

**Committee Report**  
**Planning Committee on 15 September, 2010**

**Item No. 10**  
**Case No. 10/1764**

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**RECEIVED:** 14 July, 2010

**WARD:** Stonebridge

**PLANNING AREA:** Harlesden Consultative Forum

**LOCATION:** Land north side of Lovett Way, Lovett Way, London, NW10 0UJ

**PROPOSAL:** Erection of 12 no. two-storey, three-bedroom, single-family dwellinghouses on land to the north side of Lovett Way

**APPLICANT:** London Borough of Brent

**CONTACT:** Rick Mather Architects

**PLAN NO'S:**  
Please see condition No. 2.

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**RECOMMENDATION**

That the Planning Committee delegate authority to the Director of Environment and Culture to determine this application on the basis that planning permission will be granted providing no further comments are received prior to the end of the extended statutory consultation period (see below) that raise objection to matters that have not been discussed within this report or the Supplementary Report for this application.

The extended consultation period is required as your officers have noted that the site and press notices referred to applications that are "In the Public Interest" whilst the text of the notices should have specified "Departure from Development Plan". Aside from the reason for the notice, the remainder of the text, including the description of the proposal, was correct. Also, your officers have also noted that Sport England have not been consulted.

**SECTION 106 DETAILS**

This proposal is submitted by the London Borough of Brent and the application site is also owned by the Council. As such, this proposal cannot be accompanied by a Section 106 agreement. However, it is recommended that a condition is attached which requires the applicants to enter into a Section 106 agreement should the site be sold to a third party, such as a Registered Social Landlord. It is recommended that the following Heads of Terms are incorporated into Conditions, but will form the basis of the Section 106 if the site is sold:

- a) Payment of the Councils legal and other professional costs in (i) preparing and completing the agreement and (ii) monitoring and enforcing its performance;
- b) That 100% of the dwellings are provided as Social Rented Affordable houses and the housing allocations plan shall be submitted and approved at least 6 months prior to occupation;
- c) A contribution £86,400 (£2,400 per additional AH bedroom)
  - i. 50% due on material start an, index-linked from the date of committee for Education, Sustainable Transportation, Open Space in the local area
  - ii. 50% towards the provision, prior to Occupation, of 67sqm off site child's play; re-landscaping (including new trees) and remarking of the car parking spaces; tree planting on the northern boundary as shown on plans XX or to the public areas of

the St. Raphael's Estate.

- d) Sustainability - submission and compliance with the Sustainability check-list ensuring a minimum of 49% score is achieved and Code for Sustainable Homes level 3, with compensation should it not be delivered. In addition to adhering to the Demolition Protocol.
- e) Offset 20% of the site's carbon emissions through onsite renewable generation. If proven to the Council's satisfaction that it's unfeasible, provide it off site through an in-lieu payment to the council who will provide that level of offset renewable generation.
- f) Join and adhere to the Considerate Contractors scheme.
- g) Prior to Material Start identify and gain Council approval for 1720sqm on Land within Plan X suitable for new / expanded publicly accessible green space (PAGS). Within 6 months of MS gain approval for a landscaping scheme for the 1720 sqm of PAGS. Prior to Occupation provide and there after maintain 1720 of PAGES.
- h) Prior to any Occupation the provision of 67sqm of off site child's play; re-landscaping (including new trees) and remarking of the car parking spaces; tree planting on the northern boundary as all shown on plans XX.
- i) That 100 % of the homes should be constructed to Lifetime Homes standards;
- j) The submission, approval and implementation of a strategy for the provision of Wheelchair Accessible or Easily Adaptable units within the St Raphaels Estate housing proposals which demonstrates the provision of such housing at a rate of 10 %.

## **EXISTING**

The subject site is situated between Lovett Way and Strategic Industrial Land, currently used for the purposes of Open Storage. It is situated to the north of Nos. 42 and 43 Lovett Way, and to the west of the Vernon House School site. It is at the northern extreme of the St Raphaels Estate, a 1960s Local Authority housing estate that is managed by Brent Housing Partnership.

The site is designated as Public Open Space as it forms a part of the St Raphael's Way / Tokyngton Recreation Ground which straddles the River Brent. The application site is situated within a 20 to 33 m wide predominantly grassed "finger" of space that projects away from the main element of the park between Lovett Way and the Industrial land.

The site is not within a Conservation Area and there are no listed buildings in the vicinity.

## **PROPOSAL**

The erection of a terrace of 12 two-storey three-bedroom houses with associated parking, landscaping and refuse and cycle storage.

## **HISTORY**

There is no relevant planning history.

## **POLICY CONSIDERATIONS NATIONAL**

<b>Planning Policy Statement 1</b>	Creating Sustainable Communities (2005)
<b>Planning Policy Statement 3</b>	Housing (2010)
<b>Planning Policy Statement 12</b>	Local Spatial Planning
<b>Planning Policy Guidance 13</b>	Transport (2001)
<b>Planning Policy Guidance 17</b>	Planning for Open Space, Sport and Recreation (2002)
<b>Planning Policy Statement 22</b>	Renewable Energy (2004)
<b>Planning Policy Guidance 24</b>	Planning and Noise (1994)

## **REGIONAL**

### ***The London Plan***

- Policy 3A.1 Increasing London's supply of housing
- Policy 3A.2 Borough housing targets
- Policy 3A.3 Maximising the potential of sites
- Policy 3A.5 Housing choice
- Policy 3A.6 Quality of new housing provision
- Policy 3A.9 Affordable housing targets
- Policy 3A.11 Affordable housing thresholds
- Policy 4A.1 Tackling Climate Change
- Policy 4A.2 Mitigating Climate Change
- Policy 4A.3 Sustainable Design and Construction
- Policy 4A.4 Energy Assessment
- Policy 4A.6 Decentralised Energy
- Policy 4A.7 Renewable Energy
- Policy 4A.9 Adaptation to Climate Change
- Policy 4A.11 Living Roofs and Walls
- Policy 4A.14 Sustainable Drainage
- Policy 4A.16 Water Supplies and Resources
- Policy 4A.19 Improving Air Quality
- Policy 4A.20 Reducing Noise and Enhancing Soundscapes

### **Supplementary Planning Guidance**

Housing (2005)

Providing for Children and Young People's Play and Informal Recreation (2008)

Sustainable Design and Construction (2006)

### **LOCAL**

#### **Brent Local Development Framework Core Strategy 2010**

- CP1** Spatial Development
- CP2** Population and Housing Growth
- CP5** Placemaking
- CP6** Design & Density in Place Shaping
- CP14** Public Transport Improvements
- CP15** Infrastructure to Support Development
- CP17** Protecting and Enhancing the Suburban Character of Brent
- CP18** Protection and Enhancement of Open Space, Sports and Biodiversity
- CP19** Brent Strategic Climate Mitigation and Adaptation Measures
- CP21** A Balanced Housing Stock

#### **Brent Unitary Development Plan 2004**

##### ***Strategy***

The overall strategy of the UDP has 11 key objectives which are as follows:

1. Prioritising locations and land-uses to achieve sustainable development;
2. Reducing the need to travel;
3. Protecting and enhancing the environment;
4. Meeting housing needs;
5. Meeting employment needs and regenerating industry and business;
6. Regenerating areas important to London as a whole;
7. Supporting town and local centres;
8. Promoting tourism and the arts;
9. Protecting open space and promoting sport;
10. Meeting community needs; and,
11. Treating waste as a resource.

The relevant policies in this respect include Policies STR1-4 (prioritising locations and land-uses to achieve sustainable development), STR5, 6 and 10 (reducing the need to travel), STR11-17 (protecting and enhancing the environment), STR19-21 (meeting housing needs), STR25 (meeting employment need), STR27 (regeneration of Wembley as a regional sport, entertainment, leisure and shopping destination), STR32 (promoting tourism and the arts), STR35 (Protecting open space and promoting sports), STR37 and STR38 (meeting community needs).

### **Policies**

- BE2** Local Context
- BE3** Urban Structure: Space & Movement
- BE4** Access for disabled people
- BE5** Urban clarity and safety
- BE6** Landscape design
- BE7** Streetscene
- BE8** Lighting and light pollution
- BE9** Architectural Quality
- BE12** Sustainable design principles
- BE13** Areas of Low Townscape Quality
- EP2** Noise and Vibration
- EP3** Local air quality management
- EP6** Contaminated land
- H12** Residential Quality – Layout Considerations
- H13** Residential Density
- H14** Minimum Residential Density
- H22** Protection of Residential Amenity
- TRN1** Transport assessment
- TRN2** Public transport integration
- TRN3** Environmental Impact of Traffic
- TRN4** Measures to make transport impact acceptable
- TRN9** Bus Priority
- TRN10** Walkable environments
- TRN11** The London Cycle Network
- TRN23** Parking Standards – Residential Developments
- TRN34** Servicing in new developments
- TRN35** Transport access for disabled people & others with mobility difficulties
- PS1** Parking standards – Operation of these parking Standards
- PS14** Parking Standards – Residential Developments
- PS15** Parking for disabled people
- PS16** Cycle parking standards
- OS18** Children’s play areas
- CF6** School places

### **Brent Council Supplementary Planning Guidance and Documents**

- SPG4** Design Statements
- SPG12** Access for disabled people
- SPG13** Layout standards for access roads
- SPG17** Design Guide for New Development
- SPG19** Sustainable design, construction and pollution control
- SPG21** Affordable Housing
- SPD** Section 106 Planning Obligations

### **SUSTAINABILITY ASSESSMENT**

#### *TP6 Sustainability Checklist*

The applicants have scored their submitted Checklist at 49 % (“Very Positive”). However, it appears that some of the fields have been included twice in the calculations and your officers also

have scored some elements of the proposal differently from those detailed by the applicants. Having assessed the proposal and having regard to the TP6 fields that are not applicable to the development, your officers have assigned a score of 49 % ("Very Positive"). This score meets the minimum requirements for the TP6 Sustainability Checklist and is considered to be acceptable.

#### *Energy Statement.*

The submitted Energy Statement demonstrates how the proposal will be in accordance with the Mayor of London's policies regarding energy. The "Be Lean" measures achieve a 14.4 % reduction in CO2 associated with the development. The Statement sets out that Combined Heat and Power or communal heating is not feasible due to scale and nature of the proposal. A number of options for on-site renewables have been evaluated and the applicants propose the use of 6 Photovoltaic panels per unit to off-set a further carbon reduction of 21.26 %. Your officers consider that the proposed Energy Statement is in accordance with the Mayor's policies regarding sustainability and climate change.

#### *Sustainability Summary*

Your officers consider the Sustainability and Energy details to be acceptable and recommend that further details regarding the implementation of these measures are secured through the submission and approval of a Sustainability Implementation Strategy. This is normally secured through the Section 106 legal agreement. However, as this is the Council's own application, this is to be secured through condition.

### **CONSULTATION**

**Statutory Consultation Period:** 26 July – 26 August 2010

**Letters sent:** 26 July 2010

**Site Notices erected:** 28 July 2010

**Advertised in local press:** 5 August 2010

#### **Neighbours and nearby occupiers**

Objections and comments were received from two residents noting some or all of the following issues:

- Green land where children can play will be lost and spoilt;
- Change in the character of the area;
- Over crowding, disrupting the peaceful atmosphere;
- Increase in noise
- Parking problems, where existing parking levels are high and there could be 2-3 cars for each of the proposed houses;
- Loss of privacy;
- Overlooking of rear garden and bedroom windows of existing houses;
- Loss of light;
- No objection to building new houses in the estate, but these should be situated within the main element of the park to the west of the site. This land has never been used by anyone except for illegal activities and development in this location would mask the industrial area behind;
- There needs to be a proper plan to alleviate the only road leading from the estate. Pitfield and Besant Way are used as a cut through to avoid the North Circular Road on Stadium Event Days and IKEA promotion days and the busy nature of the road is dangerous. The number of properties should not be increased without addressing this issue.

Informal comments were made by Vernon House School regarding the proximity of the buildings to the edge of the school site and the potential for overlooking and for the disturbance of the future residents by pupils of the special school. The School also cited the location of an existing gate, and safety concerns during construction as their pupils have been known to scale walls and buildings in the past.

The applicants have responded to these comments by increasing the height of the parapet wall to the first floor terrace to avoid any direct overlooking. They specify that the buildings will have a high standard of acoustic treatment, including whole house ventilation to mitigate against any potential impact of noise from the Industrial land to the north and that this will be sufficient to address noise from the School. The applicants have offered to install a new gate in the school site to replace the one that is close to the flank wall of the proposed development. Reassurance has been provided regarding the safety measures during construction and the applicants have offered a tour of the development during construction for the students for educational purposes.

### **Internal Consultees**

#### Transportation

No Transport objections subject to a Section 106 Legal Agreement to secure developer contributions towards improving non-car access, highway safety improvements and new parking controls.

#### Landscape Design

The proposal would result in a reduction in public open space, and replacement usable public open space should be provided in an appropriate location and of equivalent size. Further details are required regarding trees, the play area, the volume of soil in the planters and the width of the spaces for trees within the car park.

#### Environmental Health

The Desk Studies highlight the potential presence of soil contamination due to the historic land use. An intrusive soil investigation is therefore required and it is recommended that conditions are attached to the consent.

### **External Consultee**

#### Thames Water

An Informative regarding surface water drainage is recommended.

### **REMARKS**

This application proposes the construction of 12 houses on the north side of Lovett Way. The key issues associated with this proposal relate to:

- The principle of development, in terms of the loss and re-provision of public open space and the public open space and streetscape improvements;
- The design, appearance and layout of the proposal;
- The landscaping proposals;
- The quality of accommodation;
- Any potential impacts on adjoining residents;
- Transportation issues, including car parking, cycle parking and road/parking layout;
- Noise and vibration;
- Contamination

### **General Principles of development**

#### *Construction on Public Open Space*

The subject site is currently designated as Public Open Space as it forms a part of the 6.79 Hectare St Raphael's Way / Tokyngton Recreation Ground Open Space. Whilst the site forms a part of this park, your officers consider that the "use" value of the open space is lower than the more open areas on either side of the River Brent due to its size in relation to the main elements of the park and its siting between the road and the Strategic Industrial Land. The site represents a relatively small "finger" of open space that, in your officers opinion, would serve more of a visual amenity rather than a functional role due to the quality, size and nature of the remainder of the open space and due to the banked nature and siting of the open space within the application site.

Policy CP 18 of the LDF Core Strategy 2010 specifies that Open Space of local value will be

protected from inappropriate development and will be preserved for the benefit, enjoyment, health and wellbeing of Brent's residents, visitors and wildlife. This policy also specifies that support will be given to the enhancement and management of open space.

PPG 17 specifies that "development may provide the opportunity to exchange the use of one site for another to substitute for any loss of open space, or sports or recreational facility. The new land and facility should be at least as accessible to current and potential new users, and at least equivalent in terms of size, usefulness, attractiveness and quality. Wherever possible, the aim should be to achieve qualitative improvements to open spaces, sports and recreational facilities. Local authorities should use planning obligations or conditions to secure the exchange land, ensure any necessary works are undertaken and that the new facilities are capable of being maintained adequately through management and maintenance agreements."

This application proposes the re-provision of a commensurate amount of open space as part of the North Circular Road (NCR) Regeneration. The NCR project is identified as a priority within LDF Core Strategy Policy CP 13 "North Circular Road Regeneration Area". Whilst no planning applications have been submitted for the North Circular Road project, the applicants have submitted a plan outlining the zone within which the new public open space would be provided and have specified that the open space could come forward within the first phase of the NCR project and/or within the land to the south side of Pitfield Way, near Nos. 1 – 32 Lilburne Walk.

The proposal would provide decant housing for the NCR project, thus allowing the relocation of existing NCR tenants within the local area and the construction of new dwellings. The relocation of existing tenants is often problematic within regeneration schemes, particularly where there is no open land in the locality upon which new housing can be built prior to the demolition of the existing homes. The proposed housing accordingly would serve a vital role in enabling the North Circular Road Regeneration to take place.

While there is generally a presumption against the loss of open space to alternative uses, the open space that would be built on would be re-provided in the locality and the development would help to facilitate the implementation of the NCR project. Your officers accordingly consider that the proposed construction of new homes on the open space is acceptable, subject to the submission of details regarding the location, size and design of the new open space(s) and the provision of the space(s).

This proposal also includes the provision of additional planting within the park and the car parking areas, and would provide natural surveillance of this element of Lovett Way. The proposal therefore includes improvements to the main elements of the open space and improves the security and safety of Lovett Way which provides access to the public open space.

One objector has noted that children currently play on this area of land. Whilst the site would no longer be usable as public open space, the remainder of the park would still be usable together with other areas of open space within the estate itself. This includes the play area directly to the south of the site within which a new children's play area would be provided.

The other objector has suggested that new houses are built on the park land to the north-west of the subject site as this land is only used for illegal activities. The specified area does not have any windows of houses that directly overlook it and accordingly suffers from low levels of natural surveillance, thus increasing the potential for antisocial behaviour. However, it forms more of an integral part of the open space in a functional and visual sense. Your officers acknowledge the concerns regarding illegal activities on that element of the park. However, it is considered that the loss of that element of public open space would not be acceptable.

### *Density*

The density of the proposed development is 56 units per hectare or 280 habitable rooms per hectare. The density falls within the London Plan range of 35 to 65 units per hectare. The

proposal is above the London Plan range with regard to Habitable Rooms (150-250 habitable rooms per hectare). However, this is a function of the size of the units, where all units are family sized whilst the majority of developments also include smaller 1- and 2-bedroom units. Your officers accordingly consider the proposed density to be acceptable as there is a specific need to provide family housing in this location.

## **Layout, design and landscaping**

### *General layout of development*

The proposal provides a traditional house layout, with a terraced row of houses fronting the street. This provides activity and natural surveillance of this element of Lovett Way which suffers poor levels of overlooking at present.

### *Design and appearance*

The proposal represents a modern approach to terraced housing to address the issues regarding potential noise from the Strategic Industrial Land to the north. All houses have ground floor amenity space within a rear or side garden area. However, the houses also incorporate good sized (12 sqm) south facing roof terraces to provide a sunny area of external amenity space that is shielding from potential noise by the houses themselves. Furthermore, acoustic fences are proposed between the rear gardens and the Industrial Land.

Your officers consider that the simple and modern design approach is effective and results in a good standard of residential architecture. It relies on the use of high quality materials and finishing, details of which are to be required through condition. The houses are articulated through the use of terraces and recesses, creating a rhythm of development that is considered appropriate for the context. The majority of homes in the locality are 3-storey in height and the proposed 2 ½ storey houses built into an embankment are considered to pay the appropriate regard to the scale of surrounding buildings.

### *Landscaping*

The proposal incorporates a minimal amount of landscaping within the frontages, but proposes additional planting in the public realm. The reduction in the depth of the existing landscaped buffer between the proposed houses and the Industrial Land is to be off-set by the planting new trees within the remaining landscaped buffer, and additional planting to the north-west of the site to increase the size of the buffer in that location. The proposal results in the loss of some trees on-site. However, these are being replaced at a ratio of two for each tree that is removed.

### *Summary*

Your officers consider that the proposed layout and design of buildings pays the appropriate regard to its context and improves natural surveillance within this part of the St Raphaels Estate, thus improving the security and safety of residents.

## **Quality of accommodation**

The proposed houses exceed the Council's guidance levels for minimum internal floorspace and external amenity space.

Adequate levels of cycle and refuse storage are proposed within the frontage.

The applicants have confirmed that all homes will be built to Lifetime Homes standards. With regard to Wheelchair or Easily Adaptable Housing, the applicants have confirmed that 10 % of the homes that are constructed as part of the St Raphaels Housing project will be Wheelchair Accessible. However, no such units are proposed within this scheme due to issues regarding levels within the site. Your officers consider that this approach is acceptable subject to the submission and approval of a strategy regarding Wheelchair Accessible Housing prior to the commencement of works on any of the St Raphaels Housing schemes.

### *Summary*



Your officers consider that the quality of proposed housing is acceptable and in accordance with the Council's policies and guidance.

### **Impact on adjoining residents/occupiers**

#### *Daylight and Sunlight*

The proposed housing does not directly adjoin any residential dwellings. The nearest homes (Nos. 42 and 43 Lovett Way) are situated on the opposite (south) side of Lovett Way and are approximately 12.5 m from the fronts of the houses. The flank elevation of these dwellings face the proposed new development. These flank elevations are blank brick walls with no windows facing to the north and there accordingly are no opposing habitable room windows. It is considered that the proposal will not have an unduly detrimental impact on the light or outlook to any nearby residential dwellings.

The proposal adjoins the Vernon House School site and the flank wall of the easternmost house is a minimum of 0.5 m from the boundary with the School. The area of the school that it adjoins is a raised area that contains grass and trees. The proposal is not considered to have an unduly detrimental impact on the light received by the School.

#### *Privacy and overlooking*

As specified above, the proposed buildings face the blank flank walls of Nos. 42 and 43 Lovett Way. The windows and roof terrace of the dwellings are also 12.5 m from the rear gardens of these dwellings. Supplementary Planning Guidance No. 17 specifies that habitable room windows should be at least 10 m from the boundary with adjoining properties to ensure their privacy and the proposal will be in accordance with this. The siting of the access way will also be 10 m from these back gardens. Your officers accordingly consider that the proposal will not have an unduly detrimental impact on the privacy of adjoining residents.

One objection has expressed concern regarding the loss of privacy to his garden and bedroom windows. The relationship to the garden has been discussed above. The windows of the existing houses are set at a right angle to the proposed development and your officers consider that the oblique angle and distance are such that the level of overlooking will not be unduly detrimental.

The proposed houses do not have any windows facing the school site and the first floor roof terrace includes a privacy screen to the east to prevent overlook.

### **Transportation**

#### *Car parking*

The proposal includes the provision of 10 on-street parallel parking spaces within Lovett Way and alterations to the existing parking area on the south side of Lovett Way to provide 4 additional parking spaces, including 2 disabled spaces. The maximum parking standard for a 3-bedroom house is 1.6 spaces, resulting in a total of 19.2 spaces. The standard sets out that a 50 % reduction may be applied for Affordable Housing. However, given the low public transport accessibility of the site (PTAL 2) and the existing levels of parking in the locality, the proposed number of spaces (14) is considered to be acceptable and appropriate for the site.

Objectors have noted the high levels of parking in the vicinity. Whilst your officers accept that parking is relatively high, the proposed levels of parking are considered to be in accordance with the Council's policies which look to ensure that adequate levels of parking are provided whilst promoting non-car modes of access.

#### *Cycle Parking*

Cycle parking is proposed at a rate of 2 cycles per residential unit. This exceeds the levels set out within the UDP parking standards and is considered to be acceptable.

### *Servicing*

Refuse storage is situated at pavement level within enclosed bin stores. This allows suitable access for residents and ensures that the bins are an appropriate distance from the street.

### *Other issues raised an objector*

A local resident has commented that new houses should not be constructed unless measures are proposed to address the use of Pitfield Way and Besant Way and a cut through on Stadium Event Days and Ikea Promotion days. Any works required through a development must be necessary to mitigate the impacts of that development. Your officers consider it unreasonable to require a proposal to construct twelve new houses to address issues associated with the National Stadium and the large IKEA store. However, these comments have been passed to the Council's Transportation Service to ensure that they are aware of these concerns.

### *Summary*

The car parking, cycle storage and refuse storage proposals are considered to be acceptable.

### **Noise and vibration**

The applicants have submitted a noise and vibration survey for the proposed development due to its proximity to the Strategic Industrial land to the north. The survey examined the existing levels of noise and concluded that the site falls within PPG 24 Category B and as such, the site is suitable for residential development provided appropriate noise mitigation measures are implemented. The proposal also looked at the potential noise from alternative uses of the Strategic Industrial Land. The report recommended a high level of sound insulation, attenuated mechanical ventilation and that acoustic screening (e.g. acoustic fence/wall) should be incorporated to screen the rear gardens. The report also specified that the proposal would result in lower noise levels for the existing tenants to the south due to its acoustic screening effect.

The report specified that measured levels of vibration from existing sources were compliant with Local Authority requirements, but that future industrial sources that produce high vibration levels (e.g. large fixed vibrating machinery) may require isolation.

Your officers consider that the submitted details are sufficient to demonstrate that the proposal development is unlikely to suffer from excessive levels of noise and vibration.

### **Site Survey/contamination**

The submitted Desk Studies highlight the potential presence of contamination in the proposed development area due to the historical land use. Environmental Health have accordingly recommended that conditions are attached requiring a Site Investigation, Remediation Strategy and Verification Report.

### **Conclusions**

The proposal will help to enable the delivery of the North Circular Road project and ensures the provision of Open Space to replace that which is to be built on. Your officers consider that the proposed layout, design and appearance pays the appropriate regard to its context and should result in improvements to local safety and security. The quality of accommodation proposed is considered to be acceptable whilst the development has been designed to ensure to mitigate any unduly detrimental impacts on adjoining residents or occupiers. The proposal is considered acceptable on Transport grounds.

Your officers accordingly recommend that planning permission is granted.

### **REASONS FOR CONDITIONS**

**RECOMMENDATION:** Grant Consent

## REASON FOR GRANTING

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

Brent Unitary Development Plan 2004  
Central Government Guidance  
Council's Supplementary Planning Guidance  
Brent Local Development Framework Core Strategy 2010

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  
Environmental Protection: in terms of protecting specific features of the environment and protecting the public  
Housing: in terms of protecting residential amenities and guiding new development  
Employment: in terms of maintaining and sustaining a range of employment opportunities  
Open Space and Recreation: to protect and enhance the provision of sports, leisure and nature conservation  
Transport: in terms of sustainability, safety and servicing needs

## 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 drawing(s) and/or document(s):

542\_1000 Rev PL    542\_1203 Rev P2  
542\_1001 Rev PL    542\_1213 Rev P2  
542\_1010 Rev PL    542\_1021 Rev PL  
542\_1011 Rev P2    542\_1223 Rev P3  
1100 Rev PL

Sustainability Strategy dated July 2010  
Energy Strategy dated July 2010  
Design and Access Statement dated July 2010  
Phase 1 Desk Study Drury Way Depot dated September 2008  
Land Contamination RPS Desk Study dated July 2010  
Statement of Community Involvement dated July 2010  
Affordable Housing Statement dated July 2010

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

- (3) All parking spaces and footways, both within and outside of the subject site (but detailed in the approved plans) shall be constructed and permanently marked out prior to first occupation of any of the units approved. Such works shall be carried out in accordance with the approved plans and thereafter shall not be used for any other

purpose, except with the prior written permission of the Local Planning Authority obtained through the submission of a planning application.

Reason: To ensure a satisfactory development which contributes to the visual amenity of the locality and which allows the free and safe movement of traffic and pedestrians throughout the site and to provide and retain adequate cycle and car parking and access in the interests of pedestrian and general highway safety and the free flow of traffic within the site and on the neighbouring highways.

- (4) Notwithstanding the provisions of Schedule 2 Part 1 Classes A to G of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification), no enlargement, improvement or other alteration of the premises shall be carried out to the dwellinghouses hereby approved, unless a formal planning application is first submitted to and approved by the Local Planning Authority.

Reason:

In view of the restricted size of the site for the proposed development no further enlargement or alteration beyond the limits set by this permission should be allowed without the matter being first considered by the Local Planning Authority.

- (5) Details of materials for all external work, including samples, shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The work shall be carried out in accordance with the approved details.

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

- (6) All areas shown on the approved plans shall be suitably landscaped in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority prior to commencement of any demolition/construction work on the site. Such landscaping work shall be completed during the first available planting season following completion of the development hereby approved and the details approved under item (e) below shall be implemented prior to demolition/construction commencing and retained during demolition/construction.

The submitted scheme shall include details of:

- (a) the planting scheme for the site, which shall include species, size and density of plants;
- (b) walls, fencing and any other means of enclosure, including materials, designs and heights;
- (c) treatment of areas of hardstanding and other areas of hard landscaping, including materials;
- (d) Existing contours and levels and any alteration of the ground levels, such as grading, cut and fill, earth mounding and ground modelling.
- (e) trees and other vegetation to be retained within the site and the techniques to be used to protect them during construction and the use of appropriate building foundations in accordance with British Standard 5837. This shall include construction details for the building, all hard-surfaced areas, details of routing for any underground services that may affect the trees and details of the protection of the trees during the construction period, to ensure that the development hereby approved does not damage the trees, including their roots.

Any trees and shrubs planted in accordance with the landscaping scheme and any plants which have been identified for retention within the development which, within 5 years of planting, are removed, dying, seriously damaged or become diseased, shall

be replaced to the satisfaction of the Local Planning Authority, by trees and shrubs of similar species and size to those originally planted.

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

- (7) The development hereby approved shall not be occupied unless details of the off-site works and landscaping, including the parking areas, play area and off-site planting have been submitted to and approved in writing by the Local Planning Authority and the approved works implemented in full. The details shall include:
- (a) Full detail of the play equipment, the size of the play area;
  - (b) the planting scheme, which shall include species, size and density of plants;
  - (c) walls, fencing and any other means of enclosure, including materials, designs and heights;
  - (d) treatment of areas of hardstanding and other areas of hard landscaping, including materials;
  - (e) Existing contours and levels and any alteration of the ground levels, such as grading, cut and fill, earth mounding and ground modelling;
  - (f) Details of the way by which the the parking spaces are marked out;
  - (g) trees and other vegetation to be retained within the site and the techniques to be used to protect them during construction and the use of appropriate building foundations in accordance with British Standard 5837. This shall include construction details for the building, all hard-surfaced areas, details of routing for any underground services that may affect the trees and details of the protection of the trees during the construction period, to ensure that the development hereby approved does not damage the trees, including their roots.

The approved details shall maintained thereafter. Any trees and shrubs planted in accordance with the landscaping scheme and any plants which have been identified for retention within the development which, within 5 years of planting, are removed, dying, seriously damaged or become diseased, shall be replaced to the satisfaction of the Local Planning Authority, by trees and shrubs of similar species and size to those originally planted.

Reason: To ensure a satisfactory standard of appearance and to ensure that the proposed development enhances the visual amenity of the locality and the adequate provision of car parking and play facilities.

- (8) No development shall commence unless details of any external lighting, including the lux level and a lighting contour map, are submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full prior to occupation, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of safety and the amenities of the area.

- (9) The development hereby approved shall not commence until a Sustainability Implementation Strategy which details the ways by which the measures identified within the TP6 "Sustainability checklist" and the Energy Strategy hereby approved will be implemented and which demonstrates that the proposal will meet or exceed Code for Sustainable Homes Level 3 shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented.

Reason: To ensure a satisfactory development which incorporates sustainability measures that are commensurate to the scale of development proposed.

- (10) The development hereby approved shall not be occupied unless a review by a BRE approved independent body which verifies that the development has been completed in accordance with the Sustainability Implementation Strategy and that the development has met or exceeded Code for Sustainable Homes Level 3 is submitted to and approved in writing by the Local Planning Authority. If the review specifies that the development has failed to meet the above levels, compensatory measure shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the units hereby approved.

Reason: To ensure a satisfactory development which incorporates sustainability measures that are commensurate to the scale of development proposed.

- (11) The development hereby approved shall not commence unless details for the provision of 1,720 sqm of new/expanded publically accessible green space within the zone detailed within the un-numbered drawing titled "Location for Estate Improvements/Additional Open space", including the location, size and design of the space have been submitted to and approved in writing by the Local Planning Authority. The dwellings shall not be occupied unless the approved details are implemented in full and the space(s) shall thereafter be maintained.

Reason: To ensure the satisfactory provision of publically accessible green space in the locality.

- (12) The development hereby approved shall not be occupied unless details have been submitted to the Local Planning Authority which confirm that all units have been constructed to Lifetime Homes standards.

Reason: To ensure a satisfactory development.

- (13) The development hereby approved shall not commence unless a strategy for the provision of a minimum of 10 % of dwellings as Wheelchair Accessible or Easily Adaptable units within the St Raphaels housing proposals has been submitted to and approved in writing by the Local Authority and the approved strategy shall be implemented in full.

Reason: To ensure a satisfactory development.

- (14) The development hereby approved shall not commence unless details are submitted to the Council which demonstrate that the development has joined the Considerate Constructors Scheme. The developer shall thereafter adhere to the scheme for the period of construction.

Reason: To safeguard the amenities of adjoining and nearby residents and occupiers.

#### **INFORMATIVES:**

None Specified

#### **REFERENCE DOCUMENTS:**

The London Plan Consolidated with Amendments Since 2004  
Brent Unitary Development Plan 2004  
Brent Local Development Framework Core Strategy

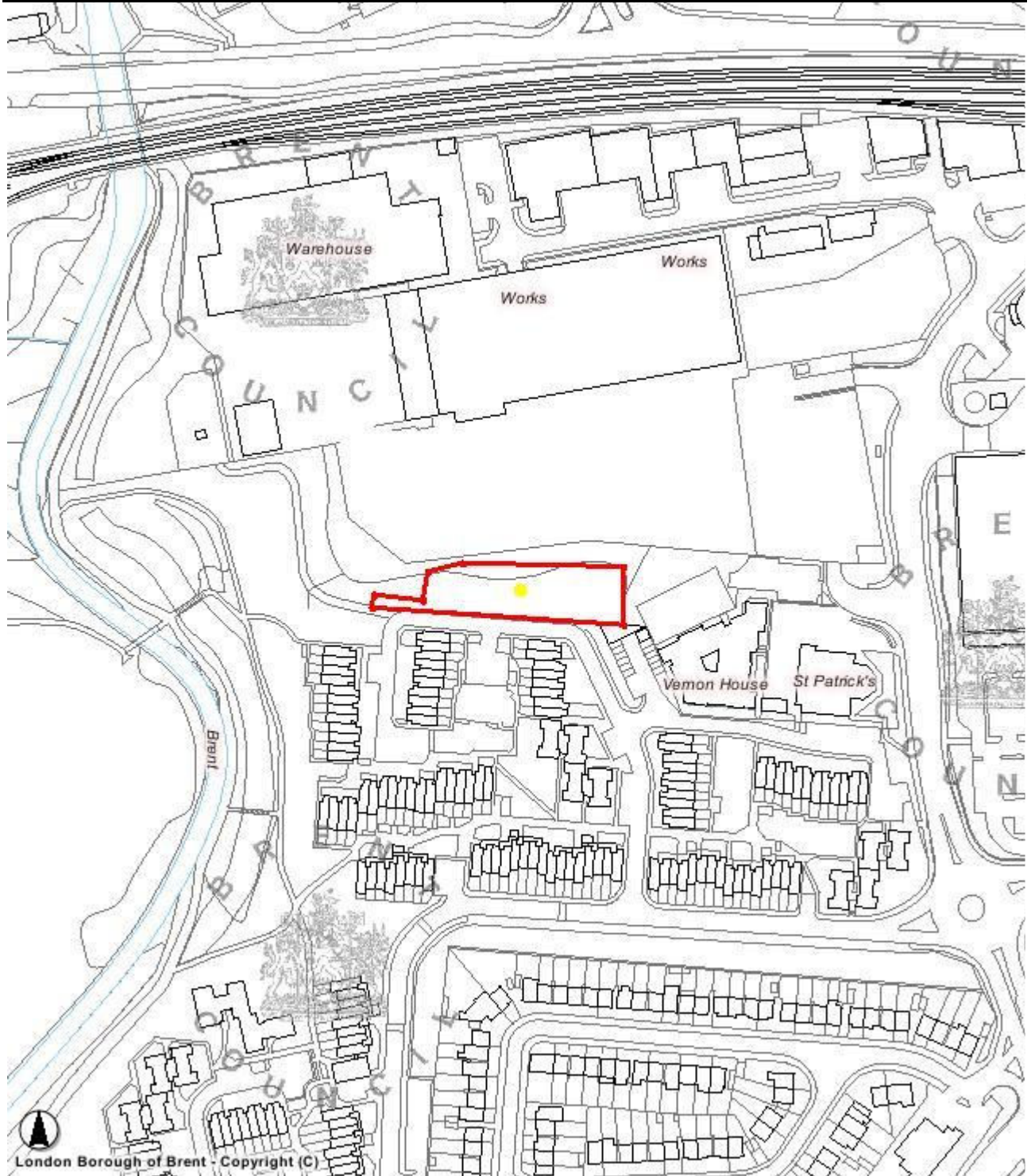
Any person wishing to inspect the above papers should contact David Glover, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5344



## Planning Committee Map

Site address: Land north side of Lovett Way, Lovett Way, London, NW10 0UJ

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