation Areas
H12	Residential Quality – Layout Considerations
TRN23	Parking Standards – Residential Development
PS14	Parking Standards

SPG

The Council produces a series of Supplementary Planning Guidance notes that give additional information on a variety of issues and which are intended to be read in conjunction with the adopted UDP. These SPG were subject to widespread public consultation the Planning Authority would suggest that considerable weight to be attached to them.

SPG 17: Design Guide for New Development

CONSULTATION

ORIGINAL SUBMISSION

External:

75 Neighbouring properties were consulted on 7 January 2014. A site notice was posted on 11 February 2014 and press notice was placed in the local paper on 20 February 2014. The Local Authority received a total of 16 objections.

The objections included:

- The loss of communal garden space will have a detrimental impact on the living conditions of existing and future occupiers of Thanet Lodge
- The design of the proposal fails to respect the Character of the Conservation Area
- Depreciation of property value
- The increase in traffic and reduction in parking will result in detrimental impact on environmental quality
- Concern over the number of applications being applied for by Java Properties
- The proposed building is located too close to the existing block at Thanet Lodge and will therefore result in a loss of light
- Loss of light to No 12 Mapesbury Road
- The proposed block will be overlooked by the existing block at Thanet lodge resulting in a loss of privacy
- Increased traffic congestion
- The proposal will detract from the established character of the Conservation Area
- Consultation has been flawed as residents have not been provided.
- Quality of work can not be assured - Noise Insulation
- A number of trees (5 of which are covered by a tree protection order) will be lost to the development
- Loss of views over mature garden.
- The new block will be subject to flooding owing to its low lying nature
- The proposal will result in an increased flood risk to the existing garden and the new basement flat
- A new pedestrian access is being created contrary to the application form
- Additional strain on refuse and recycling services
- Loss of garages

At the Planning Committee itself, a resident made the specific point that they believed that the Council was attaching too much weight to the views of the appeal Inspector. Whilst it is true to say that the appeal decision is only one material consideration and it does still fall for the application to be determined on its own planning merits, revisiting the Inspectors decision letter does make his views on a proposal of this form very clear. As explained at the time, the applicant had responded to the issues identified by the Inspector and in those circumstances it was felt that the only recommendation that can be made was to grant consent.

Internal:

- Highways: No Objection Subject to 'Car Free' agreement
- Tree Officer: No objection 'subject to condition requiring tree protection and replacement

REVISED SUBMISSION

As explained above the scheme has been amended to take account of the issues that were raised by Members at the April 2014 Planning Committee. On 27 June 2014 the final revised plans were sent to the Council and on 5 July 2014 Thanet Lodge residents confirmed that they had written to the Council confirming their support for the revisions.

A formal re-consultation exercise was undertaken on 25 July 2014 and to date no responses have been received. Members will be updated at the meeting in the event that any new representations are received.

REMARKS

Introduction

1. This application was deferred at the Planning Committee on 9 April 2014 to allow for further negotiations to take place between the applicant and the residents of Thanet Lodge. The Planning Committee indicated at that time that they wanted the applicant to consider the following points:

- Creation of revised pedestrian access via Mapesbury Road.
- Reinstatement of landscaping on the site after the implementation of the development.
- Consider an enhanced tree planting scheme on the site so that the one to one ratio mentioned in the draft condition is improved upon.
- Construction management plan to cover matters relating to how the development will be implemented (predominantly off Mapesbury Road).
- Consider how the development will impact on communal amenity space/delineation of the rear private terrace area.
- Create self-contained site from the rest of Thanet Lodge.
- Enter into a Considerate Contractors' Scheme (CCS).

2. A number of changes have been made to the submission and a re-consultation exercise undertaken, as set out in this revised report which seems to have dealt with the issues that were discussed at the Planning meeting. However, the applicants have now submitted an appeal against the non-determination of this application which means that it will now be for the Planning Inspectorate to make a final decision on the proposal taking into account all material considerations. In circumstances such as this it falls for the Local Planning Authority to say what decision it would have made had it been in a position to make one, rather than to make the decision itself.

3. In April 2014 the Planning Committee Members visited the site on the Saturday before the meeting and they heard from a number of speakers, as well as Councillor Carol Shaw the Ward Councillor, at the meeting itself.

Changes since the application was deferred at the April Planning Committee

4. A summary of what has happened since the April deferral in relation to the specific issues raised is set down below:

Access

- Proposed Development to have self-contained access solely from Mapesbury Road.
- Refuse and bicycle store to be moved to the other side of the proposed development
- The development is to be subject to a "car-free" arrangement, as confirmed by applicant

Landscaping scheme

- Enhanced landscaping scheme to be reviewed by residents of Thanet Lodge and paid for by applicant.

Trees

- The replacement of five existing trees with five new semi-mature trees at the expense of the applicant .
- Specific location and type of any replacement trees to be agreed with Thanet Lodge Right to Manage Company.

Construction Management Plan

- Draft Construction Management Plan to be provided for review by residents of Thanet Lodge.
- All construction and related works to be implemented from Mapesbury Road.
- Hours of work to be controlled.
- Construction vehicles to park in allocated on-street car parking bay on Mapesbury Road.
- If any loss or damage to Thanet Lodge is incurred, caused by the Proposed Development the Applicant must indemnify the Thanet Lodge Right to Manage Company for any such losses or damage caused.

Considerate Contractors Scheme (CCS)

- The Applicant accepts the need to sign up to the CCS.

Previous Planning Decision on the Site.

5. As Members will see above a previous scheme was dismissed. The key consideration, therefore, continues to be whether the revised proposal has overcome the difficulties identified by the Inspector. The Inspector dismissed the appeal for the following reasons:

- Loss to neighbouring amenity as the new block failed to comply with the Council's 30 degree and minimum 5m separation distance between the new block and Thanet Lodge
- Absence of a 'Car free' development.

However, they did not agree to the Council's concerns as far as they related to design or quality of space provided.

6. This application was recommended for approval when it went before the Planning Committee in April 2014 and, therefore, the Officers' view has not changed since that time. Indeed, the changes to the scheme that have been introduced in response to the discussions that took place at the April meeting have, it is considered, served to improve the development. As a result, had Officers been in a position to make a formal recommendation here it would still have been to grant planning permission.

Design

7. The building is sited within the designated Brondesbury Conservation Area. As a result policies BE2, BE3, BE7, BE9, BE25 BE26 and H12 of the UDP need to ensure that new development positively enhances the character and amenity of the Conservation Area. The character here is generally that of a suburban road of generally two storey houses and that of the flatted development of Thanet Lodge. As such no objection, to a new house, per se, in this location is raised. However, this would be on the basis that the resulting development would not detract from the well-established character of the Conservation Area, and would positively enhance the area thereby.

8. The design of the development is fairly traditional, which is not, in itself, something that the Council would object to in principle. It is considered that the width of building has been reduced (From approximately 13m to approximately 10m) so to minimise its impact on the flank windows of Thanet Lodge. Whilst your officers are of the view a better design could be employed here, officers must pay due consideration to the Appeal Inspectors decision, which states, *'The principle of housing on the site is clearly acceptable and I consider that the design accords with the relevant local (UDP) and national planning policy requirements (NPPF) in relation to the delivery and provision of a wide quality homes. I also consider that the proposal would preserve the character and appearance of the Brondesbury Conservation Area...'*

9. As such no objection to the design of the proposal is raised, given the similarities between the current iteration and the proposal that formed the basis of the appeal.

Impact on Neighbouring Amenity

10. In Paragraph 12 of the appeal Inspector found the proposal to not cause harm to Neighbouring property No 12 Mapesbury Road, however detrimental harm was considered to occur for residents of Thanet Lodge as stated in paragraph 13-14:

'However, having noted the proximity of the proposed building to the existing building, it is my view that the living conditions of those living on the lower levels of the block, with windows in the north elevation would be seriously harmed by the proposal. The distance between these windows and the

south wall of the proposal is shown as being less than 3m. I acknowledge that the SPG17 requirement (that the new building envelope is set below a line of 30° from the nearest habitable room window of adjoining existing property, measured from the height of 2m above floor level) is exceeded as the actual figure is 25°.... However, the normally acceptable minimum direct distance between habitable rooms (windows) on a flank wall and a side boundary is 5m. The proposal is positioned more than 2m less than this requirement. Furthermore, the proposed height of the new apartment block would be 0.4m above the ground floor habitable windows in the north elevation of Thanet Lodge. In my view, this is simply too close and it would have an unacceptable overbearing effect on the occupants of the rooms affected.'

11. The applicant has responded by reducing the width of the building by approximately 2m so to create a 5m separation between the existing and proposed blocks. Whilst Officers would prefer a larger separation between the blocks, once again due consideration must be paid to the Inspectors decision. The proposed block is now compliant with requirements set out in SPG17 and the Appeal Inspectors assessment as detailed above. Therefore, on balance, the proposal is not considered to cause a detrimental impact on neighbouring amenity.

12. The Inspector, in spite of the concerns raised by the Council, did not unfortunately raise any issue with the loss of communal garden space and as such unfortunately can form a reason for refusal in itself. The matter is further expanded below.

Quality of Accommodation

13. The proposal seeks permission for the erection of a new residential block comprising 1 x 4 bedroom unit. The Council's SPG17: "Design Guide for New Development" is the starting point for the assessment of this residential development. One of the key sections in the SPG covers the standards that would be applied relating to the required distances between habitable-room windows and other windows, as well as site boundaries.

14. In the case of the application proposal, it seems evident that the applicant has had regard to SPG17 and the appeal decision in compiling the proposal. The proposed building has been designed so as to have no habitable room windows in any of the elevations that would conflict with people living nearby. In terms of the likely quality of accommodation for future occupiers, the submitted drawings indicate separation distances between windows and boundaries (the majority of unit is orientated so as to face towards the road and the rear communal garden).

15. An assessment of the current proposal indicates that the proposed unit shown on the plans do exceed the Mayors London Plan Standards, in quantitative terms at 141sqm (GLA standards 113m2).

16. A further issue is the provision of external amenity space on the site. SPG17 requires 50 square metres of space for each family sized unit. A private garden of 30sqm on the Western elevation with terraces to the East and West have been proposed. In this case, and comparing favourably to the appeal scheme, the development would not rely exclusively on garden space to the front of the building, (approx. 30sqm fronting Mapesbury Road) as there is an area of communal space to the rear and side that would provide approx. 145 square metres of external space. The proposed amenity space of the current application is better in many regards in that the amenity space is useable by the future residents and the increased amenity space creates more space for future landscaping which will enhance and improve the area. This view should be considered alongside the fact that the internal space proposed in the unit exceeds the SPG17 guidance and the Mayors London Plan Standards.

17. The Inspectors views were that:

'Having considered the relevant submissions I do not consider that the living conditions of the occupiers of the new flats would be noticeably affected. The flats meet the required space standards and although the external amenity space requirements are not met for all three units, it is evident that residents would have use of the extensive communal garden.'

18. Taking into account the views of the Inspector, Officers find the quality of space provided to be of an acceptable standard.

Highway Considerations

19. Dwellings in areas with good PTAL ratings as is the case here and a CPZ are assessed using a reduced

standard, whereby 4-bed properties can be permitted up to 1.2 car spaces. The 40 no. existing flats at the site can be permitted up to 28 car spaces under the same PS14 standards. The proposed flats will therefore increase the maximum standard for the site as a whole to 29.2 car spaces, which is deemed significant. As there are only 20 car spaces currently available at the site, it is very likely that overspill car parking would occur as a result of this development.

20. Whilst the Inspector noted the parking strains both on and off-site, he concludes that, *'With a 'car free' agreement in place I consider that this would overcome the objections and harm caused relating to parking in the vicinity'*. The applicant has agreed to sign up to the terms and conditions of a 'Car free' development.

21. Secure and covered cycle parking lockers for use by the proposed new flats have been shown close to the Mapesbury Road frontage of this site. These are acceptable in highway terms only.

22. Refuse and recycling facilities are also communally provided within acceptable carry-distances both for residents of the proposed flats and for waste collection staff.

23. The proposal is considered to comply with Highway requirements.

Trees and Landscaping

24. The property at Thanet Lodge is subject to the Thanet Lodge, Mapesbury Area Tree Preservation Order, It is also located within the Brondesbury Conservation Area which affords a basic level of protection to other trees not subject to the TPO. In considering the appeal on the site, the Inspector did not consider that the development would have an unacceptable impact on the existing trees and, therefore, did not dismiss the appeal on those grounds. That said, Officers are of the view that the existing trees are valuable and should be surveyed, protected and/or replaced appropriately. Details of which will be secured by condition 5

25. Whilst no objections to the scheme are raised, your officers are of the view a tree survey, arboricultural implications assessment and ultimately a tree protection plan/ arboricultural method statement in accordance with BS5837:2012, setting out how retained trees will be protected during proposed works should be required.

26. Officers have noted there are a number of trees on the northern boundary that could be lost to the proposed development. Any potential loss should be mitigated with a high quality landscape scheme containing suitable replacement trees at a ratio of 1:1. Such detail shall be secured by condition.

Other

27. At the Members site visit the stability of the boundary structure between 12 Mapesbury Road and Thanet Lodge was queried. The existing boundary wall is evidently old and its long term stability will need to be considered regardless of whether an application is granted or not. Any alteration, loss and or replacement of boundary treatments are covered by the Party Wall Act. The applicant is reminded of their obligations under this act by way of Informative 1.

Conclusion

28. Whilst your officers are not without reservations on the merits of this application, Members will be aware, officers assessment must pay due respect to the Appeal Inspectors decision as detailed above. Therefore on balance, the proposal should be approved in its current form.

Objection	Response
Loss of communal garden	Please see paragraphs 12 and 16
The design of the proposal fails to respect the Character of the Conservation Area	Please see paragraph 7
Depreciation of property value	The matters of depreciation of property values do not form a material consideration and therefore can not form a reason for refusal
The increase in traffic and reduction in parking will result in detrimental impact on environmental quality	The development will be restricted to be a 'car free' development
Concern over the number of applications being	The applicants right to submit planning applications

applied for by Java Properties	can not form a reason for refusal
The proposed building is located too close to the existing block at Thanet Lodge and will therefore result in a loss of light	Please see paragraphs 10 to 12
Loss of light to No 12 Mapesbury Road	Please see paragraphs 10 to 12
Increased traffic congestion	The development will be restricted to be a 'car free' development
The proposal will detract from the established character of the Conservation Area	Please see paragraph 7
Consultation has been flawed as residents have not been provided.	The Councils consultation is led by SPG2 and has been carried out in accordance with its guidance.
Quality of work can not be assured - Noise Insulation	Whilst the quality of work is not a material consideration in the assessment of this application, the applicant will be reminded of their due to comply with the Party Wall Agreement.
A number of trees will be lost to the development	Please see paragraphs 24 to 26
Loss of views over mature garden.	Please see paragraphs 24 to 26
The new block will be subject to flooding owing to its low lying nature	The property is not located within a Flood Risk Area as such no objection in principle is raised.
A new pedestrian access is being created contrary to the application form	The creation of a pedestrian access is not considered a reason for refusal
Additional strain on refuse and recycling services	The proposal seeks to have separate refuse and recycling facilities
Loss of garages	No loss of garages are proposed as a part of the current proposal
The Council is attaching too much weight to the views of the appeal Inspector.	Whilst it is true to say that the appeal decision is only one material consideration and it does still fall for the application to be determined on its own planning merits, revisiting the Inspectors decision letter does make his views on a proposal of this form very clear. As explained at the time, the applicant had responded to the issues identified by the Inspector and in those circumstances it is felt that the only recommendation that can be made is to grant consent.

RECOMMENDATION: Council would have Granted

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

Brent Unitary Development Plan 2004

Council's Supplementary Planning Guidance 5 - Altering and Extending Your Home

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

Built Environment: in terms of the protection and enhancement of the environment

Housing: in terms of protecting residential amenities and guiding new development

CONDITIONS/REASONS:

- (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:

1213/TP.45 P4
1213/TP.44 P4
1213/TP.46 P4
1213/TP.48 P3
1213/TP.41 P1
1213/TP.42 P1

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

- (3) All new external work shall be carried out in materials that match, in colour, texture and design detail those of Thanet Lodge.

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

- (4) Prior to commencement of development, full details of all pre-commencement tree works (Including a protection plan and arboricultural method statement in accordance with BS5837:2012) shall be submitted to and approved in writing by the Local Planning Authority. Any potential loss of trees should be mitigated with a high quality landscape scheme containing suitable replacement trees at a ratio of a minimum of 1:1. Works shall only be carried out in accordance with the approved details.

Reason: The site benefits from mature trees, hedges and shrubs and this condition is to ensure the ongoing health and vitality of those existing features throughout the duration of the development or their suitable replacement, as they represent an important visual amenity which the Local Planning Authority considers should be substantially maintained as an integral feature of the development and locality and kept in good condition.

- (5) No work of any kind shall take place on the site until the protective fence(s) has (have) been erected around the retained trees in the position. The Local Planning Authority shall be given not less than two weeks prior written notice by the developer of the commencement of works on the site in order that the council may verify in writing that the approved tree protection measures are in place when the work commences. The approved fence(s) shall be in place before any equipment, machinery or materials are brought on to the site for the purposes of the development and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Within the fenced area(s) there shall be no scaffolding, no stockpiling of any materials or soil, no machinery or other equipment parked or operated, no traffic over the root system, no changes to the soil level, no excavation of trenches, no site huts, no fires lit, no dumping of toxic chemicals and no retained trees shall be used for winching purposes. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the council.

Reason: To protect the retained trees from damage during construction and in recognition of the contribution which the retained tree(s) give(s) and will continue to give to the amenity of the area.

- (6) All glazing located on the Northern Elevation of the new house, shall be obscured glazed, fixed closed and permanently maintained as such, unless agreed in writing by the Local Planning

Authority.

Reason: In the interests of neighbouring amenity

(7) The development hereby approved shall have a green roof. Prior to the commencement of occupation of the proposed unit, details of the green roof layout, construction and planting will be submitted to the Local Planning Authority. Such details/considerations will include:

- Biodiversity based with extensive substrate base (depth 80-150mm);
- Planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works (focused on wildflower planting, and no more than a maximum of 25% sedum coverage).

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

(8) No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall include details of:

- i. Specification of construction works at each phase of the development
- ii. Construction Logistics Management
- iii. Erection and maintenance of security hoarding including decorative displays, where appropriate
- iv. Arrangements for the loading and unloading of plant and materials
- v. Storage of plant and materials used in constructing the development

Reason: To allow the Local Planning Authority to exercise proper control over the development in the interests of amenity and highway safety.

(9) No development shall be carried out until what time as the person carrying out the works is a member of the Considerate Constructors Scheme and its code of practice, and the details of the membership and contact details are clearly displayed on the site so that they can be easily read by members of the public.

Reason: To limit the impact of construction upon the levels of amenity that neighbouring occupiers should reasonably expect to enjoy.

INFORMATIVES:

- (1) The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk

Any person wishing to inspect the above papers should contact Tanusha Naidoo, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5245