

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

24 May, 2017
08
17/0769

SITE INFORMATION

RECEIVED	21 February, 2017
WARD	Northwick Park
PLANNING AREA	Brent Connects Wembley
LOCATION	Parking Spaces rear of 181-189, East Lane, Wembley
PROPOSAL	Erection of a two storey three bedroom dwellinghouse with associated new vehicular crossover, car parking spaces, cycle and bin stores, landscaping and amenity space (modification to application 16/1338)
APPLICANT	ASAI Construction
CONTACT	ASAI Construction Ltd
PLAN NO'S	Refer to condition 2.
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>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_132766</p> <p><u>When viewing this as an Hard Copy .</u></p> <p>Please use the following steps</p> <ol style="list-style-type: none">1. Please go to pa.brent.gov.uk2. Select Planning and conduct a search tying "17/0769" (i.e. Case Reference) into the search Box3. Click on "View Documents" tab

RECOMMENDATIONS

- That the Committee resolve to GRANT planning permission.
- 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. Time Limit (3 Years)
2. Approved drawings / documents
3. External materials to be approved prior to commencement
4. Implementation of proposed frontage landscaping and crossover works prior to occupation
5. Restriction of permitted development rights
6. Obscure glazing of all side windows
7. No additional side windows without consent
8. Car parking spaces at the rear shall be laid out and made available prior to the occupation
9. Submission and approval of Construction Management Plan prior to commencement
10. Submission and approval of details confirming insulation achieves acceptable internal residential noise levels, given proximity of railway
11. Submission and approval of details confirming construction achieves acceptable vibration dose levels, given proximity of railway
12. Submission and approval of a contaminated land study
13. Submission and approval of remediation and verification works if land is found to be contaminated

Informatives

1. Party Wall
 2. Building near site boundary
 3. Asset Protection Agreement (with Network Rail) require
 4. Highways department to be contacted to arrange for the crossover works
 5. CIL Liability
- 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 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.

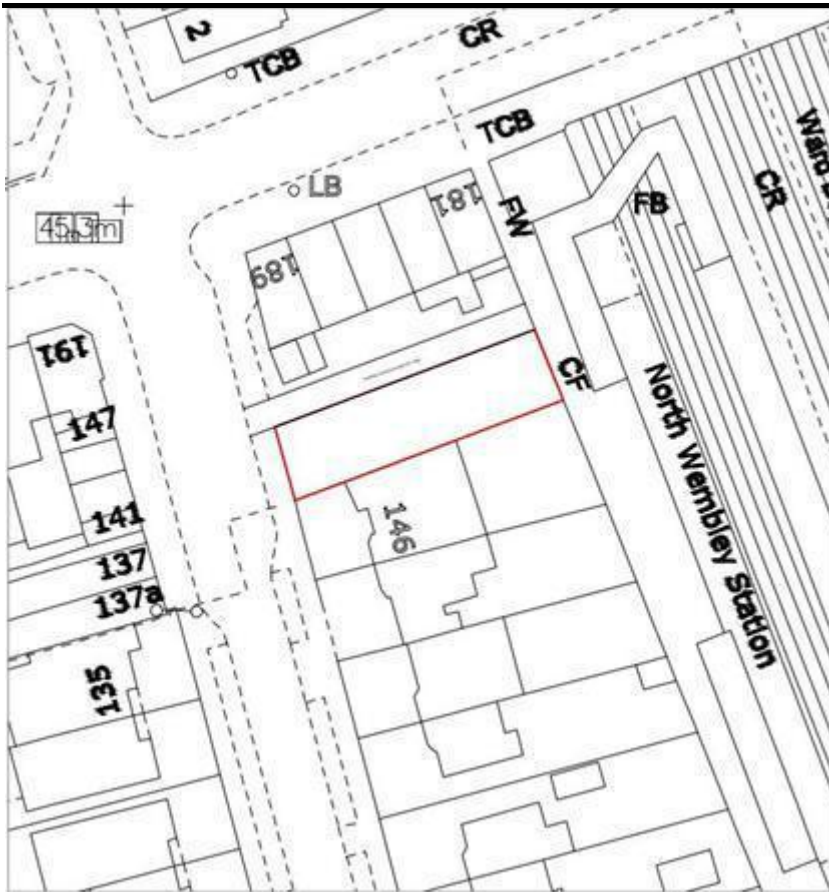
SITE MAP



Planning Committee Map

Site address: Parking Spaces rear of 181-189, East Lane, Wembley

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This map is indicative only.

EXISTING

The application site comprises a car park/service road to the rear of 181-189 East Lane and immediately to the north of 146 Harrowdene Road. The site is also bounded to the east by North Wembley Tube Station. It is located in an area comprised of both commercial and residential uses. The property is not within a conservation area nor is a listed building located within the plot.

The building is not within a conservation area nor is it a listed building.

SUMMARY OF KEY ISSUES

The key issues for consideration are as follows:

1. Whether the proposed development is acceptable in principle given the surrounding uses and character: The proposed house adjoins suburban residential housing and increases the supply of family housing within the borough.
2. Whether the proposed development provides a suitable standard of accommodation for future occupiers. The proposed development is considered to materially accord with the relevant standards. The provision of external amenity space falls 5 sqm below the Council's standards. However, this is off-set by internal space that is greater than the minimum required.
3. Whether the proposed development integrates well into the street in design terms and is of good design quality. The proposed house is of a scale and design that is in keeping with its context.
4. Whether the proposed development incurs unduly detrimental impacts on the amenities of neighbouring occupiers. The proposal accords with the Council's guidance regarding the potential impact on light and outlook of adjoining and nearby properties.
5. Whether the proposed development can be supported in terms of its impact on the parking capacity of the local area. The parking provision within the frontage is sufficient for the proposed dwelling. Three parking spaces are proposed to the rear of the house for the adjoining properties that front East Lane, which is considered to be sufficient given the proximity to the North Wembley London Underground Station.

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	0	0	0	136.6	136.6

Monitoring Residential Breakdown

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

RELEVANT SITE HISTORY

No relevant planning history.

CONSULTATIONS

25 nearby properties along East Lane and Harrowdene Road were consulted regarding the proposal for a minimum of 21 days on 08/03/2017.

Letters of objection were received from three nearby properties.

The grounds of objection are as follows:

Ground of objection	Response from officer
Concerns regarding privacy due to the presence of windows in the flank walls.	<p>The upstairs landing /staircase window faces is in the flank wall of the building facing No. 146. However, this is recommended to be conditioned to be obscure glazed and fixed closed or high level opening only in the interest of privacy. The first floor ensuite also has a flank wall window, but this faces the rear of the East Lane properties. The condition will also require this to be obscured glazed and fixed closed or high level opening only.</p> <p>The ground floor windows are unlikely to result in undue overlooking due to their height above ground level.</p>
Previous planning applications submitted for this land have been rejected by Brent Council.	All applications must be considered impartially and on their own merits.
There is a right to light present under the Prescription Act 1832, as the light has been enjoyed for 20 years or more.	The legislation mentioned is separate from planning policy and would need to be pursued as a civil legal matter. The proposal accords with the Council's planning guidance with regard to light and outlook (SPG17)
The service road over which the house is proposed to be constructed is a right of way for retail outlets and for the flats above as well as the railway network to the east. The development will narrow the service road resulting in safety hazard for the flats above as well as worsening conditions for bin collection and emergency services access. There will also be the loss of 10 or more existing parking space for the neighbouring commercial premises without nearby capacity for replacement parking. The dropped kerb will result in the loss of an existing parking space.	<p>The proposal is contained entirely inside land that the applicant has declared to be within their ownership.</p> <p>It has been confirmed with highways that width of the service road is acceptable. Historical aerial photographs do not suggest high levels of parking within this area, and while the proposal will not replace all parking spaces lost, it will re-provide an acceptable proportion of the parking given the proximity of the site to the London Underground station. Title deeds do not suggest that third parties have rights to park on this land and the owner has recently fenced off the site. If third parties do not have such rights then the proposal may actually increase the level of parking above what would otherwise be available.</p> <p>Highways have confirmed that the new drop kerb will not have an unduly detrimental impact on</p>

	parking capacity on the street.
Harroddene Road is already a busy and congested road; the additional concentration of traffic will cause traffic problems and create a safety hazard for other motorists and pedestrians which has a history of pedestrian safety problems.	The additional traffic movements resulting from one additional dwelling are unlikely to be significant or impactful on the existing traffic situation. Brent's highways team have confirmed that the proposal is far enough from the junction to remain safe.
The three bedroom house will overlook 146 Harroddene Road and result in a loss of privacy, outlook and peaceful enjoyment of life, within the house and the garden.	The house will overlook the garden area to a reasonable extent that is to be expected with this sort of development. The overlooking of no. 146 will be less severe than is currently possible from no. 144.
An enforcement notice has been served for an unauthorised development and change of use on the land, OurRef E/15/0676.	This proposal will be assessed on its own merits in accordance with planning policy. The assessment shall not be prejudiced by existing enforcement activity or previous application outcomes.
The car lifts will overlook no. 146's rear garden.	The Council shares the objector's concerns on this aspect. The car lifts have been removed from the proposal.
The privacy of flats to the rear of 181-189 East Lane will be compromised by the new windows facing these in close proximity.	None of the proposed north facing side windows are primary habitable room windows. They can all acceptably be conditioned to be non-opening (except at high level) and obscure glazed to prevent any privacy issues.
The proposal adjoins the railway to the east. In addition illegal fencing has been erected and fly tipping is becoming a problem.	Network rail and TfL have been consulted as part of the proposal. The illegal fencing is a matter for the enforcement department to consider. Fly tipping is likely to be less of a problem with this proposal as the house and parking will result in the entire site having an established purpose.
The current fence has led to blind spots which encourages opportunistic crime and is a hot spot for anti-social behaviour in the evening.	This is a matter for the Metropolitan Police. The creation of a house will increase the natural surveillance of this area to the north and east of the house which is likely to deter loiterers. There are windows in the adjoining properties that front East that overlook the remaining elements of the site proposed for parking.
The building is too large and out of character of this area.	The proposed house is of a traditional design whose proportions are in keeping with the neighbouring houses. The detached nature of the house and small elements of the house are clearly different from the surroundings. However, the position at the end of the road and in a place of transition between East Lane commercial use and Harroddene Road residential use means that some variation in character can sit comfortably, as proposed here.
There is no need for 7 parking spaces as [originally] proposed, as local buses and trains	The Local Planning Authority agrees with this aspect. The very close proximity of the train

are within very close proximity.	station and local bus services has contributed to the balanced view taken by the Local Planning Authority regarding the reduced provision of parking.
The construction phase could block access to the rear servicing area and the emergency railway access.	Network Rail has provided a number of construction requirements. The applicant will be required to work in communication with Network Rail during construction of the dwelling so that these are adhered to.
A public sewer runs very close to the development site.	Thames Water has been consulted and acknowledge the proximity of the sewer pipe. Thames Water confirm that a separate consent must be obtained from Thames Water for development that is in this close proximity to the sewer. The applicant will be informed of this on the decision notice.

The Council's transportation and environmental health were consulted regarding this proposal. Thames Water, Transport for London and Network Rail were also consulted.

Environmental Health: No objections, subject to a number of conditions to ensure the development is appropriate with respect to noise and vibration (particularly in view of the close proximity to the railway), construction noise and dust and contaminated land.

Thames Water: No objection to the proposal in terms of sewerage infrastructure capacity. Informatives to the applicant are recommended in respect of discharging into the sewer system and the development's proximity to public sewers.

Transport for London: Having reviewed the details of the case, TfL has no objections but requests that Network Rail are consulted on this application as the site is in close proximity to railway lines and assets which are under their ownership.

Network Rail: Comments have been made by Network Rail regarding the proximity of the proposed development to the railway, the need to consider issues regarding encroachment, the use of high kerbs for the parking area, the need to agree and undertake Asset Protection Measures with Network Rail, including the undertaking of a Risk Assessment and Method Statement (RAMS), implications of the Party wall Act, the need for secure fencing, the location of any scaffolding, potential implications of vibro-compaction machinery / piling machinery, surface water, excavation and earthworks close to the railway boundary. They highlight that the applicant will need to enter into a Basic Asset Protection Agreement with Network Rail to agree this, and that the applicant would be liable for all costs incurred.

Network rail also recommend that the applicant engages in discussions with network rail with regard to noise and vibration mitigation measures.

Members Consultation:

The proposal site is within the Northwick Park ward although borders the Sudbury ward along the site's southern and eastern boundaries. The Council's Members for Sudbury and Northwick Park wards were consulted. No representations were received from members.

POLICY CONSIDERATIONS

National Planning Policy Framework - 2012

London Plan - 2011

Policy 3.5 – Quality and design of housing developments

Brent Development Management Policies – November 2016

DMP1 - General Development Management Policy
DMP11 - Forming an access on to a road
DMP12 - Parking
DMP18 - Dwelling Size and Residential Outbuildings
DMP19 - Residential Amenity Space

Brent Core Strategy – July 2010

CP2 – Population & Housing Growth

CP17 – Protecting & Enhancing the Suburban Character of Brent

CP21 – A Balanced Housing Stock

Supplementary Planning Guidance – October 2001

SPG 17 – Residential Design Standards

DETAILED CONSIDERATIONS

Key considerations

- Principle;
- Design;
- Impact on neighbouring amenity;
- Quality of accommodation;
- Parking & servicing;
- Environmental Health

1.0 Principle

1.1 Harrowdene Road and its surrounding area are residential in nature and as such the continuation of the residential use within a detached dwelling is acceptable in terms of the character and use. It is noted that the predominant design along this part of the road is for traditionally designed, semi-detached houses. The addition of a detached house at the end of the street would not be deemed to be unduly detrimental to the area's character if the design respects the proportions of surrounding dwellings.

1.2 Policy CP21 of the Council's Core Strategy sets out the housing priority for the Borough and places particular emphasis on the meeting the identified demand for family sized (capable of accommodating 3 or more bedrooms) accommodation through both major developments and subdivision/conversion schemes.

1.3 At present there is no property on this plot and the proposal seeks to erect a two storey dwelling containing a family sized residential unit. The proposal will increase the borough's supply of family housing and is welcomed.

2.0 Design

2.1 The proposed dwelling is modest in size and scale and would occupy a substantial width of its plot.

2.2 The proposed house is of a traditional design whose proportions are in keeping with the neighbouring houses to the south. The detached nature of the house and some small elements of the house design (arched porch, window opening size and placement) are clearly different from the immediate surroundings; however, the placement at the end of the road and in a position of transition between three storey, commercial/residential buildings on East Lane and two storey residential buildings on Harrowdene Road means that a distinct character as established can appear suitable and comfortable in this position.

2.3 Additionally, there is a well established building line that runs up both sides of the street with properties having a significant set back from the public highway which this house's design also broadly respects.

2.4 The overall proportions and massing of the house respect the 1930's style housing to the opposite and those that are immediately adjacent to the south and the design is supported in principle.

3.0 Impact on neighbouring amenity

3.1 Potential impact on residential units to the north (181-189 East Lane)

With the exception of no. 181 (alongside which the proposed dwelling will not project), there are no apparent

habitable room windows at ground floor level. All of these flats' habitable room windows are located at first floor level. Only flats above 187 and 189 are situated directly opposite the new dwelling. The dwelling will be located approx. 9.4m from the plane of these windows (since the first floor is set back from the rear building line of the ground floor by approx. 1m). This distance is considered to be sufficient to ensure a satisfactory level of outlook is maintained from these windows. The proposal comfortably complies with SPG17's 30 degree guidance as measured from these windows.

3.2 One upper floor side window is present on the proposed north elevation. This window serves a WC and will be conditioned as non-opening (unless at high level) and obscure glazed so as to protect the privacy of occupants of the flats at no's 187 and 189 East Lane.

3.3 Potential impact on residential unit to the south (146 Harrowdene Road)

The proposed house is designed so as to be in line with the front building line of no. 146 Harrowdene Road (the established building line along this part of the road). The rear wall of the proposed house terminates 0.8m beyond the original rear wall of no. 146 and 2.2m short of the rear wall of the existing single storey rear extension at no. 146 containing the kitchen of that house. Plans relating to application 07/0196 at 146 Harrowdene Road were used to confirm this relationship. The proposed house is set in 1m from the boundary of no. 146 and the side wall of no. 146's single storey side/rear extension. The proposed house is set in approx. 4.5m from the original walls of the house at no. 146. Whilst the house will project 0.8m beyond the first floor windows at no. 146, the significant lateral separation between the proposed house and the nearest window at no. 146 (approx. 6m). The proposal complies with the 30 degree guidance from the habitable room windows of No. 146 and the 45 degree guidance from the garden of No. 146. It therefore complies with the Council's adopted guidance relating to the impact on light and outlook from adjoining residential dwellings and their gardens. The proposal would also comply with the 1:2 guidance set out in SPG5 which is applied to extensions to residential properties. As such, the proposed development does not result in an unduly detrimental impact on the light or outlook at enjoyed by the occupiers of No. 146, having regard to the Council's adopted guidance.

3.4 The new house will be situated adjacent to the north facing side windows (landing corridor and WC) in the side elevation of no. 146. These windows do not serve habitable rooms (bedrooms, living rooms, kitchens) and therefore are not afforded protection through planning policy and guidance (to do so would prevent most extensions to residential properties).

3.5 The proposed new house has one south facing side window proposed at upper floor level. The window serves the stairwell of the house. As it does not serve a habitable room it can acceptably be conditioned as non-opening (unless at high level) and obscure glazed so as to protect the privacy of occupants of no. 146.

3.6 The windows of the proposed new house face the front or rear of the property. Objectors are concerned regarding the loss of privacy. Whilst one will be able to see the garden of the neighbouring house if looking at an angle from rear facing windows of a residential property, this is typical of suburban and urban housing across the country. This level of overlooking is not considered to be unduly detrimental.

4.0 Quality of accommodation

4.1 The current application is for the creation of a three bedroom, five person dwellinghouse. The plans indicate that two bedrooms are proposed and that the third room upstairs is to be used as a study, however with this room meeting London Plan standards for a single bedroom (at least 7.5sqm) and providing good outlook, it is considered that this room is likely to be used as a third bedroom in practice and the house will be treated as such for its assessment.

4.2 The house is to measure 137sqm across its two floors. This comfortably meets the London Plan standard for a 3 bedroom, 5 person dwelling, where 86sqm is required as a minimum. The significant surplus of floor space beyond the standard is likely to provide an excellent standard of living. The two double bedrooms are also very large (21.5sqm and 19sqm) and the 9sqm single bedroom/study comfortably meets the 7.5sqm requirement for single bedrooms. The overall space achieved is considered to be excellent.

4.3 The development makes full use of the front (western) and rear (eastern) aspects to maximise unobstructed views to windows, meaning that all habitable rooms achieve a good level of light and outlook. The rooms in the middle of the house (WCs and utility storage) rely on no windows or small windows with northern outlook across to the shop servicing area behind East Lane. There is no defensible space achieved between the ground floor window and the communal entrance path which is likely to compromise privacy for residents. As such, a condition will require that this window is non-opening and obscure glazed. This is fine as this window does not serve a primary habitable room and does not necessarily warrant good levels of light.

The secondary north facing window in the kitchen will also face the communal path without defensible space. This window will therefore need to be obscure glazed and non-opening too. This will not diminish living standards however as light and outlook are to be provided to this primary habitable room from the eastern and southern aspects too.

4.4 The house will have a private garden to the rear which provides 5.8m of rear (east facing) outlook for the kitchen/dining room and which measures 45sqm in size. The outlook achieved complies with the SPG17 standard of 5m for sufficient ground floor outlook where other rooms have good levels of outlook. The external amenity space falls short of the 50sqm standard for a family sized dwelling. However, the 5sqm shortfall is considered to be easily justified by the substantial floor space surplus achieved within the house itself. The plans indicate that the garden is to be separated from the communal path to the north and the re-provided parking spaces to the east by a 2m high wall of brick construction. Given the proximity to parking spaces and retail and other residential uses, it is considered that this boundary treatment provides a suitable containment of the private garden space away from the surrounding uses.

5.0 Parking & transport considerations

5.1 The five A1/A2/B1 use units at 181-189 East Lane will have parking and servicing standards set out in appendix 1 and 2 of the Development Management Policies. This will allow up to one parking space per unit and a 'transit' sized loading bay per unit. In addition to this, the units have a total of 6 flats above all 5 units. The parking allowance for this is set out in the DMP and one space per flat is permitted, totalling 6 spaces.

5.2 The site has been used in the past for the purpose of parking. It could accommodate up to 12 spaces at the rear of these units and could allow delivery vehicles to stand for a short period of time to service the units. Notwithstanding this, the applicant has signed certificate A specifying that they are the only party with an interest in the land of 7 years or more and fencing has been erected around the site since the submission of the application, suggesting that other may not have a legal right to park on the land. An objector has also forwarded a copy of the title deeds for the property to the Council. These deeds do not appear to specify any legal rights of others to park on the land. Historical aerial photographs on the Council's systems show levels of parking on the site varying between 0 and 4 vehicles (2 in 2003, 1 in 2005/6, 4 in 2007, 0 in 2010, 1 in 2012, 1 in 2013, 3 in 2015/16 and 0 in 2017). Whilst these only provide a snapshot of parking demand, none of the photos suggest high levels of parking in this area.

5.3 The Council's maximum parking standards set out within the Local Plan allow up to 1.5 spaces for the proposed 3 bedroom dwelling.

5.4 The drawings propose 1 off street spaces within the front garden for the use of the house occupants and 3 off street spaces at the rear of the site. The proposed parking space within the front garden will be accessed via a new crossover, 2.4m wide, on the south-eastern edge of the frontage. The drawing proposes in excess of 50% soft landscaping across the house's forecourt which is welcomed. The proposed parking space does satisfy parking standards for the proposed 3 bedroom dwelling. A visibility splay across the front of the site is achieved with a dwarf wall comprised of brick and railings (0.8m max height) forming the front boundary treatment.

5.5 The 3 rear parking spaces will be accessed via the existing crossover. The parking spaces will be 2.4m wide and 4.8m deep. The drawing does propose to retain more than 6m between the parking spaces and the rear yards and this does give sufficient space for vehicles to manoeuvre in and out of the spaces.

5.6 Servicing for the retail units has not been shown. However, three of the units can accommodate servicing within the rear yard of the buildings. Further servicing could take place on the communal access and although this will obstruct vehicle in the parking area, the parked vehicles would belong to the retail unit and would only be obstructing temporarily for loading/unloading. A turning circle for servicing vehicles has not been provided however, this is an existing situation. In addition to this, the hard standing in the parking area does have a depth of 7m, which could allow 'transit' sized vans to use the space for unloading/loading. The use of these 3 spaces should be retained for the existing retail units and flats at 181-189 East Lane and a condition to secure this would be sought.

5.7 The parking standards would allow up to six spaces for the existing flats at 181-189 East Lane. However, as discussed previously, historical aerial photographs do not suggest high levels of parking. It is also noted that the site and its surroundings are within one minute walking distance of North Wembley Railway Station and along a key distributor road with two bus routes already providing excellent access to public transport.

5.8 Cycle racks have been provided within the rear private garden for 2 cycle spaces and this compliant with the London Plan.

5.9 In conclusion, the proposal does retain some parking for the existing shops and flats and this eases concerns of overspill parking.

5.10 The drawing proposes bin storage to be provided within the front garden which will provide straightforward collection.

5.12 Subject to a condition requiring the property to not be occupied until all associated crossover works have been completed the proposal is supported on the grounds of parking and transport.

6.0 Environmental Health

Noise

6.1 The proposed site is close to a railway line (to the rear of the property) and close to plant/machinery located to the rear of nearby commercial premises. Therefore in order that the proposed dwellings have appropriate noise mitigation designed into the construction of the house, to ensure that noise disturbance to prospective occupiers is prevented, it is recommended that an appropriate condition is applied.

Vibration

6.2 The proposed site is close to an underground station and a railway station therefore the prospective occupiers of the dwellings may be disturbed by vibration levels from these sources. It is recommended that a condition be applied to achieve a maximum vibration level within the development.

Construction Noise and Dust

6.3 The proposed construction works will be carried out within close proximity to existing residential and commercial premises. Therefore without appropriate controls noise and dust emissions could cause disturbance to local residents and also dust emissions may adversely impact on local air quality. Furthermore, the development is within an Air Quality Management Area and located very close to other residential properties. Construction therefore has the potential to contribute to background air pollution levels and cause nuisance to neighbours. A condition to secure a Construction Method Statement is therefore recommended to minimise the impact on local air quality and protect the amenity of neighbours during demolition and construction.

Contaminated Land

6.4 The site where the dwelling is proposed is bordered by a site that has been identified as potentially contaminated due to the close proximity of the railway line. Due to the garden area being close to this potentially contaminated site it is recommended that investigation and (if necessary) remediation & verification conditions are applied.

7.0 Conclusion

7.1 The proposed scheme offers a good standard of accommodation to future residents and would not detract from the established street character to the south. The scheme has been sensitively designed so as to not unduly diminish the visual amenities of nearby residences. The level of parking provided is considered to be acceptable, with sufficient parking for the proposed dwelling provided within its frontage and three spaces for the adjoining units provided in the rear of the site.

7.2 It is for these reasons that the proposal is recommended for approval.

CIL DETAILS

The proposal is liable to pay CIL as set out below because the proposal comprises at least one new residential unit, in accordance with Reg 42(2) of the CIL Regulations 2010 (as amended), the provisions of which supersede the provisions of Reg 42(1) 'exemption for minor development'.

This application is liable to pay **£41,012.26*** under the Community Infrastructure Levy (CIL).

We calculated this figure from the following information:

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

Total amount of floorspace on completion (G): 136.6 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	136.6	0	136.6	£200.00	£35.15	£34,881.79	£6,130.47

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)	286	
Total chargeable amount	£34,881.79	£6,130.47

*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.

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 17/0769

To: Mr Goh
ASAI Construction Ltd
ASAI Construction Ltd
224 Fincehely Road
Camden
NW3 6DH

I refer to your application dated 21/02/2017 proposing the following:
Erection of a two storey three bedroom dwellinghouse with associated new vehicular crossover, car parking spaces, cycle and bin stores, landscaping and amenity space (modification to application 16/1338) and accompanied by plans or documents listed here:
Refer to condition 2.
at Parking Spaces rear of 181-189, East Lane, Wembley

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: 15/05/2017

Signature:

Alice Lester
Head of Planning, Transport and Licensing

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 Development Management Policies 2016
Council's Supplementary Planning Guidance 5 2002
Council's Supplementary Planning Guidance 17 2001

- 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):

02-0516 (as revised and received on 03/05/2017)
03-0516 (as revised and received on 03/05/2017)
04-0516 (as revised and received on 03/05/2017)
05-0616 Revision 2 (as revised and received on 03/05/2017)

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

- 3 The development hereby approved shall not be occupied until:

- I. The landscape works and planting shown on the approved plans have been carried out in full;
- II. The crossover allowing vehicular access to the parking space for the proposed house, which shall have a width of 2.4m, has been completed. These works will need to be carried out by the Council at the applicant's expense;
- III. The car parking space within the forecourt of the house and the three car parking spaces to the rear of the house as detailed within the approved drawings and documents have been implemented in full accordance with the approved drawings and details and are available for use for the residents of the proposed development and existing flats to the north.

The car parking spaces, cycle storage, bin storage and vehicular and pedestrian accesses shall be retained and maintained for the life of the development. The parking space within the frontage of the subject dwelling shall not be used other than for the provision of parking ancillary to the dwellinghouse hereby approved. The parking spaces hereby approved to the rear of the dwellinghouse hereby approved shall not be used other than for the purpose of the parking of vehicles ancillary to No. 181-189 East Lane.

Any planting that is part of the approved scheme that within the lifetime of the development 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 position, unless the Local Planning Authority first gives written consent to any variation.

Reason: In the interest of pedestrian and highway safety, to ensure a satisfactory standard of

appearance and setting for the development and to ensure that the proposed development does not harm the visual amenity of the locality in the interests of protecting the amenities of the occupants of the development.

- 4 No enlargement to the dwellinghouse or buildings within the garden of the dwellinghouse hereby approved shall be constructed or carried out, notwithstanding the provisions of Classes A, B, D, or E of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking or re-enacting that Order with or without modification), unless a formal planning application for those enlargements or buildings 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 increase beyond the limits set by this permission should be allowed without the matter being first considered by the Local Planning Authority. To prevent an over development of the site and loss of amenity to adjoining occupiers.

- 5 The windows within the first floor flank walls of the dwellinghouse hereby approved 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 returned and maintained in that condition thereafter unless the prior written consent of the Local Planning Authority is obtained.

Reason: To minimise interference with the privacy of the adjoining occupiers.

- 6 Details of materials for all external work, including samples which shall be made available for viewing on site, shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced (excluding demolition, site clearance and the laying of foundations). 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.

- 7 A scheme of sound insulation measures shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works. The scheme shall demonstrate that the residential dwelling will be designed in accordance with BS8233:2014 'Guidance on sound insulation and noise reduction for buildings' to attain the following internal and external noise levels:

Time	Area	Max noise level
Daytime Noise 07:00 – 23:00	Living rooms and Bedrooms	35 dB LAeq (16hr)
Night time noise 23:00 – 07:00	Bedrooms	30 dB LAeq (8 hr) 45 dB L _{max}

The development shall be completed in accordance with the approved details.

Reason: To obtain required sound insulation and prevent noise nuisance

- 8 The residential development shall be designed to ensure the following vibration levels stated in BS6472:2008 Evaluation of human exposure to vibration in buildings (1Hz to 80 Hz) are not exceeded.

Place	Vibration dose values - Low probability of adverse comment (m/s ^{1.75})
Residential buildings 16 h day	0.2 to 0.4
Residential buildings 8 h night	0.1 to 0.2

Details shall be submitted to and approved in writing prior to the commencement of works demonstrating how this standard will be met within the development hereby approved. The development shall be constructed in accordance with the approved details.

Reason: To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of excess vibration from transportation sources

- 9 Prior to the commencement of the development a Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority outlining measures that will be taken to control dust, noise and other environmental impacts of the development. The approved statement shall be implemented throughout the duration of construction.

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

- 10 Prior to the commencement of works, a site investigation shall be carried out by competent persons to determine the nature and extent of any soil contamination present. The investigation shall be carried out in accordance with the principles of BS 10175:2011. A report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works, that includes the results of any research and analysis undertaken as well as an assessment of the risks posed by any identified contamination. It shall include an appraisal of remediation options should any contamination be found that presents an unacceptable risk to any identified receptors and proposals for remediation where required. The recommendations of the approved report shall be implemented in full prior to first occupation of the dwelling hereby approved.

Reason: To ensure the safe development and secure occupancy of the site

- 11 Any soil contamination remediation measures required by the Local Planning Authority shall be carried out in full. A verification report shall be submitted to the Local Planning Authority prior to first occupation of the development hereby approved, stating that remediation has been carried out in accordance with the approved remediation scheme and the site is suitable for end use (unless the Planning Authority has previously confirmed that no remediation measures are required).

Reason: To ensure the safe development and secure occupancy of the site

INFORMATIVES

- 1 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.
- 2 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
- 3 The applicant must ensure, before work commences, that the treatment/finishing of flank walls can be implemented as this may involve the use of adjoining land and should also ensure that all development, including foundations and roof/guttering treatment is carried out entirely within the application property.
- 4 The applicant is advised by the applicant to contact the Head of Highways & Infrastructure to arrange for the crossover, on street parking bay and kerb radii works to be undertaken. Such

works are undertaken by the Council at the applicant's expense.

- 5 The applicant is advised to notify the Council's Highways Service of the intention to commence works prior to commencement. They shall contact Mark O'Brien (Public Realm Monitoring Manager) at Mark.O'Brien@brent.gov.uk, and include photographs showing the condition of highway along the site boundaries.
- 6 An Asset Protection Agreement (APA) will need to be entered into with Network Rail to facilitate the design and construction of development works to be undertaken within 10m of the operational railway. A risk assessment and method statement (RAMS) will need to be agreed with Network Rail prior to the commencement of those works.
- 7 The applicant is advised of the following guidance notes from Thames Water in respect of the development:
 - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. The contact number is 0800 009 3921.
 - There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted for extensions to existing buildings. The applicant is advised to visit thameswater.co.uk/buildover

Any person wishing to inspect the above papers should contact Toby Huntingford, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 1903