

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

21 April, 2015
03
14/4732

SITE INFORMATION

RECEIVED: 12 December, 2014

WARD: Wembley Central

PLANNING AREA: Wembley Consultative Forum

LOCATION: FLATS 1-6 INC, 84 Bowrons Avenue, Wembley, HA0 4QR

PROPOSAL: Erection of roof extension to existing three storey block of flats to form 2 new self-contained flats (2 x 1 bed) with associated cycle store to the rear

APPLICANT: Miller Developments

CONTACT: Eurohaus

PLAN NO'S: (See Condition 2)

SITE MAP



Planning Committee Map

Site address: FLATS 1-6 INC, 84 Bowrons Avenue, Wembley, HA0 4QR

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This map is indicative only.

SELECTED SITE PLANS

REFERENCE DOCUMENTS:

The following extracts are some of the submitted plans. All submitted details can be viewed on the Council's website www.brent.gov.uk by searching with the application reference.

Front Elevation Existing

84 Bowrons Avenue

Front Elevation As Existing

www.eurohaus.co.uk
EUROHAUS
Architectural Services

PROJECT	84 Bowrons Avenue Wembley W9 4QL
CLIENT	Milner Developments
TITLE	Front Elevation As Existing
DRAWN BY	ARM
SCALE	1:100 @ A3
DATE	Mar 2014
SCALE FOR	Plotting
CHECKED	TM

DRAWN NO.	3775 002	Rev.	D
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See comments on this subject for details of changes to this elevation.
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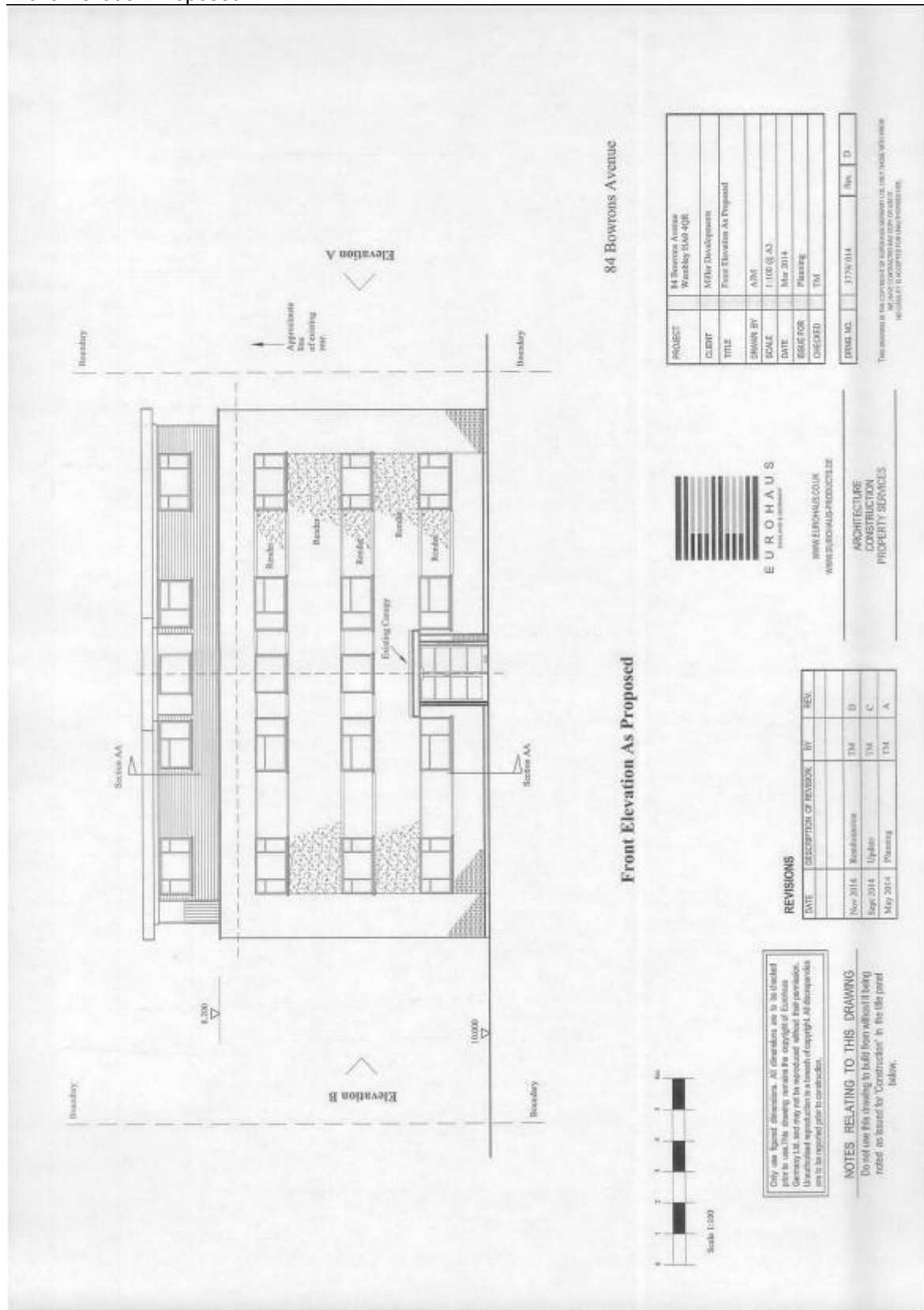
DATE	DESCRIPTION OF REVISION	BY	REV.
Nov 2014	Revised	TM	D
Sept 2014	Update	TM	C
May 2014	Planning	TM	A

Scale 1:100

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Front Elevation Proposed



PROJECT	84 Bowrons Avenue Wendy 140-40R
CLIENT	M&R Developments
TITLE	Front Elevation As Proposed
SHOWN BY	ARM
SCALE	1:100 (S.A.)
DATE	Mar 2014
ISSUE FOR	Planning
CHECKED	TM

DRWG. NO.	2779/014	REV.	D
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CONSTRUCTION
PROPERTY SERVICES

Front Elevation As Proposed

REVISIONS

DATE	DESCRIPTION OF REVISION	BY	REV.
Nov 2014	Revised	TM	D
Sept 2014	Update	TM	C
May 2014	Planning	TM	A

NOTES RELATING TO THIS DRAWING
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Boundary

Elevation B

Boundary

Boundary

Elevation A

Boundary

Apparent
line
of cutting
(M)

Section AA

Section AA

8,200

10,000

This is a proposed drawing. All dimensions are to be finished unless otherwise noted. This drawing is for informational purposes only. It is not to be used for construction without the approval of the architect. The architect is not responsible for any errors or omissions. All dimensions are to be interpreted as to be in accordance with the contract documents.

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DATE	DESCRIPTION OF REVISION	BY	REV
July 2014	Final Revision	TJA	D
Sept 2014	Update	TJA	C
May 2014	Planning	TJA	A

REVISIONS

DATE	DESCRIPTION OF REVISION	BY	REV
July 2014	Final Revision	TJA	D
Sept 2014	Update	TJA	C
May 2014	Planning	TJA	A



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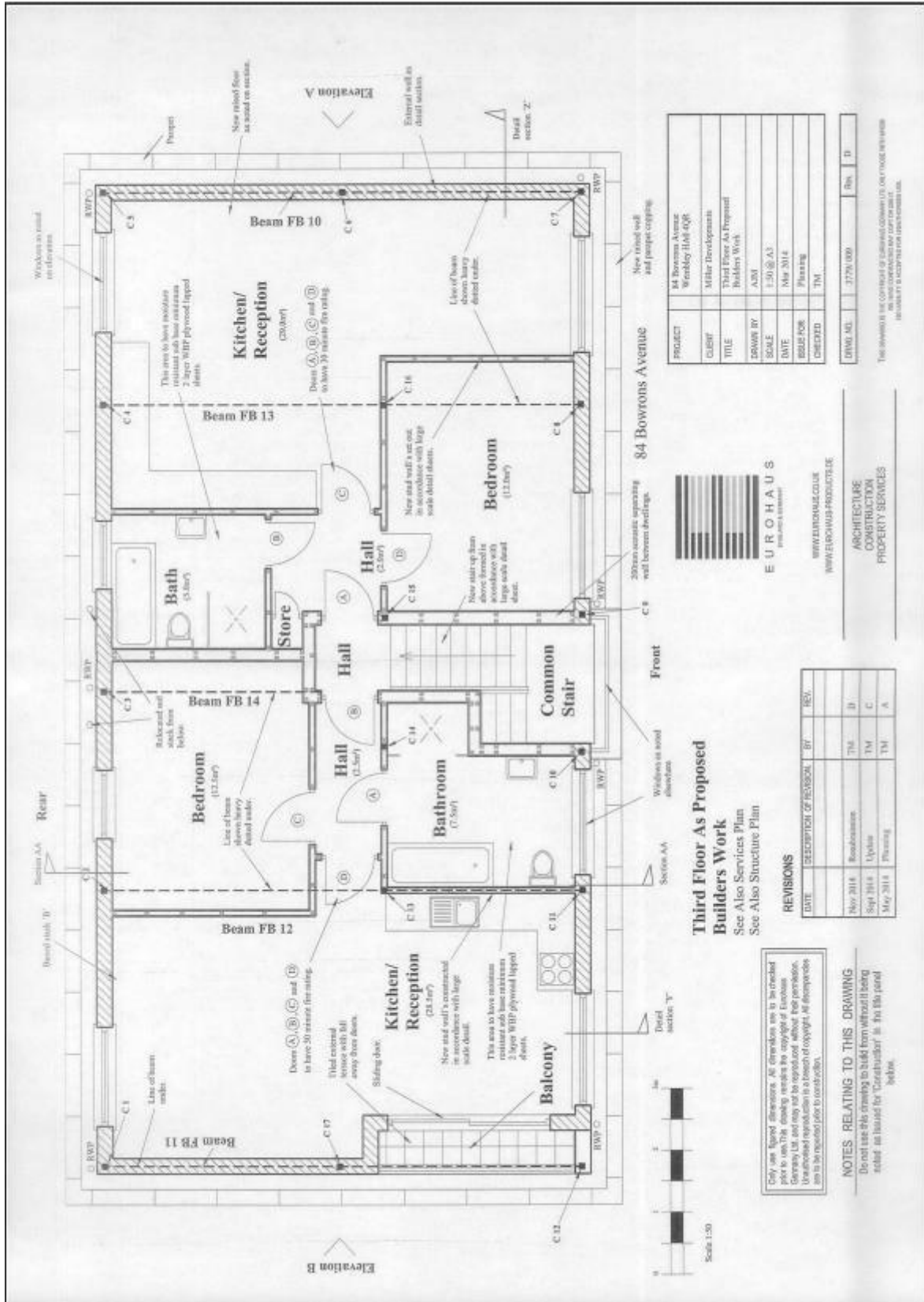
**ARCHITECTURE
 CONSTRUCTION
 PROPERTY SERVICES**

PROJECT	84 Bowron Avenue Woolley Hill QX
CLIENT	Miles Development
TITLE	Second Floor As Proposed
DRAWN BY	JDM
SCALE	1:100 @ A3
DATE	May 2014
ISSUE FOR	Planning
CHECKED	TJA
DWG. NO.	3779 003
REV.	D

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Third Floor - Proposed



PROJECT	84 Bowrons Avenue Wrenthley 1681-698
CLIENT	Miller Developments Builders Work
TITLE	Third Floor As Proposed
DRAWN BY	ADM
SCALE	1:50 @ A3
DATE	Mar 2014
SCALE FOR	Planning
CHECKED	TM

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REVISIONS

DATE	DESCRIPTION OF REVISION	BY	REV.
Nov 2014	Revised	TM	B
Sept 2014	Update	TM	C
May 2014	Planning	TM	A

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Third Floor As Proposed Builders Work
See Also Services Plan
See Also Structure Plan

DRWG. NO.	3779-000	Rev.	D
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INTRODUCTION

The planning application was deferred from the Planning Committee of 1 April 2015 for a formal consultation letter to be sent to 108 Norton Road which adjoins the application site. A consultation letter was dispatched on 31 March 2015 providing 21 days to comment.

Additional Objection

An objection letter was received on 28 March 2015 from 108 Norton Road raising the following matters:

- Consultation letter not received;
- Impact on property value;
- Reducing/blocking light as a result of the flats.

In response to the above, a formal consultation letter has been sent to 108 Norton Road. Matters raised regarding the impact on property value are not a material planning consideration. In terms of amenity, the proposed roof extension would see the maximum height of the building increase to 11.1m – an increase of some 400mm on the earlier planning permission 12/3208. The flank elevation and garden boundary of 108 Norton Road faces the application site. The proposed roof extension would sit within a 45 degree line (measured from 2m height at the boundary) in accordance with the guidance in SPG17 which seeks to ensure development proposals do not appear overbearing or result in unacceptable amenity impacts. The planning permission for a new house at 108 Norton Road did not include habitable rooms with windows in the flank elevation facing the application site.

Any additional comments or objection will be reported in a Supplementary Report.

An further email stating to be a petition from the residents of 84 Borwons Avenue has been received though with no additional signatories other than the main petitioner. The following issues are raised:

- Issues with maintenance, bin storage & landlord;
- Tenants garages sold and no parking now provided;
- Encroachment of new house over boundary;
- There is a garden for children to play;
- Concerns regarding construction and responsibility should an accident be caused.

These matters are discussed in the main report and further clarification provided below.

Members Site Visit

A Members site visit was carried out on 28 March 2015.

Existing residents expressed their concerns and dissatisfaction with the current freeholder in relation to maintenance charges and it was also claimed the recently built detached house to the rear of the building has resulted in trespass as it is partly built on land outside of their ownership.

These issues raised are not directly related or material to the current proposal. If residents wish to pursue these matters further this would need to be done privately through civil action.

Structural concerns related to the structural stability of the existing building

The existing structural stability of the building was queried and whether an additional storey can be erected without compromising the structural integrity of the host building. In response to this concern it should be clarified that the construction of the additional storey will need to be built in accordance with current Building Regulations. Issues related to structural stability are dealt with through separate legislation. Furthermore the additional floor will be a lightweight timber construction and no heavy clay or concrete tiles are proposed.

Increase in car parking and refuse provision

Two additional flats are proposed. This will increase the parking allowance from 7.2 spaces to 9.2 spaces. In cases where the full parking standard is not met within the site though, Policy TRN23 requires consideration

RELEVANT SITE HISTORY

14/2175 - Refused

Erection of roof extension to existing three storey block of flats to form 2 new self-contained flats (1 x 2bed and 1 x 1 bed).

Reason(s):-

1. *The proposed development would result in a sub-standard form of accommodation and poor living environment for future occupants by reason of the inadequate size of both flats, failing to meet the London Plan (2011) minimum internal floor space standards. This results in a development contrary to policy BE9 of the Brent Unitary Development Plan (2004) as well as the London Plan (2011), policy 3.5 (table 3.3).*

2. *The proposed parking spaces to the rear are inadequately sized, and the proposed layout is likely to block access and result in the creation of spaces that aren't independently accessible from one another, and furthermore provides insufficient turning space for vehicles to be able to turn safely within the site. This is contrary to UDP policies TRN3 and PS1.*

3. *The proposed parking layout is considered to be harmful to the amenity of ground floor occupants of the existing block due to the proximity and orientation of spaces, which is likely to result in additional noise, disturbance and headlight glare associated with vehicles turning and manoeuvring. Furthermore it will lead to a reduction of the communal amenity space, and harm the use and enjoyment of the remainder. This is contrary to UDP policy BE9.*

12/3208 - Granted

Erection of roof extension to existing three storey block of flats to form 2 x 1-bed flats (as amended by revised plan dated 18/01/13) and subject to Unilateral Undertaking dated 22nd February 2013 under Section 106 of the Town and Country Planning Act 1990, as amended.

12/2409 - Refused - Appealed - Dismissed on Appeal

Erection of roof extension to existing three storey block of flats to form two new flats (1 x 2 bed & 1 x 1 bed).

CONSULTATIONS

A total of 33 properties were consulted on 16 December 2014 (including flats 1-6, 84 Bowrons Avenue).

To date a petition signed by all 6 flats at 84 Bowrons Avenue has been received, raising objection to the proposal. Though it must be noted that the majority of the issues raised by existing residents in submission of this petition are not material to the planning application.

Residents concerns appear to relate to a dispute over the maintenance responsibility for the building, there appears to be some confusion about who is responsible for this.	It is not for the Council to investigate and confirm, nor is this material to the proposed development. This would be a civil issue for the objector(s) to pursue privately.
A concern raised that the building does not have the strength to support an additional floor.	The structural integrity of the building is covered under separate legislation. An application will need to be made to satisfy the requirements of the Building Regulations.

STATUTORY CONSULTEE

Ward Councillors:-

No responses received.

Transportation:-

No objection raised (see 'remarks' section for further discussion)

Regulatory Services:-

No objection raised.

POLICY CONSIDERATIONS

National

National Planning Policy Framework - NPPF

Regional

London Plan 2010

Policy 3.3

Mayor's Housing Design Guide (2012)

Brent Core Strategy – Adopted July 2010

Policy CP17 – Protecting & Maintaining the Boroughs Suburban Character

CP21 - Balanced Housing Stock

Brent

- **BE2** Townscape: Local Context & Character
- **BE3** Urban Structure: Space & Movement
- **BE5** Urban Clarity & Safety
- **BE6** Public Realm: Landscape Design
- **BE7** Public Realm: Streetscape
- **BE9** Architectural Quality
- **H12** Residential Quality – Layout Considerations
- **H13** Residential Density
- **TRN3** Environmental Impact of Traffic
- **TRN11** The London Cycle Network
- **TRN23** Parking Standards Residential Developments
- **TRN34** Servicing in New Development
- **PS14** on residential parking standards
- **PS16** cycle parking standards

Brent Supplementary Planning Guidance

Supplementary Planning Guidance (SPG) Note 17: “Design Guide for New Development”

DETAILED CONSIDERATIONS

Background & context:-

1. There was a refusal of planning permission 12/2408, in October 2012. This sought permission for the erection of an additional floor on top of the building to create two self-contained flats (1x1-bed & 1x2-bed). There was no objection raised in principle to the construction of an extra floor of accommodation but the approach was not supported because of concerns that the roof design was overly bulky and that the external appearance was unsatisfactory. This refusal was appealed against, and the Inspector dismissed the appeal, supporting the Council's concerns related solely to design.
2. A revised scheme 13/3208 was submitted to address the earlier refusal, this was revised by reducing the size and bulk of the top floor extension by setting this in from all sides, and improving the external appearance through a different approach to materials and arrangement of fenestration. This approval was granted on 13 March 2013 so is still valid and could be implemented which provides for 2 x 1-bed flats. It is notable that no objections to this application were received.
3. A detached dwelling has been built to the rear of the existing block of flats. This has been built on land that originally accommodated garage parking, presumably to serve the existing flats. However over time this garage block became its own separate land parcel, and prior to their demolition, the garage spaces were not exclusively for the use of existing residents in flats 1-6, 84 Bowrons Avenue.

Policy framework:-

4. The proposal is assessed against national policy, regional policy in the form of the Further Alterations to the London Plan (2015) and locally the Council's UDP policies, Core Strategy policies and standards in

5. The main areas for consideration are whether this development is acceptable in terms of;
 - Design scale and massing of the extension
 - Impact it has on the host building and the character of the area
 - Quality of accommodation to be provided
 - Impact it on the privacy and amenity of neighbouring residents
 - Transportation impacts,
6. The National Planning Policy Framework (NPPF) is a material consideration. Some of the key messages running through the NPPF have been highlighted below;
 - Applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise;
 - A presumption in favour of Sustainable Development;
 - A set of 12 core principles are identified including “always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings” and also to “encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value”;
 - Housing applications should be considered in the context of the presumption in favour of sustainable development. And LA’s should identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand;
 - Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness;
 - Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
7. In view of the current policy framework, and given the current use of the site for residential purposes no objection is raised on the grounds of principle. Support for this form of development has already been given, as evidenced by the grant of planning permission 12/3208. The current application is assessed on its planning permits, and these are now discussed in further detail below.

Main changes being proposed to the grant of planning permission 12/3208

- Raising height of roof by additional 400mm.
- Proposed alterations to fenestration and materials.

Design, Scale & Massing

8. The proposal is to add two flats to the existing block of six flats, and proposes doing so by erecting an additional floor, thus resulting in this becoming a 4-storey building. The current building has a dual pitch roof, with a ridge height of 10.3m. The proposed roof extension would see the maximum height increase to 11.1m – an increase of some 400mm on the earlier planning permission 12/3208. The principle of an additional floor being added to this building has been accepted. Planning permission exists for this through permission 12/3208. Whilst there isn’t to be a significant height increase, there is to be a marked change to the roof profile. By changing from the existing pitched roof to the flatter roof profile, this adds additional bulk and height. The very first proposal (12/2409) was refused on the grounds that the roof extension was too bulky, with only a minimal set in provided along one side, dormer windows proposed to the rear and a ‘heavy’ roof overhang feature proposed. The refusal was appealed against, and dismissed at appeal (ref: APP/T5150/A/13/2197147). The Inspector writes that *“the proposed extension would result in the extended building appearing bulky, imposing and incongruous within the street scenes of both Bowrons Avenue and Norton Road.”*
9. To overcome such concerns the footprint of the roof extension was reduced, and the additional floor set in from all four sides by 500mm. This level of set-in helped to reduce the bulk of the roof extension. The rear dormer windows were removed, so too was the thick roof overhang feature. These changes helped to create an extension that appears less ‘top heavy’ than before. Planning permission 12/3208 was subsequently granted for this, accommodating 2 x 1-bedroom flats.

10. The current application is in keeping with the scale and bulk of the previous permission with a set in of 500mm is proposed on all sides. The fenestration and external treatment to the top floor addition is proposed to differ slightly from the previous approval, resulting in the omission of the full height central window feature (facing Bowrons Avenue), and alterations to the cladding treatment. Notwithstanding this, the fenestration detailing is considered to relate well to the host building. The alignment, proportions and design of windows respect the rhythms of the existing building, and it is considered that this extension will have an acceptable visual impact on the host building and surrounding area. The 'Juliette' balcony that is proposed on the side elevation, facing east will provide some articulation and interest to this exposed elevation, and this is welcomed. As a balcony though it has little useability given its restricted dimensions.
11. The additional roof height of 400mm above the existing planning approval is not considered to have a detrimental impact on neighbouring properties. It is not considered that this modest height increase significantly changes the nature or scale of the development and is consistent with the design, scale and massing of the previous approval.
12. In summary the roof extension is considered to relate well to the host building and is acceptable when assessed against UDP policies BE2 and BE9, as well as Core Strategy policy CP17.

Quality of accommodation & Impact on Neighbouring Properties

13. The previous consent was to achieve 2 x 1-bed/2person flats. Both units at 50sqm, and were adequately sized to meet minimum London Plan minimum space standards. This application is proposing the same accommodation. The reason for the revised application is to gain approval for the height increase of an additional 400mm.
14. The existing stairwell is extended upwards to provide access to the proposed flats.
15. No outside amenity space is proposed, but given the sites proximity to One Tree Hill Recreation ground which is on the opposite side of the road this is considered to be acceptable, as it was previously.
16. The internal layout ensures that all habitable rooms will benefit from reasonable levels of light and outlook, both flats are dual aspect. In the absence of any habitable room windows within the flank wall facing 82 Bowrons Avenue this proposal is considered to have an acceptable relationship to neighbouring occupiers in terms of maintaining privacy.
17. The distances of windows to boundaries would be no different to the existing block so no concerns relating to additional harm caused by overlooking or loss of privacy are raised.

Parking & highways matters

18. The former six-space garage court at the rear of the site has now been demolished, with a 4-bedroom detached house erected on the site as permitted under planning reference 11/3367. However, the former garage access driveway has been retained.
19. This application again seeks to provide two additional flats within a new floor – each of which comprises one bedroom (as per the approved scheme from 2012). No new parking is proposed at the rear of the site, leaving just the two existing parking spaces within the site frontage, accessed directly from Bowrons Avenue. A new bicycle store is proposed in the rear garden of the site.
20. The site is located within Controlled Parking Zone “E”, operating between 8am-9pm daily. The adjoining roads (Norton Road and Bowrons Avenue) are not listed within Appendix TRN3 of the UDP as being heavily parked and the most recent overnight parking survey from 2013 confirms that this is still the case. Public transport access to the site remains moderate.
21. As previously considered, the full parking allowances apply to the site and this amended proposal will now increase the parking allowance from 7.2 spaces to 9.2 spaces. The retention of two off-street parking spaces to the front of the site would again accord with standards.
22. In cases where the full parking standard is not met within the site though, Policy TRN23 requires consideration to be given to the impact of overspill parking on road conditions in the area. In this case, the provision of two additional flats is estimated to increase parking demand for the building to about seven spaces (75% of the maximum allowance).

23. As previously noted, there are five marked bays along the site frontage (two on Bowrons Avenue and three on Norton Road) which can be counted towards standards under the terms of Policy TRN23, with further parking bays located alongside the public park opposite. As such, plenty of spare on-street parking space is available on the lightly parked streets alongside the site to safely accommodate the likely level of overspill parking generated by this proposal.
24. As before, at least one secure bicycle parking space is required for each unit, with the two additional flats thus increasing the requirement for the building from six spaces to eight spaces. One single store of sufficient size to accommodate eight bicycles is now shown to satisfy this requirement. Further details of the design of the store are sought as a condition of any approval to ensure it offers suitable weather protection and security.
25. Bin storage is already provided to the rear of the site to allow easy collection from Norton Road and use of this area by the two additional flats would be fine.

Community Infrastructure Levy – CIL

26. Mayoral CIL has been set at £35 per sqm on developments involving the creation of new residential units. Brent CIL is set at £200 per sqm. The application is liable for both Mayoral and Brent CIL.

Conclusion

27. The principle of an additional floor of accommodation being added to this property has been supported previously. The revised proposal to erect an additional floor is considered to be acceptable in terms of its scale, design and the impact it has on the character of the host building, and will result in an acceptable standard of residential accommodation for prospective occupiers.

S106 / CIL

CIL DETAILS

This application is liable to pay the Community Infrastructure Levy (CIL). The total amount is **£26,752.24** of which **£22,767.86** is Brent CIL and **£3,984.38** is Mayoral CIL.

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

=====

Application No: 14/4732

To: Eurohaus
196 High Road
Wood Green
London
N22 8HH

I refer to your application dated 17/11/2014 proposing the following:
Erection of roof extension to existing three storey block of flats to form 2 new self-contained flats (2 x 1 bed) with associated cycle store to the rear and accompanied by plans or documents listed here:
(See Condition 2)
at FLATS 1-6 INC, 84 Bowrons Avenue, Wembley, HA0 4QR

The Council of the London Borough of Brent, the Local Planning Authority, hereby GRANT permission for the reasons and subject to the conditions set out on the attached Schedule B.

Date:

Signature:

Head of Planning, Planning and Regeneration

Notes

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

DnStdG

SUMMARY OF REASONS FOR APPROVAL

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

National Planning Policy Framework 2012
London Plan 2011
Brent Core Strategy 2010
Brent Unitary Development Plan 2004
Council's Supplementary Planning Guidance 17

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
Transport: in terms of sustainability, safety and servicing needs

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

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

- 2 The development hereby permitted shall be carried out in accordance with the following approved drawing(s) and/or document(s):

3779/001, revD
3779/002, revD
3779/003, revD
3779/004, revC
3779/005, revD
3779/006, revD
3779/007, revC
3779/008, revC
3779/009, revD
3779/010, revD
3779/011, revD
3779/012, revD
3779/013, revD
3779/014, revD
3779/015, revD
3779/016, revD
3779/019, revD
3779/020, revD

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

- 3 Prior to first occupation of the flats hereby approved further details of secure and weatherproof cycle parking for a minimum of 8 spaces shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the works shall be carried out fully in accordance with the approved details and fully maintained.

Reason; To ensure satisfactory facilities for cycle users.

- 4 Details of materials for all external work, shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The work shall be carried out fully in accordance with the approved details thereafter unless otherwise agreed in writing by the Local

Planning Authority.

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

- 5 Within 3 months of commencement of development, details of refuse storage shall be submitted to and approved in writing by the local planning authority. The details submitted shall include

a) information to demonstrate there is sufficient capacity within the bin store for the existing and proposed flats (8 in total), in accordance with the Council's Waste and Recycling Storage and Collection Guidance for Residential Properties

OR

b) if there is insufficient capacity within the bin store, details of further storage provision to be provided for existing and proposed flats (8 in total), in accordance with the Council's Waste and Recycling Storage and Collection Guidance for Residential Properties

The bin storage shall be provided in accordance with the approved details prior to occupation of the development hereby approved.

Reason: To ensure there is sufficient capacity for waste and recycling.

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
- 2 The applicant is advised that the Council can no longer accept physical samples of materials. Materials should be made available to assess on-site, or details of the materials palette submitted electronically.

APPENDICES

Any person wishing to inspect the above papers should contact Gary Murphy, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5227