

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

3 June, 2015

15/1050

SITE INFORMATION

RECEIVED: 11 March, 2015

WARD: Kilburn

PLANNING AREA: Kilburn & Kensal Consultative Forum

LOCATION: 2-8 Malvern Road, London, NW6 5PP

PROPOSAL: Demolition of doctor's surgery (Use Class D1) and erection of a 5 storey building comprising 9x self-contained flats (1x 1 bedroom, 6 x 2 bedroom and 2 x 3 bedroom), erection of bin and cycle store and associated landscaping

APPLICANT: Hanover Ruislip Limited

CONTACT: PPM Planning Limited

PLAN NO'S: See Condition 2.

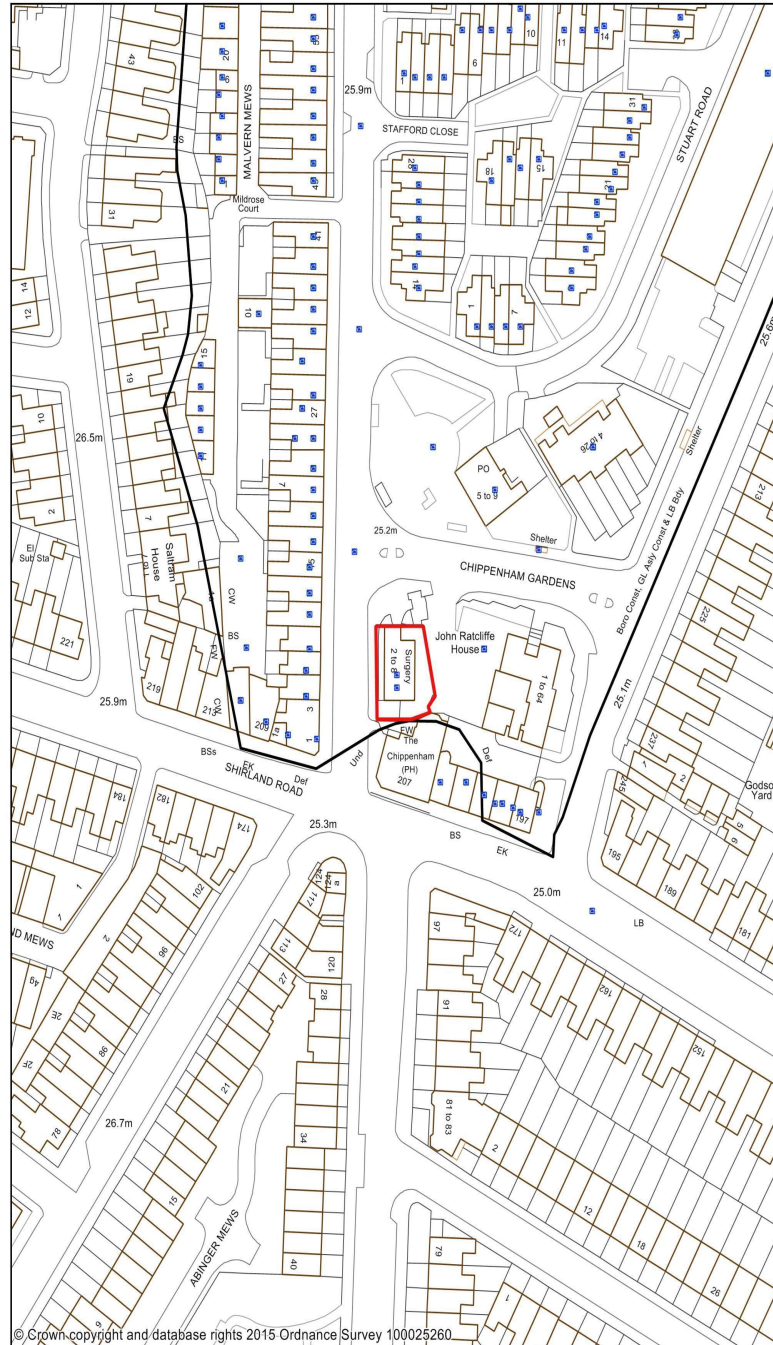
SITE MAP



Planning Committee Map

Site address: 2-8 Malvern Road, London, NW6 5PP

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1:1250

0 0.02 0.04 kilometres



This map is indicative only.

SELECTED SITE PLANS

Proposed Block Plan



Proposed Ground Floor Plan



Proposed First, Second and Third Floor Plans



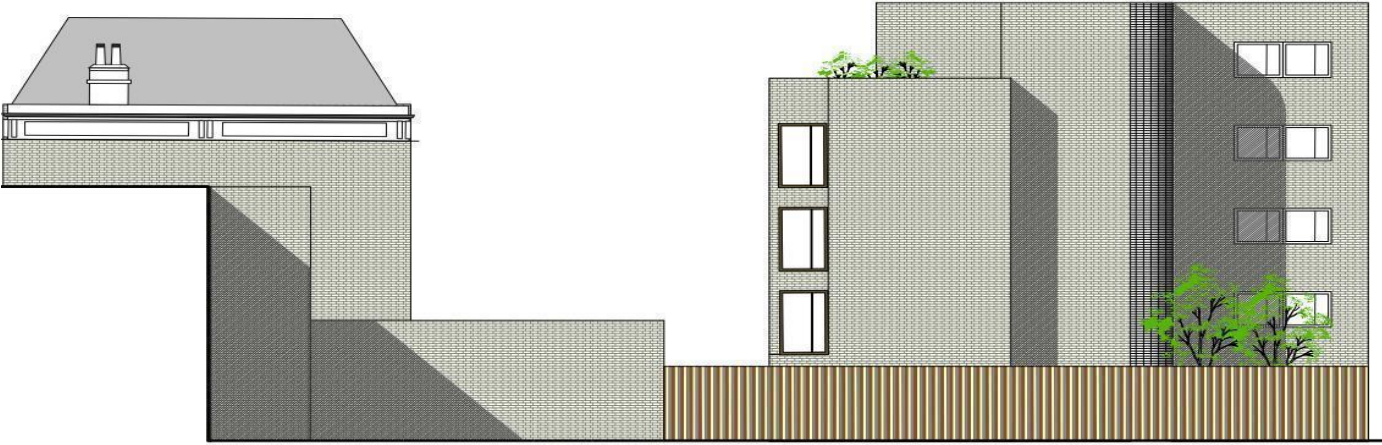
Proposed Fourth Floor Plan



Proposed Front Elevation



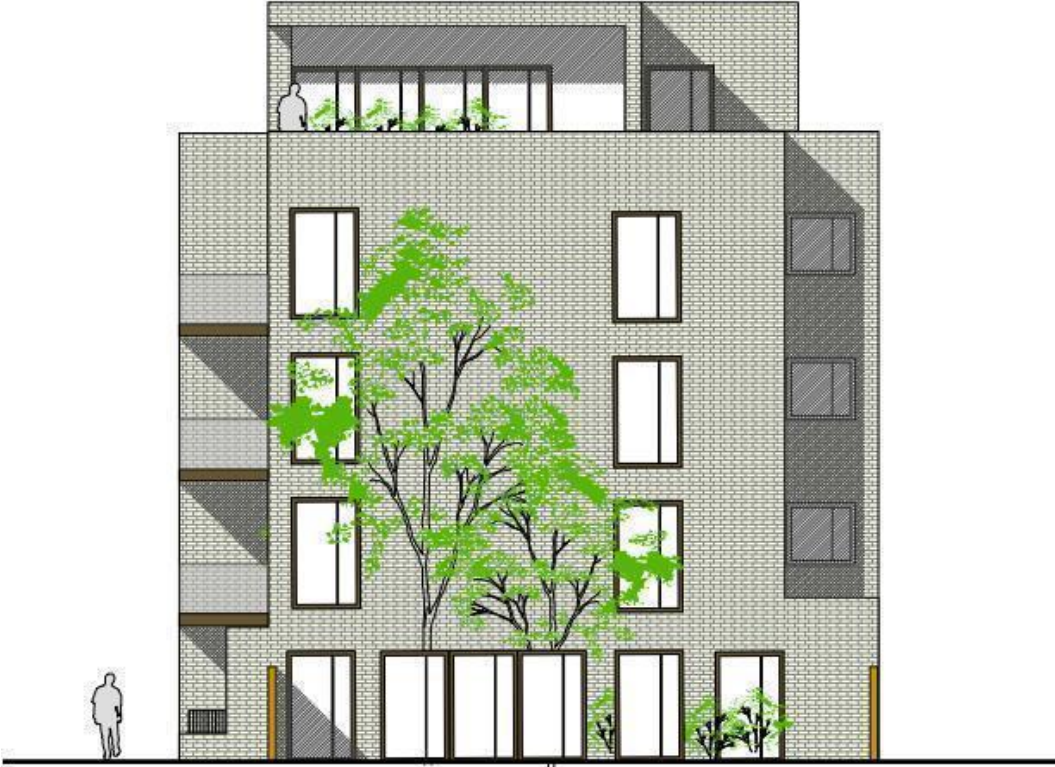
Proposed Rear Elevation



Proposed Side Elevation (north)



Proposed Side Elevation (south)



Visualisation (view from south)



Visualisation (view from north)



RECOMMENDATIONS

GRANT planning permission subject to the conditions set out in the Draft Decision Notice.

A) PROPOSAL

The proposal is for the demolition of an existing doctor's surgery (Use Class D1) and erection of a 5x storey building comprising 9x self-contained flats (1x 1 bedroom, 6 x 2 bedroom and 2 x 3 bedroom) including a bin and cycle store and associated landscaping.

B) EXISTING

The proposal site is located on the corner of Malvern Road and Chippenham Gardens. The site is currently occupied by a single storey pitched roof building dating from the 1980s. Immediately to the east of the site is a car park serving John Ratcliffe House which is positioned between 18m and 24m further to the east and is nine storeys high. Immediately to the south is the Chippenham Hotel and to the west are terraced properties on Malvern Road. Chippenham Gardens bounds the site to the north with the two storey Kilburn Post Office building beyond. The site is located close to the boundary with the City of Westminster to the south and east with the Chippenham Hotel being located within Westminster. The proposal site does not include any listed buildings and is not within a Conservation Area.

D) SUMMARY OF KEY ISSUES

The key planning considerations in this case are as follows:

- Principle of Development – The principle of the loss of the doctor's surgery and residential development is considered acceptable subject to all other material planning consideration
- Impact on Neighbouring Amenity – The proposal is considered to form an acceptable relationship with neighbouring occupiers
- Impact on Character – The proposal is considered to result in a visually acceptable development which has an acceptable impact on the character of the area
- Standard of Accommodation – The proposal is considered to achieve an acceptable size and standard of accommodation for future occupiers
- Transportation Impact – The proposal is considered acceptable in transportation terms subject to the development being 'car-free'

E) MONITORING

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 (sqm)
Assembly and leisure	0		0	0	
Businesses / research and development	0		0	0	
Businesses and light industry	0		0	0	
Businesses and offices	0		0	0	
Drinking establishments (2004)	0		0	0	
Financial and professional services	0		0	0	
General industrial	0		0	0	
Hot food take away (2004)	0		0	0	
Hotels	0		0	0	
Non-residential institutions	130		130	-130	
Residential institutions	0		0	0	
Restaurants and cafes	0		0	0	
Shops	0		0	0	
Storage and distribution	0		0	0	

Monitoring Residential Breakdown

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
EXISTING (Flats û Market)										
PROPOSED (Flats û Market)	1	6	2							9

RELEVANT SITE HISTORY

Reference No	Proposal	Decision
10/0047	Demolition of single storey doctors surgery and erection of 5 storey building comprising Use Class D1 floorspace on ground floor and 4 self contained flats (3 x 3 bedroom & 1 x 2 bedroom) on upper floors and subject to a Deed of Agreement dated 27 June 2013 under Section 106 of the Town and Country Planning Act 1990, as amended	Granted
86/1952	Erection of detached single storey building for use as a Doctor's Surgery with off-street parking and landscaping	Granted

CONSULTATIONS

Statutory neighbour consultation period (21 days) started on 07/04/2015, in total 184 properties were consulted. To date 8 representations have been received including 6 objections, one letter of support and one neutral representation enquiring whether parking would be provided. The grounds for objection are summarised below:-

Objection raised	Response
Proposal would cause loss of light and loss of privacy	see paragraphs 11-17
Proposed building is too tall and out of character with the street scene	see paragraphs 5-10
It is unclear what is proposed in terms of parking, the new flats should not be allocated parking permits, there is already parking pressure in the area	see paragraphs 24-28
Proposal should incorporate a community facility	See paragraph 3-4
Developer should re-pave the pavement and plant street trees	Although not directly relevant to the impact of the proposed scheme, the developer would be required to make a CIL contribution which can contribute towards public realm improvements for example

Two Site Notices were displayed on 28/04/2015 due to the public interest in the case resulting from the loss of the D1 use.

STATUTORY CONSULTEES

Brent Transportation: No objection subject to development being 'car-free'

Regulatory Services: No objection subject to conditions

Westminster City Council: No comments received.

POLICY CONSIDERATIONS

National Planning Policy Framework (2012):

Section 6 – Delivering a Wide Choice of High Quality Homes

Section 7 – Requiring Good Design

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.

The London Plan (2011):

Policy 3.5 – Quality and Design of Housing Developments

Core Strategy (2010):

CP9 – South Kilburn Growth Area

CP17 – Protecting and Enhancing the Suburban Character of Brent

CP21 – A Balanced Housing Stock

Brent's UDP (2004):

BE2 – Townscape: Local Context and Character

BE3 – Urban Structure: Space and Movement

BE7 – Public Realm: Streetscape

BE9 – Architectural Quality

TRN3 – Environmental Impact of Traffic

TRN23 – Parking Standards – Residential Developments

Supplementary Planning Guidance:

SPG17 – Design Guide for New Development (2001)

Waste and Recycling Storage and Collection Guidance for Residential Properties

Supplementary Planning Documents:

South Kilburn Supplementary Planning Document

DETAILED CONSIDERATIONS

Background:

1. A planning application for redevelopment of the site was approved in 2010 under application ref: 10/0047. The approved scheme was for a five storey building of a broadly similar scale to the currently proposed building but with four flats (3x 3xbed and 1x 2xbed) instead of the nine in the currently proposed scheme. A modern design approach was utilised for the previous scheme as with the current scheme.
2. The previously approved scheme included a D1 use element at ground floor level and vehicular access onto Malvern Road and off-street parking. The current proposal would be purely residential on all floors. No off-street parking is proposed under the currently proposed scheme which is considered preferable from a design perspective.

Principle of Development:

3. The existing Doctor's Surgery (Class D1) has been vacant for some time and is understood to have been vacant since 2005. The proposal would result in the loss of the existing Surgery and this would not be re-provided as part of the proposal. The applicant has submitted an analysis of Doctor and Dental Practice provision in the surrounding area and identifies that within a 500m radius (5 minute walk) there are currently 15 doctor surgeries and 13 dental practices which are accepting new patients. Officers have assessed the information and consider it to be soundly based.
4. The Council also has its own intentions to redevelop the Peel Centre nearby to include a health centre to serve the wider South Kilburn area. This has been a long-standing aspiration of the Council which it is hoped could become reality in the next couple of years. Considering these points along with the vacant

state of the existing surgery, the proposal is not considered to result in the unacceptable loss of a community facility in this instance. The principle of the loss of the D1 use and the principle of residential development can therefore be considered acceptable subject to the detailed considerations below.

Impact on Character:

5. The site is currently occupied by a single storey pitched roof building dating from the 1980s. Immediately to the east of the site is a car park serving John Ratcliffe House which is positioned 18m-24m further to the east and is nine storeys high. Immediately to the south is the Chippenham Hotel which is a Victorian building three storeys high plus accommodation in the roof.
6. To the west are terraced properties on Malvern Road three storeys high and dating from the Victorian era. Kilburn Post Office is a two storey building appearing to date from the 1960s/1970s and is located to the north of Chippenham Gardens. The wider area is mixed in character and features predominately Victorian terraced development 2-3 storeys high and an estate further to the north dating from the 1960s/1970s comprising 3x storey terraced housing and block of flats 6x storeys high and a block 18 storeys high although it is recognised that this estate is in the process of being redeveloped and forms part of the South Kilburn Regeneration Area.
7. The existing building on the site is single storey and vacant and is not considered to hold any architectural merit. The proposed building would be five storeys high; although taller than properties opposite at No.1-15 Malvern Road and the immediately adjacent Chippenham Hotel, this in itself is not considered harmful to the character of the area. When considering the varying building heights in the area and the urban context of the proposal site, the principle of a five storey building can be considered acceptable and the proposed building is not considered to appear as an unacceptably large or incongruous addition to the street scene. It is also borne in mind that a building of a similar height and scale was considered acceptable under approved application ref:10/0047 and the adopted South Kilburn Supplementary Planning Document identifies 4-5 storeys as being appropriate for the area.
8. The proposed building would utilise a modern design and is proposed to be finished in brick with glass balconies to the front. A modern design can be considered acceptable in principle and the use of a London Stock style brick would make reference to the Victorian development in the surrounding area. The fifth floor would be inset from the front and side boundaries and the building would include a four storey projecting element on the front elevation which adds relief and interest and breaks up the bulk and scale of the building. The application proposes deep window reveals to the elevations to give a high quality finish, details of these can be secured by condition. The northern flank elevation of the building would feature no window openings in order to avoid prejudicing the development potential of sites to the north however the flank elevation would be finished in a textured pattern of brickwork which is considered to add visual interest and break-up the bulk of the flank elevation.
9. Indicative landscaping is shown on the plans to the frontage and in the ground floor external amenity space areas. A detailed hard and soft landscaping scheme can be required by condition and full details of the materials to be used in external finishes can be required in order to ensure a high quality and visually acceptable development.
10. Overall the proposal is considered to result in a visually acceptable building which sits comfortably in the street scene and has an acceptable impact on the character of the surrounding area.

Impact on Neighbours:

11. The proposed building would be five storeys with the fifth floor set-in from the southern boundary. The building would have a maximum height of 15.7m. The proposal would replace a single storey building on the site and the resulting impact on neighbouring amenity must be considered.
12. Properties opposite the site at No.1-15 Malvern Road feature residential accommodation at first and second floor levels and the front elevation of the proposed building would be positioned at least 16m from these neighbours at the nearest point and up to 19m due to the staggered building line. The proposed building would sit below a 30° angle plotted from the first floor accommodation of the opposite neighbours in accordance with the guidance in SPG17 and the proposal is not considered to result in an unacceptable loss of light or overbearing impact on these neighbours. Whilst the outlook of neighbours would inevitably change, a separation distance of 16m between the three storey properties at No.1-15 Malvern Road and the proposed five storey building is considered acceptable in this instance for a front-to-front relationship in an urban context. The proposal is not therefore considered to result in an unacceptable overlooking or loss of privacy impact on these neighbours.

13. The proposed building would be positioned between 16m and 24m from John Ratcliffe House, which is a nine storey block of flats to the east with residential accommodation at first floor level and above. Rear facing windows would be positioned 18m and 24m away respectively from Ratcliff House. The recommended back-to-back separation distance between habitable windows set out in SPG17 is 20 which the proposal would fall marginally short of for part of the development. The proposal is considered to form an acceptable relationship with neighbours in this block and there is considered to be sufficient separation to avoid an unacceptable overbearing or loss of light impact.
14. To the south of the site is the Chippenham Hotel which is three storeys plus accommodation in the roof and features a Pub at ground floor level and accommodation above. The rear elevation of this building appears to feature emergency exit doors and window openings at first and second floor level which primarily serve non-habitable rooms. The side elevation of the proposed building would be positioned between 3.4m and 4.6m from the boundary with the Chippenham Hotel and between 8m and 10m from the two storey rear elevation of the building itself. The rear elevation of the hotel is orientated slightly away from the proposed building and the windows which appear to serve habitable rooms are positioned towards the eastern end of the rear elevation and so not directly opposite the proposed building. Again, the proposal is not considered to form an unacceptably harmful relationship with this neighbour.
15. To the south-east of the site are first floor maisonettes however these are set behind the rear elevation of the Chippenham Hotel and the building would not be directly opposite these neighbours. Considering this and the orientation of the building at a 90° angle away from these neighbours, the proposal is considered to form an acceptable relationship with these neighbours.
16. The proposal would include side-facing windows on the south-facing flank elevation of the proposed building. The windows would serve as secondary windows to bedrooms and living areas and bathrooms. In order to prevent an undue overlooking impact on the Chippenham Hotel, it is considered appropriate to require that the side-facing windows at first floor level and above are obscurely glazed with restricted opening by condition.
17. It is borne in mind that the proposed building is similar in bulk and height to the previously approved building approved under ref: 10/0047 which was considered acceptable in terms of its neighbour impact.

Standard of Accommodation:

18. The London Plan (2011) sets out minimum room size standards for different types of accommodation. The sizes of the proposed units compared to the London Plan (2011) standards is tabulated below:

Unit	Floor area	Minimum London Plan (2011) standard
Apartment 1 – 3xbed	86m2	86m2 (3x bed, 5 people)
Apartment 2 - 1xbed	50m2	50m2 (1x bed, 2 people)
Apartments 3,5 & 7 – 2x bed	72m2	70m2 (2xbed, 4 people)
Apartments 4, 6 & 8 – 2x bed	78m2	70m2 (2xbed, 4 people)
Apartment 9 – 3x bed	90m2	86m2 (3x bed, 5 people)
		95m2 (3x bed, 6 people)

19. All the proposed units are considered to meet the minimum standards set out in the London Plan and are considered of an acceptable size. If 'Apartment 9' is treated as housing six people then it would fall short by 5m2 however in this instance this unit is considered of an acceptable size and standard of accommodation when bearing in mind that this unit benefits from private outdoor amenity space and is triple aspect.
20. All the proposed units are at least dual aspect with habitable windows predominately facing to the front and rear with secondary and bathroom windows on the side elevation. The ground floor 3xbed unit would feature side-facing windows serving habitable room windows however those would look onto an area of

private amenity space. The ground floor units would include windows facing onto Malvern Road however a boundary treatment and soft landscaping is proposed which would act as a buffer with the road and pavement and is considered to ensure adequate privacy.

21. All the proposed units would benefit from private amenity space in the form of roof terraces and balconies and the ground floor units would benefit from private, enclosed areas of amenity space.
22. It is acknowledged that the proposed flats would be close to a Pub and a relatively busy road which could create noise disturbance for future residents. Environmental Health has been consulted and raise no objection to the proposal providing that noise do not exceed certain levels and mitigation measures are employed if necessary. This could be controlled by way of condition. Environmental Health has also recommended conditions requiring details of how the impact on neighbours would be mitigated during construction; an appropriately worded condition has therefore been added to secure these details.
23. Overall, the proposed units are considered to achieve an acceptable size and quality of residential accommodation for future occupants.

Transportation Impact:

24. The site benefits from 2x off-parking spaces at the southern end of the site. The surrounding area is covered by a Controlled Parking Zone (CPZ) and has very good public transport accessibility (PTAL rating 5). The parking standard for the proposed development would be 7.3 spaces in accordance with the parking standards set out in policy TRN3 of the Brent UDP (2004). No off-street parking is proposed as part of the development.
25. Policy TRN23 of the Brent UDP (2004) allows 'car-free' developments in exceptional cases where the site is located within a CPZ and has good access to public transport. The proposal site meets these criteria and Brent's Transportation Unit raise no objection to the proposal subject to the development being 'car-free'. It is therefore considered appropriate to require the development to be 'car-free' in this instance and the proposal is therefore considered acceptable in terms of parking on this basis.
26. Secure cycle storage is identified inside the building for at least nine bicycles and secure storage for a further two bicycles is identified in the amenity space for 'Apartment 1'. This meets the cycle storage requirements in UDP (2004) policy TRN3 and is considered acceptable.
27. A dedicated secure bin store is proposed which would be easily accessed from Malvern Road. The bin store would accommodate 2x 1,100 litre bins for recycling and refuse and a 240 litre bin for organic waste. This provision is broadly in accordance with the guidance in Brent's 'Waste and Recycling Storage and Collection Guidance for Residential Properties' document and is considered acceptable.
28. Overall the proposal is considered acceptable in terms of its transportation impact, subject to conditions.

Housing Mix:

29. Policy CP21 of the Core Strategy (2010) requires proposals to deliver an appropriate range of dwelling sizes and policy CP2 requires 25% of new dwellings to be family sized (three bedrooms or more). The proposal would deliver 9x units comprising 2x 3xbed units, 6x 2xbed units and 1x 1xbed unit. The proposal would deliver 22% family-sized units and these would have access to areas of private amenity space. Overall the proposal is considered to achieve an acceptable mix of unit sizes in accordance with policies CP21 and CP2.

Other matters:

30. Officers understand that there is a restrictive covenant on the site which restricts the use of the site to a doctor's surgery only. The covenant is understood to date back to the 1980s when the surgery was erected.
31. The covenant would need to be removed before development could legally take place however restrictive covenants are a civil matter which run parallel to the planning process and the existence of the covenant is not considered a material planning consideration in determining this application.

Conclusion:

32. Overall the proposed development is considered to result in a visually acceptable building which has an acceptable impact on the character of the surrounding area and on the amenities of neighbours and makes efficient use of a site in an accessible and sustainable location. The proposal therefore accords with saved policies BE2, BE7, BE9, TRN3 and TRN23 of the Unitary Development Plan (2004), Supplementary Planning Guidance SPG17 'Design Guide for New Development', policies CP9, CP17

and CP21 of the Core Strategy (2010), the London Plan (2011) and the NPPF (2012) and is recommended for approval.

CIL DETAILS

This application is liable to pay **£218,298.99*** under the Community Infrastructure Levy (CIL).

We calculated this figure from the following information:

Total amount of eligible** floorspace which on completion is to be demolished (E): sq. m.

Total amount of floorspace on completion (G): 806 sq. m.

Use	Floorspace on completion (Gr)	Eligible* retained floorspace (Kr)	Net area chargeable at rate R (A)	Rate R: Brent multiplier used	Rate R: Mayoral multiplier used	Brent sub-total	Mayoral sub-total
Dwelling houses	806	0	806	£200.00	£35.15	£185,667.86	£32,631.13

BCIS figure for year in which the charging schedule took effect (Ic)	224	224
BCIS figure for year in which the planning permission was granted (Ip)	258	
Total chargeable amount	£185,667.86	£32,631.13

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

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



Brent

DECISION NOTICE – APPROVAL

Application No: 15/1050

To: Mr Mark Pender
PPM Planning Limited
185 Casewick Road
West Norwood
London
Greater London
SE27 0TA

I refer to your application dated 11/03/2015 proposing the following:
Demolition of doctor's surgery (Use Class D1) and erection of a 5 storey building comprising 9x self-contained flats (1x 1 bedroom, 6 x 2 bedroom and 2 x 3 bedroom), erection of bin and cycle store and associated landscaping
and accompanied by plans or documents listed here:
See Condition 2.

at 2-8 Malvern Road, London, NW6 5PP

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 considered to result in a visually acceptable building which has an acceptable impact on the character of the surrounding area and on the amenities of neighbours and makes efficient use of a site in an accessible and sustainable location. The proposal therefore accords with saved policies BE2, BE7, BE9, TRN3 and TRN23 of the Unitary Development Plan (2004), Supplementary Planning Guidance SPG5 'Altering and Extending Your Home' and SPG17 'Design Guide for New Development', policies CP9, CP17 and CP21 of the Core Strategy (2010), SPG17 'Design Guide for New Developments', the London Plan (2011) and the NPPF (2012).

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):

1481-04

1481-05

1481-06

1481-07

1481-23

1481-24

1481-25

1481-26

1481-27

1481-28

1481-29

1481-30

1481-31

Unnumbered plan named 'Location'

Design and Access Statement dated March 2015

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

3 A detailed hard and soft landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development hereby approved. All detailed works shall be carried out as approved prior to the occupation of any of the units hereby approved. Such details shall include:

- (i) details of soft landscaping including the planting of trees, shrubs and hedges and species and pot sizes/spacing
- (ii) details of materials to be used in areas of hard surfacing
- (iii) details of boundary treatments

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

Reason: To ensure a satisfactory appearance and in the interests of local amenity.

4 Occupiers of the residential development, hereby approved, shall not be entitled to a Residents Parking Permit or Visitors Parking Permit to allow the parking of a motor car within the

Controlled Parking Zone (CPZ) operating in the locality within which the development is situated unless the occupier is entitled; to be a holder of a Disabled Persons Badge issued pursuant to Section 21 of the Chronically Sick and Disabled Persons Act 1970. For the lifetime of the development written notification of this restriction shall be included in any licence transfer lease or tenancy agreement in respect of the residential development. For the lifetime of the development a notice, no smaller than 30cm in height and 21cm in width, clearly informing occupants of this restriction shall be displayed within the ground floor communal entrance lobby, in a location and at a height clearly visible to all occupants. On, or after, practical completion but prior to any occupation of the residential development, hereby approved, written notification shall be submitted to the Local Highways Authority confirming the completion of the development and that the above restriction will be imposed on all future occupiers of the residential development.

Reason: In order to ensure that the development does not result in an increased demand for parking that cannot be safely met within the locality of the site.

- 5 Notwithstanding any indication otherwise given on the approved plans, the cycle storage identified on the approved plans shall be 'Sheffield' type stands and shall be made available to use prior to the first occupation of the development hereby approved and retained for cycle storage use in perpetuity.

Reason: To ensure adequate cycle storage facilities

- 6 Notwithstanding any indication otherwise given on the approved plans, the bin store hereby approved shall be made available for use prior to the first occupation of the development hereby approved and retained for bin storage use in perpetuity.

Reason: To ensure adequate bin storage facilities

- 7 Notwithstanding any indication otherwise given on the approved plans, the side-facing windows at first floor level and above on the south-facing side elevation of the development hereby approved shall be glazed entirely with obscured glass and non-opening unless the parts of the windows which can be opened are a minimum of 1.7m above the finished floor level in the room in which the windows are installed. Once installed the windows shall be permanently retained in this condition unless otherwise agreed in writing by the Local Planning Authority.

Reason: To preserve the amenities of neighbouring occupiers.

- 8 Details of materials for all external work shall be submitted to and approved in writing by the Local Planning Authority before any external materials are applied to the development hereby approved. The work shall thereafter be carried out in full accordance with the approved details.

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

- 9 Prior to commencement of the development hereby approved, a Method of Construction Statement shall be submitted to and approved in writing by the Local Planning Authority detailing how the impact on neighbouring amenity resulting from dust and noise during the construction process of the development hereby approved would be mitigated. Development shall thereafter take place in full accordance with the approved details.

Reason: In the interests of neighbouring amenity.

- 10 Prior to the commencement of the development hereby approved, details of all window reveals, including section drawings, shall be submitted to and approved in writing by the Local Planning Authority. Development shall thereafter take place in full accordance with the approved details.

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

locality.

- 11 A noise impact assessment shall be undertaken and submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby approved. The assessment must include the potential noise impact from traffic, the nearby pub and any other relevant noise sources on the proposed development. The assessment shall include mitigation measures to ensure that the following internal noise levels recommended by BS8233:2014 'Guidance on sound insulation and noise reduction for buildings' are achieved:

Time	Area	Maximum noise level
Daytime Noise 07:00 – 23:00	Living rooms and bedrooms	35 dB LAeq (16hr)
Night time noise 23:00 – 07:00	Bedrooms	30 dB LAeq (8hr)

Prior to the occupation of the development hereby approved, a test shall be carried out to demonstrate that the required noise levels have been achieved and the results submitted to the Local Planning Authority for approval.

Reason: In the interests of residential amenity of future occupiers.

- 12 Prior to the occupation of the development hereby approved, details of the position of balustrades to roof terraces and measures to prevent undue overlooking from roof terraces shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of neighbouring amenity.

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 Control of Pollution Act 1974 allows the council to set times during which works can be carried out and the methods of work to be used. Contractors may apply for prior approval for works undertaken outside of normal working hours. They should email the noise team at ens.noiseteam@brent.gov.uk to obtain a section 61 application form. Please note that the Council has 28 days to process such applications.
- 3 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at www.brent.gov.uk/CIL.

Any person wishing to inspect the above papers should contact David Raper, Planning and Regeneration,
Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 020 8937 5368