

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

10 August, 2016
03
15/5068

SITE INFORMATION

RECEIVED: 20 November, 2015

WARD: Brondesbury Park

PLANNING AREA: Brent Connects Kilburn

LOCATION: 24-51 INC, John Barker Court, 12-14 Brondesbury Park, Kilburn, London, NW6 7BW

PROPOSAL: Proposed demolition of existing block of flats known as 24-51 John Barker Court, and erection of part three part four storey building comprising 33 self-contained flats (27 x 1 bed and 6 x 2 bed) with associated car parking (13 spaces), bin stores, amenity space and landscaping (as amended)

APPLICANT: Network Stadium Housing Association Limited

CONTACT: JLL

PLAN NO'S: (See Condition 2)

LINK TO DOCUMENTS ASSOCIATED TO THIS APPLICATION

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Please click on the link below to view **ALL** document associated to case

https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_125203

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1. Please go to pa.brent.gov.uk
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3. Click on "View Documents" tab

SITE MAP



Planning Committee Map

Site address: 24-51 INC, John Barker Court, 12-14 Brondesbury Park, Kilburn, London, NW6 7BW

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This map is indicative only.

SELECTED SITE PLANS
SELECTED SITE PLANS



Proposed block plan



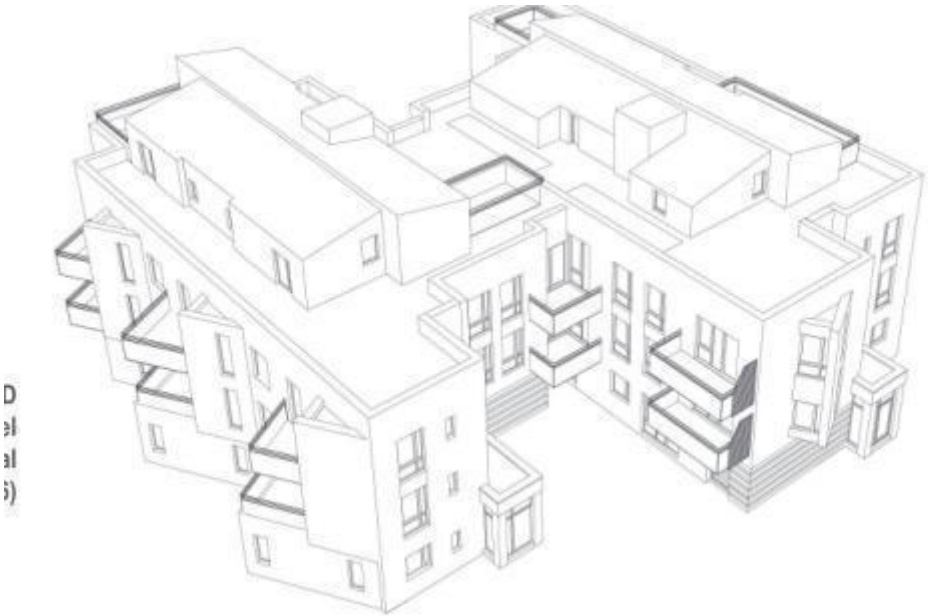
Proposed ground floor



Proposed second floor



Proposed third (top) floor



Proposed 3-d perspective



IMAGE ABOVE | View from 1-11 John Barker Court as Revised Proposal (June 2016)

Proposed visual 1



IMAGE ABOVE | View from 12-23 John Barker Court as Revised Proposal (June 2016)

Proposed visual 2

RECOMMENDATIONS

RECOMMENDATION

That the Committee resolve to GRANT planning permission subject to the prior completion of a legal agreement to secure the following planning obligations:

- a) Affordable Housing, 100% affordable housing comprising of x17 Shared Ownership and x16 Affordable Rent flats (total of 33 affordable units)
- b) Join and adhere to the Considerate Constructors Scheme
- c) Achieve CO2 reduction representing a 35% improvement on 2013 Building Regulations, pursuant to the Further Alterations to the London Plan (2015) and to provide a carbon off-set contribution to be used towards on / or off-site improvements related to carbon reduction to off-set any shortfall below the target 35%.
- d) Implementation of the submitted Travel Plan from first occupation

- e) Permit Free restriction to remove the rights of residents to apply for parking permits in the surrounding roads in the vicinity of the site and residents to be provided with a 3 year membership of a local car club upon occupation.
- f) Any other planning obligation(s) considered necessary by the Head of Planning
- g) Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance. This is likely to be in the region of £1275, but may be subject to change.

That the Head of Planning is delegated authority to negotiate the legal agreement indicated above and that the Head of Planning is delegated authority to issue the planning permission and impose conditions [and informatives] to secure the following matters:

Conditions

1. Standard 3 year permission
2. List of all approved plan numbers /documents
3. Noise limit placed on any plant equipment to be installed
4. Requirement for a number of windows to be installed and maintained as obscure glazed
5. Further details of a communal television/satellite dish system required
6. Further bat survey to be undertaken prior to commencement of works (including demolition)
7. Further survey / inspection of badger sett in adjacent woodland prior to commencement of works (including demolition)
8. Timing of works relating to vegetation clearance, mindful of bird nesting season.
9. Approval required for all external materials.
10. Construction Method Statement required to set out measures to minimise the impacts of dust, noise, mud and other environmental impacts
11. Provision of all parking spaces required prior to first occupation, and a Car Parking Management Plan to be submitted and approved.
12. Details required in relation to all external lighting
13. A detailed scheme of landscape works required, including provision for a minimum of 17 new trees.
14. Further details of privacy screening to balconies in order to safeguard privacy
15. Provide evidence that the mitigation measures set out in the Air Quality Impact Assessment have been implemented in full
16. Provide evidence that the proposal has been designed to reduce water consumption, in accordance with Building Regulations
17. Further details of bird/bat boxes to be submitted
18. Details to screen and protect the adjacent woodland area during construction works
19. Details of a Tree Protection Plan and Arboricultural Method Statement required prior to any works commencing on site (including demolition)
20. Provide confirmation that all units have been constructed to meet Building Regulations requirements in respect of wheelchair adaptable and wheelchair accessible units

Informatives:

Watching brief in relation to asbestos on site

Further details and advice in relation to tree protection and works to trees on site

That the Head of Planning is delegated authority to make changes to the wording of the committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the committee

nor that such change(s) could reasonably have led to a different decision having been reached by the committee.

That, if by 10 November 2016 the legal agreement has not been completed, the Head of Planning is delegated authority to refuse planning permission.

That the Committee confirms that adequate provision has been made, by the imposition of conditions, for the preservation or planting of trees as required by Section 197 of the Town and Country Planning Act 1990.

A) PROPOSAL

Proposed demolition of existing block of flats known as 24-51 John Barker Court, and erection of part three part four storey building comprising 33 self-contained flats (27 x 1 bed and 6 x 2 bed) with associated car parking (13 spaces), bin stores, amenity space and landscaping (as amended).

The accommodation is proposed for occupation by over 50's only.

B) EXISTING

The subject site comprises a three storey building accommodating no's 24-51 John Barker Court. The building which did sit vacant for a period was formerly used as sheltered accommodation for the over 50's. In August 2015 permission was granted (ref: 15/1539) for a temporary period of one year for the use of the premises as a hostel (Use Class Sui Generis). This hostel provides short term accommodation for homeless families.

The application site is to the rear of no's 1-23 John Barker Court which is found on the north western side of Brondesbury Park NW6, and both buildings share access arrangements. The site is not within a conservation area nor is it a listed building.

The surrounding site context includes residential blocks and houses as well as two nearby schools and a wooded area to the south.

C) AMENDMENTS SINCE SUBMISSION

Since the proposed scheme was submitted the following amendments have been made, and these have been subject to a second round of neighbour consultation:

- a) Reduction to building footprint of Block A moving this 1m further away from 1 - 23 John Barker Court.
- b) Reduction in the number of proposed parking spaces from 19 to 13, with provision included now for a loading space for small delivery vans.
- c) Alterations to the building design, elevations and fenestration. This has resulted in reduced massing and re-arrangement of the top floor, and the introduction of splayed projecting bays to three sides of the building(s) in response to outlook concerns.
- d) Enlargement and re-configuration of shared amenity space.
- e) Change in the unit mix with a reduction in the number of 2 bedroom units (loss of 2 x 2-bedroom units).

D) SUMMARY OF KEY ISSUES

The key issues for consideration are as follows

- a) The opportunity for new and much improved replacement sheltered accommodation on site to help meet the borough's range of housing needs.
- b) The level of affordable housing being proposed.
- c) The relationship of the proposed building to surrounding sites and existing neighbouring buildings in terms of residential amenity.
- d) Design, scale and massing of the building(s).
- e) The transport impacts of the proposed development, level of proposed parking and consideration of proposed mitigation measures.
- f) The quality of the proposed residential accommodation.
- g) Proposed landscape strategy, impact on existing trees and adjacent Site of Borough Grade II Importance (SBINC) for Nature Conservation.

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)
Dwelling houses	1398		1398	2594	2594

Monitoring Residential Breakdown

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
EXISTING (Flats û Social Rented)										
EXISTING (Sheltered Housing û Social Rented)	27	1								28
EXISTING (Flats û Intermediate)										
PROPOSED (Flats û Social Rented)	14	2								16
PROPOSED (Sheltered Housing û Social Rented)										
PROPOSED (Flats û Intermediate)	10	7								17

RELEVANT SITE HISTORY

15/1539 - Granted (temporary 1 year consent)

Change of use of existing flats at 24-51, John Barker Court, into a hostel (Use class Sui Generis) for a temporary period of 1 year.

CONSULTATIONS

Consultation letters were sent initially on 31 December 2015, to a total of 269 addresses. Site and press notices were also advertised at that time. No representations were received to this round of consultation. Following the formal submission of revised plans, proposing some material changes to the scheme most notably to the proposed level of parking a second round of consultation was undertaken. Consultation letters for this second round were sent on 9 June 2016, once again to a total of 269 addresses. To date no representations have been received in response. Revised site notices were displayed on the 10 June 2016, and a revised press notice advertised on 16 June 2016.

STATUTORY CONSULTEES

(n.b. as above the following statutory consultees have been consulted on proposals twice)

Ward Councillors for Brondesbury Park:

No response received to date.

Transportation:

Subject to a S106/conditions to secure: (i) a 'permit-free' agreement withdrawing the right of future residents to on-street parking permits in the area; (ii) provision of free membership of a local Car Club for all new residents for a minimum period of three years; (iii) implementation of the submitted Travel Plan; (iii) further details of proposed landscaping, lighting and drainage there would be no objections on transportation grounds to this amended proposal.

Local Lead Flood Authority:

No response received to date.

Environmental Health:

No objection raised, conditions have been recommended relating to limiting noise and vibration levels from any plant, securing of a Construction Method Statement and Air Quality Impact Assessment.

Sustainability:

Document Imaged

No objection raised.

Principal Tree Officer:

No objection to revised scheme, subject to conditions.

Landscape:

No objection raised.

Affordable Housing:

The proposal is acceptable in this regard as it is proposed to be 100% affordable.

Recycling and Waste:

No response received to date.

POLICY CONSIDERATIONS

The Development Plan for the purposes of s38 of the Planning and Compulsory Purchase Act 2004 is the London Plan 2015 (FALP), the London Borough of Brent LDF Core Strategy 2010 and the London Borough of Brent Unitary Development Plan (2004).

National Planning Policy Framework 2012

The National Planning Policy Framework (NPPF) was published on 27 March 2012 and replaces Planning Policy Guidance and Planning Policy Statements with immediate effect. It includes a presumption in favour of sustainable development in both plan making and decision making. It is considered that the saved policies referred to in the adopted UDP and Core Strategy are in conformity with the NPPF and are still relevant. The NPPF states that good quality design and a good standard of amenity for existing and future occupants of land and buildings are required. Accordingly, the policies contained within the adopted SPG's, London Borough of Brent Unitary Development Plan 2004 and Core Strategy 2010 carry considerable weight in the determination of planning applications and appeals.

London Plan 2015 (FALP)

London Borough of Brent LDF Core Strategy 2010

London Borough of Brent Unitary Development Plan (2004)

Supplementary Planning Guidance 17 'Design Guide for New Development' (2002)

SPD 's106 Obligations'

DETAILED CONSIDERATIONS

Context and existing use:

1. The existing building is within a backland setting and is part two, part three-storeys high. It was constructed in the 1970's. Historically, and up until March 2015, it was sheltered housing accommodation specifically for the over 50's. It comprised of 27 studio flats, and a two bedroom wardens flat. To the north of the building is a grassed amenity area containing a number of mature trees, and further north and adjacent to this is 1 - 23 John Barker Court which is a three storey residential building fronting onto Brondesbury Park, currently owned and managed by Brent Housing Partnership. To the south of the subject building is an existing gated woodland area, this contains a number of mature trees, some of which are the subject of Tree Preservation Order's (TPO). This area is utilised by the adjacent Malorees School and is designated as a Site of Borough Grade II Importance (SBINC) for Nature Conservation.
2. Uses to the east are residential and there is also a school (Brondesbury College), to the west is a three storey residential building (Alan Preece Court) and further to the south Malorees Infant and Junior School on Christchurch Avenue.
3. The existing building that is proposed for demolition benefits from a temporary one year permission for its use as a hostel (Use Class Sui Generis), providing accommodation for homeless families. This consent, granted at Planning Committee in July 2015 has recently expired.

4. This is not within a Conservation Area, nor is it a Listed Building.

Community involvement:

5. In July 2015 the applicants carried out the first stage of consultation, letters were delivered to neighbouring residents and ward councillors for Brondesbury Park ward. Following this there was further correspondence with the Brondesbury Park Residents Association (BPRA). The design of the scheme was progressed following the initial consultation phase, and a public exhibition was later held in September 2015. Local residents and ward councillors were invited to attend via a flyer, and records show a low level of attendance from 4 local residents. Following on from this the applicants then met with the BPRA in October 2015.
6. Between May and June 2015 Brent officers provided pre-application advice on a series of occasions.

Need for proposed accommodation:

7. The existing property was previously Brent Council owned and transferred in 2000 with the borough's sheltered housing stock to Willow Housing and Care, who are a part of Network Housing Group. There is a covenant on the land restricting its use to affordable housing for over 50's. The proposed housing offer submitted by Network Stadium Housing Association Ltd is reflective of this covenant by proposing replacement sheltered housing, 100% of which is to be affordable, as set out below.
8. The population in older age groups in the borough is projected to increase during the Plan period (2010 - 2026), with a third of the overall population growth (22, 300 persons) projected to be aged 65 or over and 17% projected to be 75 or over (11, 600 persons). Overall the evidence suggests a future need for traditional sheltered housing in the borough, and this is set out in the London Borough of Brent Strategic Housing Market Assessment 2016.
9. Core Strategy policy CP21 seeks to ensure that a balanced housing stock is maintained by protecting existing accommodation that meets known needs and by ensuring that new housing appropriately contributes towards the wide range of borough household needs including care and support accommodation to enable people to live independently. This is in conformity with London Plan policy 3.8 (Housing Choice) and 3.9 (Mixed and balanced communities) and paragraph 3.50 of the Further Alterations to the London Plan. The proposed type of accommodation would help to contribute to the range of borough household needs. .
10. The proposed accommodation, whilst intended to be for over 50's is not considered to fall within Use Class C2 due to the fact that there will be no permanent care staff on site and the units are self-contained. For these reasons the proposed accommodation is considered to fall within Use Class C3 (dwellinghouse).

Affordable housing:

11. The proposal seeks to redevelop the site comprising of 33 new units for the over 50's. This will provide 27 x 1 bedroom and 6 x 2 bedroom units. Of the 33 units a total of 16 are proposed as Affordable Rent and 17 as Shared Ownership. On this basis the proposed scheme will deliver 100% of units as affordable. This satisfies London Plan policy 3.12 in seeking the maximum reasonable amount of affordable housing on sites, as well as making a valuable contribution towards the Councils affordable housing targets and satisfying Core Strategy policy CP2.

Unit mix:

Shared ownership:

- 13 x 1-bedroom / 2 person units (including 2 wheelchair units)
- 4 x 2-bedroom / 4 person units

Affordable rent:

- 14 x 1-bedroom / 2 person units (including 2 wheelchair unit)
- 2 x 2-bedroom units

12. For the above reasons the principle of development is considered acceptable, subject to other material planning considerations as set out below.

Density:

13. The scheme results in a density of 87 dwellings per hectare, equivalent to 191 habitable rooms per hectare. This falls within the density range for a site in this suburban location with a PTAL of 3, which sets

a density of up to 95 dwellings per hectare and / or 15--250 habitable rooms per hectare. This is consistent with London Plan policy.

Scale, massing and design:

14. Saved UDP policy H15 is relevant where backland development is proposed, and a range of criteria is set out within the policy. Of those considered most relevant are where it says that special regard should be paid to (a) the density and height of the proposal which should be subsidiary to frontage housing; (b) privacy and outlook from existing dwellings and in particular gardens; (d) backland development sharing a frontage access will not be permitted; (e) that sufficient garden depth and area is retained commensurate with the local character and (f) the effect and cumulative impact on the loss of garden habitat.
15. As a starting point is the fact there is already a backland development on the site which would be demolished. This is part two and three-storeys high, with pitched roofs. This is of similar scale to the frontage building and the building footprint is broadly similar to the proposed scheme.
16. Development is proposed in the form of a predominantly part three, and part four-storey building arranged as two inter-connecting blocks linked internally. The projecting third floor (fourth storey) elements are set in and back significantly and of a much less scale than the building floorplates below. The set backs proposed result in much reduced bulk and massing to the top floor and a separation distance of 23.6m between this element and the facing elevation (rear) of 1-23 John Barker Court. The design approach to the third floor element is welcomed and it is considered to successfully break down the scale and massing of the building, which is important given its backland setting and its future relationship to the frontage building. This proposal is considered to be commensurate with the scale of flatted developments in the site vicinity:- for example Alan Preece Court, which is neighbouring to the west, is predominantly three storeys high with top floor elements that project above this. The frontage building (1 - 23 John Barker Court) is three storeys. Elsewhere along Brondesbury Park there are other examples of four storeys buildings, so in view of the existing patterns of development and built form as well as the proposed siting, design and arrangement of massing the proposed scale and height is considered to be appropriate.
17. The siting of the proposed building will achieve generous separation from side and rear site boundaries as well as the existing frontage building. The amendments made to the scheme have increased the set in from side boundaries to between 5.7 and 9m. The scale of development proposed is compliant with the 30 and 45 degree amenity tests, as set out in Supplementary Planning Guidance 17 'Design Guide for New Development'. These tests are used to assess the potential level of impact new development can have on neighbouring amenity, considering the impacts on habitable windows as well as adjacent amenity space.
18. Block A, as revised has been set further back 1m from the existing frontage building (1-23 John Barker Court). This is welcomed as it improves the relationship of units to the parking area, and increases the separation between buildings.
19. Appropriate weight has been given to the development plan, namely saved UDP policy H15 and there are a number of determining factors. The principle of backland development has been long established by the existing building on site, and whilst it is a fact that the proposed replacement building will be taller than this, and the frontage building, in part, officers consider that the proposed design has sought to reduce the scale of these projecting top floor elements. It is considered that this successfully reduces the scale of the top floor so that overall the building is seen as being commensurate with the scale of the existing frontage building, as such it does not appear dominant in relation to this or of a scale that is out of character with the local context. Generous separation distances in excess of 20m are maintained so that privacy of existing dwellings is not materially harmed. As this will involve replacement of an existing building there is no material loss of existing garden habitat, and the tandem access arrangements are an existing long-standing arrangement on site that would continue. Finally, the proposed residential density falls comfortably within the appropriate density range for this location, as set out above.
20. When taking into account all the aforementioned material considerations officers consider that on balance the proposed scheme does not conflict with backland development policy.

Materials:-

21. The architectural approach has been to keep the elevations simple, this is reflected by the palette of materials also. Brick is proposed as the predominant material, with a darker brick shown to reflect the tone of surrounding buildings. This is considered to be appropriate, and the final choice of brick will be

approved via a planning condition. Secondary elements of the building will be treated with glazing and a contrasting zinc cladding which will provide a contemporary element to the scheme. The zinc cladding will emphasise the set in top floor and the projecting splayed bays that have been introduced on three sides of the building. Articulation and expression is provided in the form of a staggered building footprint, elements within the elevations that are recessed, projecting balconies, projecting splayed windows and the set in and set back to the fourth floor.

22. Further details of all external materials will be required as a condition of any approval.

Quality of accommodation:

23. The proposed flats are for use by the over 50's, and each unit is to be self-contained with its own living/dining room, kitchen and bathroom. All flats meet the minimum internal space standards set out in the National technical housing standards (2015) for 1 bedroom / 2 person and 2 bedroom / 4 person units, which are 50sqm and 70sqm respectively. The Minor Alterations to the London Plan (March 2016) now uses the aforementioned standards for the purposes of assessing the quality of residential accommodation. This proposal represents a material improvement to the previous use of the site for sheltered housing as this provided dated, and sub-standard accommodation.
24. The proportion of dual aspect units has been maximised with 29 of the 33 units (87%) designed as such, and the scheme has been designed to avoid any single aspect north facing units.
25. The applicant confirms that all units have been designed to exceed Lifetime Homes standards, and will be compliant with the new Building Regulation Standard Part M4 (2) in respect of accessibility. All upper floor units will be accessible by lift. A total of four wheelchair adaptable flats (12%) are proposed, exceeding the policy requirement for 10%, as set out in the London Plan and these are all located at ground floor level.
26. The strategy proposed is to afford all units with some form of private amenity space, this is in the form of ground floor gardens, upper floor balconies or roof terraces. Each of the ground floor units (9 in total) have been allocated private gardens, and these range in size from 15 - 75sqm whilst, the majority are to benefit from private gardens that significantly exceed 50sqm. All flats above ground floor have balconies, and the third floor flats have more generous roof terraces. All balconies exceed the Mayor's Housing Supplementary Planning Guidance standards (March 2016). In addition to the private space two communal gardens are proposed, one to the front of Block B and one to the rear of Block A. Combined, these communal areas will provide additional 402sqm of shared amenity space. It is important to also note that the shared space proposed to the front of Block B will be available for use by existing residents of the frontage building being retained (1 - 23 John Barker Court).
27. The total amount of amenity space proposed across the site is calculated to be 1093sqm, equating to an average of 33sqm per flat. This significantly exceeds the 20sqm requirement as set out in Supplementary Planning Guidance 17 'Design Guide for New Development' and the majority of ground floor units are to benefit from generously sized private gardens. On balance it is considered the proposed scheme will provide a high standard of amenity space for future residents.
28. In terms of outlook and privacy, the proposal accommodation has been considered against Supplementary Planning Guidance 17 'Design Guide for New Development', which seeks (i) a minimum separation of 20m between habitable room windows on directly facing elevations, (ii) a distance of 10m between the main rear elevation and the rear boundary, or flank wall of adjoining development, and (iii) a distance of 5m between habitable room windows on the flank wall and a site boundary, or 10m where the windows on a flank wall are the sole habitable room windows of the residence.
29. (i) The accommodation has been orientated such that the main outlook for units is largely east or west facing towards the side boundaries. The 20m separation distance between the proposed building and the rear facade of 1-23 John Barker Court is met, and exceeded.
30. (ii) At its closest the rear elevation at ground, first and second floor is less than 1m from the rear site boundary. However at ground floor there are no habitable windows within this facade, and at first and second floor there are secondary bedroom windows only. As such, if there were any concerns about overlooking to the south these secondary windows at first and second floor could be restricted through condition to be obscurely. Whilst it is acknowledged there are a small proportion of habitable windows within close proximity to the southern boundary as these are secondary then they are no relied upon for outlook, furthermore their outlook is towards the adjacent woodland area utilised by the adjacent Malorees School, and designated as a Site of Borough Grade II Importance (SBINC) for Nature

Conservation. Future development on the adjacent site to the south is therefore unlikely.

31. (iii) The internal arrangement of units results in the majority being either east or west facing. Windows that are directly facing towards the side boundaries range from 8-9m away. This represents a marginal shortfall below the 10m that would normally be sought, and it has been noted that the outlook in both directions will be towards densely populated tree lined corridors which is likely to have a reducing effect. In response the applicants have sought to address this through the building design and the introduction of splayed projecting elements to the flank elevations and directional windows that provide a south-westerly outlook for Block A and a south easterly outlook for Block B accommodation. The siting of the directional windows at ground floor level will be typically 3.5m from the boundary shared with the adjoining private garden, and whilst this represents a tight relationship it is important to recognise that these windows are not the sole habitable room windows to that residence. These are dual aspect, open plan living / kitchen rooms and outlook is achieved from each of the rooms from more than one direction so future occupiers will not be reliant on these windows for their outlook. Furthermore this relationship is only applicable to four of the ground floor units, as those which are sited furthest south within Block A and Block B do not experience the same relationship as they do not adjoin or have an outlook towards private gardens.
32. Where ground floor windows are sited in close proximity to circulation routes, communal amenity space or parking areas these are either non-habitable windows or secondary only. As such a condition can be attached to require these to be obscurely glazed if necessary.
33. It has been demonstrated that the scheme broadly complies with SPG17 requirements, and where standards are not met there has been an appropriate and well considered design response to satisfactorily mitigate against future outlook or privacy issues.

Impact on neighbour amenity:

34. To the north is 1 - 23 John Barker Court, this frontage building is retained. As discussed above the separation between habitable room windows in the facing elevations is in excess of the minimum 20m that is typically sought, in SPG17. On this basis it is considered the relationship will maintain an acceptable future outlook for this neighbouring building and privacy will not be compromised to a materially harmful degree.
35. The proposed parking layout does encroach further into the existing lawn area. This will potentially have an effect on the outlook for a small number of the existing ground floor units in 1 - 23 John Barker Court, however, the landscape treatment proposed will see a planted landscape buffer of approximately 2m wide provided as part of a 5m separation between ground floor windows and parking spaces. On balance this will provide a sufficient degree of separation so that the amenity of existing occupiers is not unduly affected by vehicle movements. A landscape condition will be attached to any grant of permission and this will confirm the planting proposals, which shall include new tree planting.

Andorra Court (flats 1 - 6):

36. Sited to the north east at its closest point this neighbouring residential building will be 24m away. With this degree of separation it is not considered material harm would be caused in terms of outlook, daylight or sunlight.
37. Habitable windows at ground, first and second floor within the proposed east facing elevation are within 10m of the shared boundary. Directly facing windows will be 9m away, which is mitigated by the presence of existing mature trees in between. Further mitigation is provided by the orientation of the splayed projecting bays as these windows provide outlook in a south easterly direction, which is away from Andorra Court. It is not considered that the relationship will result in unacceptable levels of overlooking or loss of privacy to the flats, and where windows are within 10m of the boundary they face towards a rear parking area so do not compromise existing residents amenity. It is recommended that a condition be attached to any permission requiring details of privacy screening to projecting balconies, in the interests of safeguarding neighbour amenity.

Alan Preece Court:

38. This is north-west of the site and arranged as two buildings, a frontage and a rear building. At its closest the north western corner of the proposed building (Block A) will be 17.5m away from the south eastern corner from the frontage building. As there are no directly facing windows this relationship is considered acceptable. Habitable windows within the western elevation that directly face the flank elevation of the rear building will be 8-9m away. This represents a minor shortfall below the 10m standard, but as above mitigation against overlooking and loss of privacy is provided by the existing corridor of mature trees situated in between. The projecting splayed windows within the western elevation will not directly face

towards Alan Preece Court, these provide an outlook to the south west. It is recommended that a condition be attached to any permission requiring details of privacy screening to projecting balconies, in the interests of safeguarding neighbour amenity.

Brondesbury College School and Malorees School:

39. Minimum separation standards as set out in SPG17 would not be applicable when considering the relationship to these adjoining schools as the guidance relates to neighbouring residential amenity. Notwithstanding this the Daylight and Sunlight Assessment has assessed the relationship to Brondesbury College School, a total of three facing windows were assessed. The results were that all windows will continue to meet the BRE recommendations for daylight. None of the associated play space is sited where it will be overlooked.
40. Malorees School, which is south of the site, will not be affected due to the designated site of Grade II importance situated in between. This woodland area contains a large number of mature trees which provide a dense buffer between the sites.

Daylight and Sunlight assessment:

41. A full assessment has been carried out, in accordance with BRE's "Site Layout Planning for Daylight and Sunlight. A Guide to Good Practice". This has looked at some 96 surrounding windows for access to daylight, 87 surrounding windows for access to sunlight as well as overshadowing impacts for two amenity areas.
42. The results show that in daylight terms all of the 96 windows assessed will continue to meet the BRE daylight targets. In sunlight terms the proposed development will not have a significant harmful impact on sunlight hours received by windows to surrounding properties. The overshadowing assessment results show that the assessed spaces to the north and west will continue to receive at least 2 hours or more of sunlight on 21st March to over 50% of the amenity areas. As such it is not considered to be unduly harmful to the amenity spaces tested.
43. On balance, the evidence demonstrates that daylight and sunlight conditions for neighbouring accommodation will not be unduly impacted upon by the siting and scale of the proposed building.

Parking and servicing:

44. Brondesbury Park is a local distributor road and controlled parking zone "KS" operates on weekdays from 8am to 6.30pm. There are four residents permit bays along the site frontage and surveys show the road is not designated as being heavily parked. The public transport accessibility level (PTAL) for the site is 2, which is fairly low but it is within 10m distance of PTAL 3.
45. Car parking allowances for the existing and proposed uses of the site are set out in standards PS14 and PS13 of the adopted UDP 2004 respectively. The existing building would therefore be permitted up to 14 parking spaces, with at least 23 further spaces permitted for the social housing flats at the front of the site being retained. Surface parking within the site is not formally marked, whilst the size of the basement car park beneath the frontage block is unknown.
46. Car parking provision is proposed to be 13 spaces (incl. four disabled) along the front of the building, with internal bicycle parking unaltered.
47. In assessing the parking standard for the proposed development the Councils Transportation officer has noted the proposed accommodation is intended for over 50's, but that it is all self-contained and there are no communal lounge, dining or warden accommodation that one would typically associate with sheltered housing scheme's. As the site does not have good access to public transport, the full parking allowances set out in standard PS14 apply.
48. With proposed parking provision reduced from 19 spaces to 13 spaces, maximum standards would still be complied with. As noted before though, consideration also needs to be given to the impact of any overspill parking on parking and traffic conditions in the area, but with the site being a backland site without a frontage onto Brondesbury Park, which is in any case a local distributor road and bus route, there is not considered to be suitable spare on-street parking space for use by residents of the development.
49. As such, a 'permit-free' agreement is sought to withdraw the right of future residents to on-street parking

permits in the area and the applicant has confirmed that they would accept a 'permit-free' restriction to be secured through future lease agreements. The applicants have also offered to provide three years membership of a local Car Club to future residents. Zipcar currently station a number of cars close to the site, including in nearby Christchurch Avenue and Winchester Avenue. Both of the above matters will provide mitigation against potential overspill and will be secured through a S106 Agreement.

50. The proposed number of disabled parking spaces (x4) accords with adopted standard PS15, similarly four electric vehicle charging points and internal storage for 42 bicycles are proposed. These measures are welcomed and will be secured by condition.
51. It has been confirmed that there is no space within the site layout to allow service or emergency vehicles to turn in front of the building, meaning that maximum refuse carrying and fire hose distances are exceeded' however, as previously noted, this replicates the existing situation, with refuse bins to be relocated from the bin stores within the block to the front of the site on collection days by the site management company. On this basis it is considered acceptable and, a condition is recommended to secure the approval of a Waste Management Plan.
52. Fire access distance of 45m can also be complied with by taking a route through the frontage building.
53. The revised car parking layout now includes a turning space at its southern end, which the applicant states can be used by smaller delivery vans for unloading of goods (e.g. supermarket delivery vans) and this is welcomed.
54. The pedestrian access route to the building through the existing frontage block has been retained, with the path across the car park to Block B's entrance reduced to 1.8m in width and a spur of 1.5m width added to link the entrance to Block A. This amendment is welcomed, ensuring easy access to both blocks for wheelchair users. No revised landscaping details have been submitted though and further details of revisions to materials for the car park would be welcomed.
55. Subject to a S106/conditions to secure: (i) a 'permit-free' agreement withdrawing the right of future residents to on-street parking permits in the area; (ii) provision of free membership of a local Car Club for all new residents for a minimum period of three years; (iii) implementation of the submitted Travel Plan; (iii) further details of proposed landscaping, lighting and drainage there would be no objections on transportation grounds to this amended proposal.

Trees and landscaping:

56. In accordance with s197 of the Town and Country Planning Act 1990, the Council has a duty to ensure, whenever appropriate, that adequate provision is made for the preservation or planting of trees by the imposition of conditions. The proposed development has been assessed in light of this duty and your officers are satisfied that the Council's duty in respect of trees can be met, subject to conditions.
57. The existing woodland area (SBINC) to the south of the application site as well as a number of existing trees on-site form part of a wider TPO. The proposed development seeks to retain as many of the existing trees on site as is reasonably practicable, however visibility of these trees to the general public is extremely limited due to their location and setting.
58. An Arboricultural Impact Assessment (AIA) has been undertaken. It is proposed that no works or tree removals will take place within the woodland area to the south, which is welcomed. The AIA sets out which trees are proposed for removal. The AIA inspected a total of 46 trees, none were categorised as Category A, where retention would be most desirable. It found a high proportion (87%) were Category B and C trees. Nine trees were identified as being required for removal to facilitate this development. Of the nine trees proposed for removal, all are Category B and C, and only T8 (Horse Chestnut) is visible to the general public from one specific location on Christchurch Avenue. Three trees are recommended for surgery works, comprising of reduction and works to shape and balance (trees T11, T31 and G47 as identified in the AIA).
59. Since revised plans have been submitted which result in a reduced building footprint and reduced parking area it is now confirmed that two of the nine trees that were originally identified for removal can now be retained. This is T8 (Horse Chestnut) close to the eastern site boundary, and T9 (Pear), also close to the eastern site boundary. Accordingly only seven trees would now be required for removal.
60. The proposed design has sought to minimise impact on existing trees. The scheme has carefully responded to the constraints posed by existing trees and proposes the retention of tree T4 (Norway

Maple), which is considered a key separation feature between the existing and proposed buildings, and has high visual amenity value. The revisions to the scheme have resulted in increased separation of this tree from the proposed building and less encroachment of the hardsurfacing for the vehicle parking area into the root protection area (RPA).

61. A large number of existing trees which are around the site edges, some outside of the application site, have RPA's that have the potential to be impacted by the proposed works. No proposed buildings will encroach into the existing RPA's of trees being retained. Proposed landscaping work that relates to the private gardens will be within RPA's of a number of trees and the works to the parking area will be within the RPA of tree T4. It is proposed that private gardens will be turfed over RPA's to limit the impact and proposed hard landscaping works within the RPA of tree T4 will paving laid over a plastic block system in order to limit the impact on the RPA.
62. It is proposed that 17 new trees will be planted, ranging in size and species and overall this will result in a net increase in the number of trees. Further details of size and species will be secured through condition.
63. Further details of the means of protection for all trees within the site identified for retention as well as trees to the south within the woodland area shall be secured by condition, along with an Arboricultural Method Statement.

Landscaping:

64. The landscaping strategy identifies three main areas, each different in character. Area one is around the car parking area, area two is the front communal space and area three is the rear communal space. With the rear amenity area space for outdoor growing of fruit and vegetables is proposed as part of the landscape strategy, and raised beds at an accessible height are proposed to encourage use of this by future residents. This will promote outdoor activity and contribute to the ecology of the site.
65. A green roof is proposed and this will further enhance biodiversity and encourage wildlife into the site. This roof will not be accessible to residents.
66. A condition is recommended to secure further details of all planting, boundary treatments, means of enclosure, seating as you would expect to set out the overall landscape strategy.

Other:

Ecology:

67. Saved UDP policy OS15 (Species Protection) states that development will be refused where it would have an adverse impact on protected species, unless steps are secured to protect the species. Your officers have assessed the proposed works in light of this policy and conclude the proposal would not contravene this aspect of the Development Plan, subject to conditions.
68. An Ecology Assessment and Bat Presence Survey support the application due to the site location adjacent to a Site of Borough Grade II Importance (SBINC) for Nature Conservation. This comprises of a Phase 1 habitat survey and protected species assessment (June 2015).
69. This confirms the application site does not form part of any statutory designated nature conservation site, but that it is located adjacent to Malorees School Orchard which is of Grade II nature conservation importance. Existing habitats on the site were surveyed as being building, hard standing, semi-natural broadleaved woodland, amenity grassland, introduced shrub and scattered trees.
70. The existing building on site has been surveyed as having low potential to support roosting bats, existing trees were found to offer good foraging habitats for bats and existing mature and semi-mature trees were found to contain no features that would be considered suitable to support a bat roost. As such the Assessment recommends that a further bat survey is required in order to determine the presence/absence of roosting bats prior to the commencement of works to the building, and this can be secured through condition. The mature and semi-mature trees were surveyed as having negligible potential to support roosting bats, as such no further survey work is recommended, but bat roosting boxes are recommended and these are secured by condition. The adjacent woodland (Malorees School Orchard) was found to have low potential to support protected great crested newts and moderate potential to support widespread species of reptiles. The proposal does not encroach into this woodland, nor propose the loss of any of it. The woodland will be retained and protected during construction works, and a suitable tree protection condition will be necessary. As such no further survey work for these species groups is recommended. The Assessment does advise that SBINC is appropriately screened from the development during construction to minimise potential impacts from noise, vibration and dust. A

condition can secure the necessary details be approved prior to commencement of works on site.

71. A disused badger sett was surveyed and there was no evidence to suggest recent use. Notwithstanding this a condition is recommended requiring further inspection of this be undertaken by a suitably qualified ecologist prior to commencement of works on site. It has also been identified that further mitigation measures are required in respect nesting birds in existing woodland and scattered trees.
72. On balance it is considered the ecological impacts would be acceptable subject to mitigation in the form of conditions being secured requiring (i) additional bat survey work prior to commencement of works, (ii) inspection of the observed badger sett for evidence of any activity, (iii) further details of the methods to screen the adjacent woodland area during construction works and (iv) that any vegetation of site clearance on site, or immediately adjacent be carried out outside of the main bird nesting season (March - August inclusive). Where this is not possible, a search for nesting birds up to 48 hours prior to clearance must be undertaken by an experienced ecologist. If nests are found these are to be protected by establishing an exclusion zone.

Air Quality:

73. The site is within a designated Air Quality Management Area (AQIA), and saved UDP policy EP3 requires regard to be had to impacts of development proposals upon air quality. Therefore a report has been submitted considering the potential air quality impacts associated with the proposed redevelopment (i.e. impacts from increase in traffic generated). The assessment considered existing conditions, construction impacts and road traffic impacts. It recommends mitigation measures to mitigate dust emissions during construction phase and securing these by condition. It is found that the development itself will have no adverse impact on air quality and the impacts from road traffic will be negligible. The proposal will not be air quality neutral due to transport related emissions, however a range of mitigation measures are proposed within the AQIA. The Councils Environmental Health Officer has considered the report and agrees with its findings, a condition is recommended requiring the submission of details to evidence the implementation of the mitigation measures proposed.

Flood risk:

74. The site lies within flood zone 1 and therefore has the lowest level of flood risk. In any event there is an existing building on site so it is not envisaged this proposal will significantly alter the existing site conditions in this regard.

Conclusion:

75. The proposal is deemed to meet the provisions of the Development Plan and there are no material considerations which would indicate a refusal is justified. Your officers consider there are significant wider benefits to the scheme, which includes the delivery of 100% of units as affordable and providing a form of accommodation that helps to meet an identified, and growing, housing need in the borough. The revisions that have been made to the scheme improve the relationship to surrounding buildings, and also the tree and landscaping strategy for the site. On balance the proposed siting and design of the building will not unduly harm the amenity of neighbouring residents, and responds appropriately to the site constraints.

76. The application is recommend for approval, subject to a s106 agreement to secure wider planning benefits and a number of conditions, as set out within this report.

SUSTAINABILITY ASSESSMENT

ENERGY

The applicant has supplied an energy strategy which indicates measures that are to be implemented to achieve the target 35% reduction in CO2 emissions beyond the requirements of Part L of the 2013 Building Regulations. This target is proposed to be met through the use of low carbon and renewable technologies, and of the renewable technologies considered PV panels are considered most suitable due to the amount of available roof space. This level of reduction is in conformity with policy 5.2 of the London Plan. The energy strategy has been reviewed by the Councils Sustainability Officer who agrees with the strategy approach and predicted results. Compliance with this target and the wider sustainability measures should be secured in a s106 agreement, or by condition as part of any forthcoming permission.

S106 DETAILS

A legal agreement under S106 of the Town and Country Planning Act 1990 (as amended) is required to

secure a number of planning obligations that are most appropriate to secure as obligations rather than as planning conditions. See 'Recommendation' section for further details.

CIL DETAILS

This application is liable to pay **£344,016.05*** 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): 1398 sq. m.

Total amount of floorspace on completion (G): 2594 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	2594	0	1196	£200.00	£35.15	£292,592.86	£51,423.19

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)	274	
Total chargeable amount	£292,592.86	£51,423.19

*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.

Please Note : CIL liability is calculated at the time at which planning permission first permits development. As such, the CIL liability specified within this report is based on current levels of indexation and is provided for indicative purposes only. It also does not take account of development that may benefit from relief, such as Affordable Housing. This scheme is proposed as 100% Affordable Housing and the applicants will need to claim relief for this upon receipt of a Liability Notice.

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 15/5068

To: Miss Radford
JLL
30 Warwick Street
London
W1B 5NH

I refer to your application dated 20/11/2015 proposing the following:
Proposed demolition of existing block of flats known as 24-51 John Barker Court, and erection of part three part four storey building comprising 33 self-contained flats (27 x 1 bed and 6 x 2 bed) with associated car parking (13 spaces), bin stores, amenity space and landscaping (as amended) and accompanied by plans or documents listed here:
(See Condition 2)
at 24-51 INC, John Barker Court, 12-14 Brondesbury Park, Kilburn, London, NW6 7BW

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:

A handwritten signature in black ink, appearing to read 'Aktar Choudhury'.

Mr Aktar Choudhury
Operational Director, 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 2015

Brent Core Strategy 2010

Brent Unitary Development Plan 2004

Council's Supplementary Planning Guidance 17 'Design Guide for New Development'

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

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):

PL01 revP2

PL10 revP2

PL11 revP2

PL12 revP2

PL13 revP2

PL14 revP2

PL15 revP2

PL100 revP3

PL101 revP3

PL102 revP3

PL103 revP3

PL104 revP3

PL105 revP3

PL106 revP3

PL107 revP3

PL108 revP3

PL109 revP3

NET20027 10 - Landscape Masterplan (revised)

NET20027-12C - Hard Landscape Proposals

Landscape Management & Maintenance Plan (October 2015, RevA)

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

- 3 Any plant shall be installed, together with any associated ancillary equipment, so as to prevent the transmission of noise and vibration into neighbouring premises. The rated noise level from all plant and ancillary equipment shall be 10dB(A) below the measured background noise level when measured at the nearest noise sensitive premises. An assessment of the expected noise

levels shall be carried out in accordance with BS4142:2014 'Methods for rating and assessing industrial and commercial sound.' and any mitigation measures necessary to achieve the above required noise levels shall be submitted to the Local Planning Authority in writing for approval. The plant shall thereafter be installed and maintained in accordance with the approved details.

Reason: To protect acceptable local noise levels, in accordance with Brent Policy EP2

- 4 The following window(s) shall be constructed with obscure glazing and non-opening or with openings at high level only (not less than 1.8m above floor level) and shall be permanently maintained in that condition thereafter unless the prior written consent of the Local Planning Authority is obtained.

- Windows in the north east facing facade serving units A.0.05 and B.01.01 (ground floor)
- Windows in the south west facing facade serving units A.1.03, B.1.03 and B.1.04 (first floor)
- Windows in the south west facing facade serving units A.2.03, B.2.03 and B.2.04 (second floor)

Reason: To minimise interference with the privacy of the adjoining occupier(s) and / or use of neighbouring sites

- 5 Further details of a communal television system/satellite dish provision shall be submitted to and approved in writing by the Local Planning Authority prior to the installation of any satellite dish. The approved details shall be fully implemented and retained for the lifetime of the development.

Reason: In order to mitigate the possibility of numerous satellite dishes being installed on the buildings hereby approved, in the interests of the visual appearance of the development, in particular, and the locality in general.

- 6 Prior to the commencement of any works (including demolition) further bat survey work shall be undertaken by a suitably qualified ecologist, and the results submitted to and approved in writing by the Local Planning Authority. If any bat roosts are confirmed on site any works impacting would require a licence from Natural England, and an appropriate mitigation scheme implemented, the details of which shall also be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out fully in accordance with the approved details thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of biodiversity and in accordance with the Wildlife & Countryside Act 1991.

- 7 Prior to the commencement of any works (including demolition) further survey / inspection work of the disused badger sett in the adjacent woodland area shall be undertaken by a suitably qualified ecologist, and the results submitted to and approved in writing by the Local Planning Authority. If any recent activity is confirmed on site an appropriate mitigation scheme shall be implemented, the details of which shall also be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out fully in accordance with the approved details thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of biodiversity and in accordance with the Wildlife & Countryside Act 1991.

- 8 Vegetation clearance shall be undertaken outside of the nesting bird season (generally extends between March and September inclusive). If this is not possible then any vegetation that is to be removed or disturbed shall be checked by an experienced ecologist for nesting birds immediately prior to works commencing. If birds are found to be nesting any works which may affect them is required to be delayed until the young have fledged and the nest has been abandoned naturally.

Reason: To ensure compliance with the Wildlife and Countryside Act 1981 (as amended).

- 9 Details of materials for all external work shall be submitted to and approved in writing by the

Local Planning Authority before any above ground construction work is commenced (save for demolition). The work shall be carried out in accordance with the approved details and retained as such 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.

- 10 Prior to the commencement of the development (including any demolition works) a Construction Method Statement shall be submitted to and agreed by the Local Planning Authority outlining measures that will be taken to control dust, noise, mud and other environmental impacts of the development, including measures to ensure the protection of existing trees sited within the adjacent designated woodland area directly to the southern rear boundary of the site. The development shall then be carried out in accordance with the agreed Statement thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenity of the neighbours by minimising impacts of the development that would otherwise give rise to nuisance.

- 11 The parking spaces and servicing bay shown on the approved plans shall be constructed and marked out prior to the occupation of any part of the development, hereby approved, and shall be permanently retained and used solely in connection with the development hereby approved thereafter. Prior to the occupation of any of the units a Car Parking Management Plan shall be submitted to and approved in writing confirming the allocation arrangements for on site parking. Thereafter the use of these spaces shall accord with the approved Plan, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the approved standards of parking provision are maintained in the interests of local amenity and the free flow of traffic in the vicinity.

- 12 Details of all external lighting shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of above ground construction works and such lighting shall be directed away from the adjacent woodland area to the south. The approved details shall be fully implemented and retained as such thereafter, unless otherwise agreed in writing by the Local Planning Authority. .

Reason: In the interests of safety, amenity and convenience.

- 13 Notwithstanding any details of landscape works referred to on the approved plans, a scheme for the landscape works and treatment of the surroundings of the proposed development (including species, plant sizes and planting densities) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any above ground construction works on the site (save for demolition). Any approved planting, turfing or seeding included in such details shall be completed in strict accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. Such a scheme shall include:-

(a) the identification and protection of existing trees on site or in close proximity to the site boundaries, and shrubs not directly affected by the building works and which are to be retained, including proposed protection measures during any demolition or construction works;

(b) proposed walls and fences or other means of enclosure indicating materials and heights (including such details for the enclosure of all private gardens);

(c) screen planting along the site boundaries, and provision for new tree planting across the site, with a minimum of 17 new trees planted at a minimum girth of 12-14cm;

(d) adequate physical separation, such as protective walls and fencing between landscaped and paved areas;

(e) existing contours and any proposed alteration to ground levels such as earth mounding;

(f) provision for the satisfactory screening of the top floor terraces

- (g) areas of hard landscape works and proposed materials;
- (h) details of the proposed arrangements for the maintenance of the landscape works.
- (i) further details of the proposed areas of 'green roof' as approved
- (j) provision for outside seating / benches

Any planting that is part of the approved scheme that within a period of five years after planting is removed, dies or becomes seriously damaged or diseased, shall be replaced in the next planting season and all planting shall be replaced with others of a similar size and species and in the same positions, unless the Local Planning Authority first gives written consent to any variation.

Reason: To ensure a satisfactory appearance and setting for the proposed development and ensure that it enhances the visual amenity of the area.

- 14 Further details of screening to all balconies as indicated on the approved plans, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any above ground construction works. The approved details shall be fully implemented prior to occupation of any of the units, as indicated on the approved plans and retained as such thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent overlooking of the adjacent sites that could be harmful to their residential amenity.

- 15 Prior to the occupation of the development, the applicant shall submit a report which provides evidence that the mitigation measures described in the submitted Air Quality Impact Assessment (Air Quality Consultants report dated November 2015 Job No J2383) have been implemented in full. The report is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure the safe development and secure occupancy of the site proposed for residential use.

- 16 Prior to occupation of the residential development hereby approved, confirmation from the Building Control body shall be submitted to the Local Planning Authority to demonstrate that the development has been designed so that mains water consumption does not exceed a target of 105 litres or less per person per day, using a fittings-based approach to determine the water consumption of the development in accordance with requirement G2 of Schedule 1 to the Building Regulations 2010.

Reason: To ensure the new dwellings are water efficient.

- 17 Prior to the occupation of the development hereby approved further details shall be submitted to and approved in writing by the Local Planning Authority for the provision of a minimum of 3 bird nesting boxes and a minimum of 1 bat roosting box on site. The approved details shall be fully implemented and retained as such thereafter.

Reason: In the interests of biodiversity.

- 18 Prior to the commencement of any works on site (including demolition) details shall be submitted to and approved in writing by the Local Planning Authority demonstrating how the adjacent woodland area to the south will be screened from the site during construction works (including demolition). The proposed mitigation measure shall be retained as such thereafter for the duration of construction works on site, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of biodiversity and to reduce the potential to impact on existing wildlife.

- 19 No works shall commence on site (including demolition works) until such times as a Tree Protection Plan and Arboricultural Method Statement following the recommendations and principles embodied in BS5837:2012 have been submitted to and approved in writing by the

Local Planning Authority. The Plan and Method Statement shall:

- (i) adhere to the principles embodied in BS5837:2012
- (ii) shall include all retained trees within the site and those trees in proximity to the site whose root systems may be impacted upon during construction, and shall show locations of all protective fencing, ground protection, site facilities and storage areas.
- (iii) clearly define root-protection zones with fencing and ground protection measurements annotated on plans.
- (iv) provide further details of pruning works to trees T11, T31 and G47, which shall be in accordance with BS3998:2010 Tree works-Recommendations
- (vi) provide cross sectional drawings shall be showing construction detail and any proposed build-up of soil above normal ground level in order to allow the successful rooting of new turf.

Works shall not commence on site until the Local Planning Authority has been on site and inspected the required tree protection measures in relation to the relevant construction phase. The development shall be carried out strictly in accordance with the agreed details thereafter, unless otherwise agreed in writing by the Local Planning Authority. Any tree that falls into irreversible decline and/or dies as a result of non-adherence to the approved documents within a period not to exceed five years from completion of works shall be replaced with a tree of size and species to be agreed with the Local Authority.

Reason: To ensure retention and protection of trees on the site in the interests of amenity.

- 20 Confirmation that all of the units have been constructed to the Building Regulation M4(2) and not less than 10% to Building Regulation M4(3) shall be submitted to the Local Planning Authority prior to the first occupation of the development hereby approved.

Reason: To ensure a sufficiently accessible development.

INFORMATIVES

- 1 Given the age of the building to be demolished it is possible that asbestos may be present. The applicant should be reminded of their duties under the Control of Asbestos Regulations and must ensure that a qualified asbestos contractor is employed to remove all asbestos and asbestos-containing materials and arrange for the appropriate disposal of such materials.
- 2 In relation to Condition 19 the applicant is advised the Arboricultural method statement is to include specific details with regards to any operations that may encroach upon the root protection areas (RPA's) of all retained trees. The AMS should pay particular attention to the construction of parking over the RPA of T4 Norway Maple and any other works such as the laying of turf and planting within the RPA's of all other trees.

A watching brief is to be carried out by a qualified project arboriculturalist with regards to all works within the RPA of T4.

The Local Authority tree officer is to be given seven days' notice of proposed works within the RPA of T4 in order to arrange a site inspection.

All operatives working on the site will be briefed on the importance of tree protection as part of their induction.

- 3 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
- 4 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 Gary Murphy, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5227