

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

28 June, 2017

17/0298

SITE INFORMATION

RECEIVED	20 January, 2017
WARD	Dollis Hill
PLANNING AREA	Brent Connects Willesden
LOCATION	All Units at 4-9 INC, and Garages rear of 4-9 Gladstone Parade, Edgware Road, Cricklewood, London
PROPOSAL	Demolition of all existing mixed used buildings and garages and construction of part three, part four and part five storey building providing 219 sqm of flexible retail floorspace for shop / financial and professional services (Use Classes A1 / A2), hot food takeaway (Use class A5) and 153 sqm for public house (Use Class A4) at ground floor level, and 38 residential units (Use Class C3) on the upper floors comprising 16 x 1 bed, 12 x 2 bed, 9 x 3 bed and 1 x 4 bed units with associated car and cycle parking spaces, bin stores and landscaping
APPLICANT	City & Suburban Homes Ltd
CONTACT	Grade Planning
PLAN NO'S	See 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_132245</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 "17/0298" (i.e. Case Reference) into the search Box3. Click on "View Documents" tab

RECOMMENDATIONS

That the Committee resolve to GRANT planning permission subject to:

The prior completion of a legal agreement to secure the following planning obligations:

1. Payment on completion of the deed of the Council's legal and professional fees in preparing and thereafter monitoring the agreement
2. Notice of commencement within 28 days of a material operation
3. Affordable Housing to provide at least 10 affordable dwellings comprising 4 affordable rent (2 x 1 bed at no more than 80% market rents inclusive of service charge and capped at LHA rates, 2 x 3 bed at no more than 60% market rents inclusive of service charge and capped at LHA rates) and 6 intermediate/shared ownership.
4. Affordable housing review mechanism - post implementation s106 financial review mechanism
5. Training and Employment
6. Sustainability and Energy
7. Financial Contribution – £20,000 towards surveying and/or implementing a future CPZ
8. Any other planning obligation(s) considered necessary by the Head of Planning.

That the Head of Planning is delegated authority to negotiate the legal agreement indicated above.

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. Approved plan numbers / documents
3. Permit free development
4. Hours of operation A5 unit
5. Hours of operation A4 unit
6. Hours of operation - Outdoor seating area
7. Wheelchair accessibility
8. Parking spaces, cycle storage and public/private footway
9. Vegetation clearance
10. A4 use class restriction and PD rights
11. Materials supply details
12. Mechanical Plant - noise testing
13. Hard and Soft landscaping
14. Water usage
15. Construction CEMP
16. Sustainable Urban Drainage
17. Air Quality
18. Delivery and servicing plan
19. Site investigation

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 1 September 2017 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.

SITE MAP



Planning Committee Map

Site address: All Units at 4-9 INC, and Garages rear of 4-9 Gladstone Parade, Edgware Road, Cricklewood, London

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This map is indicative only.

PROPOSAL IN DETAIL

The application proposes the demolition of the existing parade of shops, residential units and garages to the rear of the site and the construction of a part three, four and five storey building.

The proposed building would consist of a public house (Use class A4) and three commercial units (Use Class A1/2 and A5) at ground floor level accessed from the Edgware Road side of the site.

The rear ground floor level would consist of a car park with 21 spaces and loading area to serve the residential units and provide servicing for the commercial units.

The residential units would be accessed on three sides of the building and would be contained in the upper floors. The number of units would be 38 and would consist of 16 x 1 bed, 12 x 2 bed, 9 x 3 bed and 1 x 4 bed units.

Two communal terraces would be provided for residents with one at 1st floor level and the other at 3rd floor level as well as individual private balconies to provide residents with outdoor amenity space.

EXISTING

The application site concerns a three storey building that consists of a parade of shops/commercial units at ground floor level and residential units in the upper floors that is located on Edgware Road. The shops/commercial units consist of seven units in total, three of which are vacant. The remaining units consist of a public house, hairdressers, a fish and chip takeaway and a retail shop. The parade of shops is not a designated shopping parade but is classed as a local centre. The nearest town centre is Cricklewood, just over 500 metres to the south-east. The residential units consist of six self-contained flats. A row of single storey dilapidated garages are found to the rear of the site accessed by a road from Gladstone Park Gardens.

The site is of no heritage value. It is not located within a conservation area and does not contain any listed buildings.

The area to the west of the site is residential in character with two storey dwellinghouses. A school is located to the north of the site along Edgware Road and there are further commercial buildings located to the south also on Edgware Road. The opposite side of the road is Barnet, where there are a large number of residential developments currently under construction as well as an existing petrol station.

SUMMARY OF KEY ISSUES

Principle: There is no objection in principle to the demolition of the shopping parade provided that a good quality and quantity of residential and non-residential units are re-provided as well as the public house. The proposal would also include 26% family sized units of which there is a recognised need within the borough and provide 30% affordable housing which is the maximum reasonable amount of affordable housing the scheme can currently deliver. The principle of development is therefore considered to be acceptable.

Representations received: Objections were received from 32 local residents and in the form of two petitions raising concerns regarding parking, consultation, impact of construction works, the loss of the shops and fish and chip shop, over development of the site, the impact on character, loss of light and impact on amenity and the amount of affordable housing proposed.

Character and Appearance: The proposal is considered to have a high quality design that has regard to the character of its surroundings and to not inappropriately challenge or dominate surrounding development.

Standard of Accommodation: The living conditions of future occupiers of the development would be acceptable and would meet the relevant standards.

Impact on Neighbouring Amenity: The development has been assessed against loss of light and sense of

enclosure on all neighbouring properties. It has been found that the relationship between the proposed development and all surrounding properties is considered to be acceptable.

Parking & Servicing: It is considered that the combination of the 21 parking spaces proposed and the use of a 'permit free' agreement secured by condition would mitigate against parking concerns in the area. It is considered that due to the revisions made to the proposed servicing arrangements that they would be suitable for the site and not materially harm the surrounding area.

RELEVANT SITE HISTORY

No significant planning history

CONSULTATIONS

Neighbour consultation letters were issued to 94 properties on the 01/02/2017. Two site notices were displayed on 07/02/2017. Press notice advertised on 09/02/2017

Ward Councillors were notified and have not provided comments.

To date 32 objections have been received that have raised the following concerns:

Objection	Response
Residents of an existing flat want confirmation about what will happen to their home if the development goes ahead.	Unfortunately this is not a planning matter and will need to be discussed with the applicant/owner of the property.
No notice served to existing business owners	The applicant has confirmed that there are no individuals within the site that have more than 7 years remaining on their lease.
Impact on parking	The proposal would provide 21 parking spaces and a 'permit free' agreement would also be secured to ensure that new residents do not park in adjoining streets in the event a CPZ is introduced in the future. A financial contribution to survey and/or implement a CPZ would be secured via a planning obligation
No consultation on planning application	Publicity was carried out in accordance with the Council's statutory duty. Neighbour consultation letters were issued to properties within 200 metres of the site, two site notices were erected and an advertisement was placed in the local paper.
Impact of construction works	Due to the need to demolish the property officers recommend an informative is added reminding the applicant to ensure demolition and construction works follow Best Practicable Means (BPM) of Section 72 of the Control of Pollution Act 1974 to minimise noise and vibration effects.
Loss of local shops, fish and chip shop and pub	The pub will be re-provided as well as two units that could potentially house a shop due to their use class and a unit will be provided that could provide a replacement fish and chip shop.
Over development of the site	The scale of development is considered appropriate in this location.
Impact on character	The existing building is not listed and not in a conservation area and the proposed design is considered to be acceptable.
Loss of light	The applicant has submitted a Daylight/Sunlight report that shows that there would be no material loss of light to neighbouring properties.
Impact on amenity and health	The proposal has been assessed in terms of

	neighbouring amenity and health and found to be acceptable
Amount of affordable housing proposed is too low	This has been increased to 30% which is the maximum viable amount possible.
The density is too high and the flats are too small	The density of units is justified due to the location of the site and the quality of the development. The size of the units complies with minimum space standards.

In addition to this two petitions against the proposal have been received. The first petition consists of 59 signatures and concerns the loss of the fish and chip shop, parking and over development of the site. The second petition consists of 661 signatures and concerns the loss of the fish and chip shop.

Internal consultation

Transport & Highways – no objections subject to revised drawings and conditions
Environmental Health – no objections subject to conditions

POLICY CONSIDERATIONS

Development Plan:

London Plan consolidated with alterations since 2011 (March 2016)
Development Management Policies, London Borough of Brent (2016)
London Borough of Brent LDF Core Strategy 2010

Other material planning considerations:

NPPF (2012)
Supplementary Planning Guidance 17 'Design Guide for New Development' (2002)
Mayor's Housing SPG

DETAILED CONSIDERATIONS

Officers hold the key considerations to be the following:

1. Principle
2. Affordable Housing
3. Density
4. Standard of Accommodation
5. Parking, Access and Refuse
6. Impact on Character and Design
7. Impact on Neighbouring Amenity
8. Energy and Sustainability
9. Environment

1. Principle

1.1 The existing shopping parade consists of seven units that are made up of a public house, newsagents, hairdressers/estate agents, furniture shop, fish and chip shop and a convenience store. Four of the seven units are currently trading. In the applicants Retail Assessment reference has been made to the fact that the Fish and Chip shop is currently vacant however it is currently trading. As such there is a 28% vacancy rate in the shopping parade with the newsagents and furniture shop currently closed.

1.2 The application proposes replacing the existing units at ground floor level with four units consisting of a public house (use class A4), two flexible use class A1/A2 units and one hot food takeaway (use class A5) unit.

1.3 Policy DMP21 recognises the valuable contribution that public houses make to the community by adding character to the area, providing employment and a place for social interaction. It is therefore welcomed that this is to be re-provided.

1.4 The shopping parade is considered to be a local centre and therefore the most relevant policy is DMP4. DMP4 states that development resulting in the loss of local retail and service provision will not be permitted

unless there is alternative equivalent provision within 400 metres. The proposal would result in the net loss of two commercial units. This is acceptable when taking the wider merits of the scheme into account.

1.5 Objections have been received about the loss of the fish and chip takeaway. The applicant has agreed to re-provide an A5 unit which could be used as a takeaway. Officers welcome this: whilst there is no policy requirement to re-provide the takeaway or fish and chip shop it is clear the local community values it. However, in planning terms it would not be possible to condition the specific tenant of the unit. Notwithstanding this, the applicant has provided evidence of discussions with the existing tenants and stated that they are willing to engage with them about a future tenancy.

1.5 Turning to the residential aspect of the proposal, the application would see a net increase of 32 homes. Brent has a pressing need for new homes and the provision of 38 new flats, of which 10 would be family sized and 10 would be affordable, is welcomed and considered a significant merit of the scheme.

1.6 The principle is therefore considered to be acceptable.

2. Affordable Housing

2.1 London Plan Policy 3.12 requires boroughs to seek the maximum reasonable amount of affordable housing when negotiating on private and mixed use developments, having regard to a number of factors, including development viability. Policy CP2 of Brent's Core Strategy sets a strategic target that 50% of new homes to be delivered in the borough are affordable. Development Management Policy DMP 15 reinforces the 50% target set by policy CP2 and the need to seek the maximum reasonable amount of affordable housing. It goes on to say that where a reduction to affordable housing obligations is sought on economic viability grounds on major phased developments, and where the proportion of affordable housing agreed is significantly below 50% appropriate provisions to re-appraise scheme viability will be sought and secured by s106 agreement.

2.2 An independent review of the applicants Financial Viability Assessment (FVA) submission, prepared by Housing & Economic Development Consultancy (HEDC) Ltd, was undertaken by BNP Paribas on behalf of the Council to advise the maximum level of affordable housing the scheme could viably deliver. This assessment was carried out on the basis of the proposed 38 unit residential scheme, comprising a mix of 1, 2, 3 and 4 bedroom units. 10 residential units are proposed for affordable housing, representing 30% affordable housing (based on the number of habitable rooms) which is an increase on the original amount of 21% proposed. This still however does not meet the borough strategic target that 50% of new homes should be affordable, and the applicant contends that it is not financially viable to provide a higher level of affordable housing. This position has been rigorously tested by BNP Paribas, as set out below.

2.3 With regard to the Benchmark Land Value, HEDC have used a valuation of the existing properties on Site undertaken by Allsop which is in draft form and dated from October 2016. The existing properties have been valued on the basis of re-letting vacant units and units with tenants holding over at market rents that results in a combined rental income for the residential and commercial floorspace of £195,880 per annum, which Allsop have capitalised at a yield of 5.17%. After purchaser's costs and an allowance for the removal of Japanese Knotweed to the rear of the property, the capital value is £3,600,000. HEDC have suggested that a premium of 20% should be added to the capital value of the existing units. However, in view of the high level of vacancies in the existing units, this was adjusted downwards to 10%, resulting in a benchmark land value of £3.96 million. The BNP Paribas appraisal of the scheme on the basis of 21% affordable housing (50% affordable rent and 50% shared ownership) generates a residual land value of £5.58 million, resulting in a surplus of £1.62 million. With 9 of the 14 units in Core A converted from private housing to affordable rent, the residual land value falls to £4.49 million, which is higher than the benchmark land value of £3.96 million (and also exceeds HEDC's benchmark land value of £4.3 million). This would result in the provision of 50% affordable housing.

2.4 In response to this assessment the applicant provided a cost plan which was again reviewed by BNP Paribas. This subsequent appraisal found that the revised figure of 30% affordable housing was approximately £600,000 below the benchmark and would not be covered by the reduction in costs. Therefore the proposed 10 affordable units (30%) can be viewed as the maximum reasonable amount of affordable housing the scheme can currently deliver.

The following represents the agreed minimum affordable housing position to be secured by a planning obligation within a S106 legal agreement, should Members resolve to grant planning permission:

4 x Affordable Rent Units .

Unit R1 (3 bed)
Unit R2 (3 bed)
Unit R3 (1 bed)
Unit R4 (1 bed)

6 x Intermediate/Shared Ownership Units

Unit R8 (2 bed)
Unit R9 (2 bed)
Unit R19 (2 bed)
Unit R20 (3 bed)
Unit R13 (3 bed)
Unit R14 (3 bed)

2.5 The scheme delivers 30% affordable housing, which is some way below the Local Plan 50% policy target. In line with DMP 15 Officers recommend a proportionate post implementation s106 review mechanism be secured, whereby scheme viability is reappraised 6 months prior to practical completion (or on sale of half the market units), and half of any surplus over the benchmark land value and agreed profit level taken as deferred affordable housing planning obligations in the form of a commuted sum ring-fenced for offsite affordable housing delivery, any such sum capped at a level commensurate with the delivery of 50% affordable housing onsite.

3. Density

3.1 The proposal makes highly efficient use of this land to provide a significant contribution to Brent's annual housing target of 1,525 homes. London Plan policy 3.4 seeks to optimise housing potential taking into account local context, character, design principles and public transport capacity. In accordance with the London Plan density matrix (table 3.2) the application site, which is considered to be in an 'Urban' setting, with a PTAL of 3 would be appropriate for accommodating 200 – 450 hr/ha, or 45 to 120 u/ha. Paragraph 17 of the NPPF sets out 'core planning principles', including that planning should "encourage the effective use of land by reusing land that has been developed previously, provided that it is not of high environmental value".

3.2 The proposed scheme would result in a level of density above the matrix range, as development is proposed to be 200 units/ha. However the London Plan Density Matrix should not be applied mechanistically when assessing schemes and this approach is widely recognised. London Plan paragraph 3.28 states that account should also be taken of other factors relevant to optimising potential which can include local context, design and transport capacity, as well as social infrastructure, open space and play.

3.3 The location of the site and the varied existing wider context and character of different buildings and uses locally, together with the regular bus services connecting the area with Willesden Underground Station and Cricklewood Station, the quality of the proposed design and the quantum and quality of on site amenity space and how these contribute to a sense of place are important determining factors when considering residential density. This 'urban' site is within 500m walking distance of Cricklewood Town Centre and has a PTAL rating of 3 which would be increased to 4 subject to the proposed Thameslink. For these reasons the proposed level of density can be supported.

4. Standard of accommodation

4.1 The development would offer a good standard of accommodation

4.2 DMP18 requires all new residential accommodation to comply with London Plan policy 3.5 minimum standards. All of the 38 units comply with minimum size standards. DMP19 requires all new residential units to provide residents with private amenity space with 20 sqm per flat and 50 sqm per family size unit where possible. The proposal would see the use of balconies and communal amenity space with a communal garden at first floor level with an area of 290 sqm and a roof terrace at third floor level with an area of 98 sqm. The combined communal area would give a total of 388 sqm and when this is divided by the 38 flats it would give each unit 10 sqm of communal space. Therefore through the use of private and communal space each of the residential units would have adequate amenity space that complies with policy DMP19.

4.3 All of the units would be well served by windows with the majority being dual aspect. The units to the rear of the site would maintain a separation distance of over 20 metres which would ensure good levels of privacy. With regard to disabled residents four wheelchair accessible layouts have been provided on the first floor deck access level. Each unit can be accessed via the communal courtyard from any of the three cores. This complies with the Mayor's Housing SPG and Brent Council's requirements of 90% of all new housing. The

units would be built to Building Regulation requirement M4(2) 'accessible and adaptable dwellings' and 10% of new housing designed to meet Building Regulation requirement M4(3) 'wheelchair user dwellings'. Officers also recommend that this is secured by condition.

4.4 As such the proposal would result in a good standard of accommodation for prospective residents.

5. Parking, access and refuse

5.1 Parking

5.1.1 Parking standards are contained in appendix 1 of the Development Management Policies. The existing building has a parking standard of 12 spaces. The proposed residential dwellings and commercial units are permitted a total of 47.5 parking spaces, of which 43.5 would be the maximum for residents' use. 21 off-street parking spaces including three disabled spaces are proposed within the rear of the site, of which 17 would be for residents' use. Whilst the difference of 26.5 residents spaces is significant with the potential to lead to significant overspill parking, Highway Officers have had regard to analysis of the 2011 census data from which it has been calculated that car ownership for flats in the area is 0.4 cars per flat. Based on this calculation 16 spaces would be necessary to meet the demand for the proposed 38 flats. As such, it is reasonable to conclude that the 17 parking spaces proposed is likely to satisfy demand without significant overspill parking. DMP 12 requires that overspill parking can be safely accommodated on-street. The opportunity for safe on-street parking is limited: Edgware Road is a London Distributor Road and Dollis Hill Avenue and Gladstone Park Gardens are both confirmed as heavily parked streets in the Council's parking surveys. Carried out in 2013, these showed 95% occupancy on Dollis Hill Avenue and 116% occupancy on Gladstone Park Gardens. Under normal circumstances with parking meeting less than only 50% of the maximum standard, there would be concerns regarding overspill parking, but having regard to the census data above and the matters discussed below, Officers are satisfied the likely transport impacts would be less than severe.

5.1.2 In further mitigation it is also noted that the Brent Cross Redevelopment would bring a new Thameslink station to this area by 2022 on the current programme, which would lift the PTAL value to 4 (good access to public transport). In addition to this, funding is also reserved from the Brent Cross development for a CPZ consultation in the area. A development could therefore potentially be backed by a 'permit free' agreement, to be applied should a CPZ come into effect. In addition to this the applicant has agreed to also provide funding for a CPZ in the area as part of a s106 agreement to help facilitate a CPZ consultation and implementation if this were required before 2022. There are therefore mitigating factors in place that would enable a 'permit free' agreement to be implemented thereby removing new residents rights to apply for parking permits and park in the surrounding streets.

5.1.3 Taking these mitigating factors into account paragraph 32 of the NPPF is relevant and states that 'Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.' The 21 spaces proposed are more than the census analysis would suggest are necessary and the effect of car ownership significantly above expectations would not be likely to result in severe harm, when the other mitigation measures discussed herein are taken into account.

5.2 Servicing & Refuse Collection

5.2.1 The loading bay at the rear of the site would serve the public house. A second 'transit' sized loading bay has been provided at the rear of units C2 and C3 and access from the rear of the units has also been provided. Tracking diagrams have been provided that demonstrate vehicles will be able to leave the one-way access road in forward gear.

5.2.2 The two bin storage areas have been located at either side of the development to allow direct access onto the Public Highway for collection. There are existing double yellow lines on Dollis Hill Avenue and Gladstone Park Gardens. Refuse vehicles could stop in this area, located 7 metres from the junction with the Edgware Road. The area should be clear of other vehicles due to the presence of the yellow lines and allow refuse vehicles to temporarily wait to collect rubbish.

5.3 Vehicular Access

5.3.1 The vehicular access, at the rear of the site, will be a one-way system. Access will be from Gladstone Park Gardens and egress will be from Dollis Hill Avenue. This is acceptable due to the proposed width of the access at 3.5 metres and also the design of the building which would be splayed allowing views towards Edgware Road.

5.4 Cycle Parking

5.4.1 The applicant proposes 60 cycle parking spaces for the residents, 4 cycle parking spaces for the commercial units and 10 cycle spaces for visitors. These spaces are compliant with the London Plan and are welcomed. The 64 resident and commercial cycle spaces will be provided in a cycle store at the rear of the building, which will protect from theft and weather. The 10 visitor cycle spaces will be provided within the private forecourt at the front of the building. Although these spaces will be at the front building, on Edgware Road, they will be on private footway and therefore would be maintained privately. The private footway and public footway should be demarcated with a row of setts, to avoid any confusion, with further details secured by condition.

5.5 Construction Management Plan

5.5.1 Due to level of construction currently being undertaken on the opposite side of Edgware Road and the busy nature of the A5 it is recommended that a Construction Management Plan is secured by condition and submitted for approval.

6. Impact on character and design

6.1 In terms of bulk, massing, architectural approach and proposed materials, the building is acceptable.

6.2 The current parade of shops, although slightly run down in appearance from the vacant units at ground floor level, retains a number of attractive and original features in the upper floors and sits well within the streetscene. The parade of shops is also well set back from Edgware Road by a distance of 9 metres which helps to establish its character as a local centre within the area. This can also be seen in the parade to the south of the site which is also well set back from the main road. Further down Edgware Road to the south the street is varied in nature due to the presence of the railway line and some larger commercial/warehouse buildings. The character of the area to the north changes again with the siting of a school opposite the site and large residential buildings further north.

6.3 The proposal would see the complete demolition of the existing parade and its replacement with a five storey contemporary style building. The building would then reduce in height as it extends to the rear from five to four and finally to three storeys in height. The building line would move further forward in comparison to the existing building line and also extend further to the rear. The building line would also be angled towards the Edgware Road with a distance of just over 4 metres from Edgware Road on the northern side of the site down to 8 metres on the southern side of the site. This responds to the building line of the parade to the south of the site. Whilst there would be a shift in the building line towards the road, the angled nature of the building does respond to the existing character and is deemed to be acceptable. The reduction in height from east to west also takes into account the height of the existing residential properties on Gladstone Park Gardens and Dollis Hill Lane. The stepped nature of the building would ensure that it fits comfortably with existing buildings.

6.4 The design has incorporated a mix of window sizes and the use of recessed balconies which helps to break up the side and front elevations. The choice of materials that are similar in tone also offers a good contrast between the side and front elements of the building. Further details would however be secured by condition to ensure that the finished building looks appropriate. The residential entrances on both sides of the development also offer a good sense of legibility and differentiate themselves from the commercial units at the front. The rear of the development would be quite open, however this is so the shared amenity space can be incorporated into the building. It would also be well screened from the side elevations.

7. Impact on neighbouring amenity

7.1 The development would not result in material harm to the living conditions of adjoining and nearby residents.

7.2 Residential units are located directly to the west of the site in the form of two rows of two storey terraced properties, starting with No.1 Gladstone Park Gardens on the south-west side and No.2 Dollis Hill Avenue on the other. Due to the fact that the outlook of these properties is at a right angle to the proposed development it is unlikely that views from the rear windows would be materially harmed. There would however be an increase in mass closer to the boundary of these properties and their rear gardens. Currently the single storey row of garages are located just over 6 metres from the boundaries of the nearest properties. The proposal would see development located 3.4 metres from the boundary at a height of just over 10 metres which is a significant increase. However the height is mostly contained adjacent to the side elevations of each property where there are no habitable room windows. The rear of the development would then drop down to approximately 7 metres to take into account the presence of the rear gardens of the neighbouring properties. Due to the reduction in height in this key location the proposal would comply with the Council's 45 degree line

guidance set out in SPG17. The building would therefore not appear overbearing or create an unacceptable sense of enclosure.

7.3 The applicant has also submitted a Daylight/Sunlight report in support of the application. This report has assessed the potential impact that the proposal could have on the two residential properties located immediately to the west, No.1 Gladstone Park Gardens and No.2 Dollis Hill Avenue and two properties to the south No.2 Gladstone Park Gardens and No.3 Gladstone Parade. There are no residential properties to the north. The report has found that the only property that would have a slight loss of light would be No.2 Gladstone Park. This concerns a room that is also served by additional windows and therefore would mitigate against any potential loss.

7.4 The proposal would see the inclusion of a number of communal and private terraces/balconies to the rear. However the use of planting and privacy screens would ensure that overlooking to the neighbouring properties would be reduced. With regard to outlook the units to the rear of the site have similar direction views to the neighbouring residential units in a north/south direction which would ensure that no overlooking would take place. The units at the front of the building would look westwards towards the rear gardens of No.1 Gladstone Park Gardens and No.2 Dollis Hill Avenue. However the terraces and windows would maintain a minimum separation of 20 metres which is considered acceptable. Officers are therefore confident that the reduction in height of the proposed building towards the rear of the site and the orientation of the existing and proposed buildings would ensure that the proposal would not materially harm the amenity of neighbouring residents

7.5 The application proposes the inclusion of a public house and a takeaway unit. Officers have given consideration to the fact that both of these uses could have potential impacts on the amenity of existing and prospective residents. As such conditions are recommended concerning the hours of use of both premises and any extraction equipment for the takeaway unit.

8. Energy and Sustainability

8.1 London Plan policy 5.2 seeks to minimise carbon emissions through the 'Be lean, Be Clean and Be Green' energy hierarchy. As outlined in the Housing SPG from 1 of October 2016 a zero carbon standard will be applied to new residential development. The Housing SPG defines 'Zero carbon' homes as homes forming part of major development applications where the residential element of the application achieves at least a 35 per cent reduction in regulated carbon dioxide emissions (beyond Part L 2013) on-site. The remaining regulated carbon dioxide emissions, to 100 per cent, are to be off-set through a cash in lieu contribution to the relevant borough to be ring fenced to secure delivery of carbon dioxide savings elsewhere (in line with policy 5.2E)

8.2 The application is supported by an Energy Statement which outlines the strategy to reduce the buildings energy consumption and measures that are to be implemented to achieve the target of 35% reduction in CO2 emissions beyond the requirements of Part L of the 2013 Building Regulations. This strategy proposes Be Lean measures through the orientation of the building, the heating system, the building fabric, ventilation and lighting) in order to achieve the required carbon emission reductions target. In addition to this an on-site CHP/Community Heating system is proposed as well as the use of photovoltaics. Before deciding upon the aforementioned strategy a number of renewable technologies were investigated for their feasibility on site, including wind energy, ground source heat pumps, and biomass. For various practical reasons these were not deemed feasible for this development.

8.3 The strategy will achieve an 18.23% reduction in CO2 emissions over Part L 2013 through 'Be Lean, Be Clean, Be Green' measures. Taking this into consideration the proposal would fail to achieve zero carbon however policy 5.2 does state that this shortfall can be provided through a cash in lieu contribution and will be included as part of the s106 agreement to secure the delivery of carbon dioxide savings elsewhere.

8.4 The applicant has not submitted a BREEAM pre-assessment. A rating of Excellent is normally sought for non-residential development however the applicant has raised concerns about the feasibility of this given the small size of the units and intends to provide evidence to demonstrate Very Good is the maximum feasible level. Officers are satisfied that such discussions are not determinative and could be concluded as part of the s106 negotiations should Members be minded to resolve to grant planning permission.

9. Environment

Trees

9.1 A Tree Survey, Tree Protection Plan and Arboricultural Impact Assessment all support the application.

These consider the impacts on trees on and adjacent to the site during the construction stage and the life of the development. It is proposed to remove a number of trees within the site which the Council's Tree Officer is agreeable to subject to replacement planting. Subject to further details of new planting (including new trees), to be agreed as part of a landscaping condition, and implementation of the tree protection plan measures set out there would be no objection.

Air Quality

9.2 The site is within a designated Air Quality Management Area (AQMA); therefore an Air Quality Assessment report prepared by XCO2 has been submitted considering the potential air quality impacts associated with the proposed construction and future operation of the site. The report shows that construction works would give rise to a low to medium risk to air quality through dust impacts. The report recommends measures to mitigate dust emissions during construction phase and securing these by condition. It is found that additional traffic from the development would not significantly affect local air quality. The modelling predicts that the annual mean air quality objective for NO₂ would be exceeded up to second floor level and there is also a risk that the short-term objective would be exceeded at the ground-floor commercial units. Mechanical ventilation is therefore recommended to minimise exposure of the future occupants to poor air quality. In addition to this the addition of gas condensing combination boilers and the increase in cars could potentially contribute to NO₂ levels.

9.3 The Council's Environmental Health officer concurs with the methodology of the assessment. However they have recommended that conditions are secured in relation to the submission of an assessment of the sources of NO₂, the impact on air quality from the additional heating systems for the flats, an air quality neutral assessment, measures to control noise, dust and other environmental impacts during construction (i.e. a Construction Method Statement) and mechanical ventilation. This is considered to be reasonable due to the fact that London Plan policy 7.14 states that major developments should be at least air quality neutral.

Noise

9.4 London Plan policy 7.15 requires development proposals to be designed to minimise the impacts of noise. An Environmental Noise Assessment has been undertaken and supports the application. This quantifies the existing noise climate in the local area, in order to determine building envelope performance requirements (in view of the proposed uses) and plant noise emission levels. The noise assessment has been assessed by the Council's Environmental Health officer, who considers the methodology to be accurate and that the surveyed range of recorded sound pressure levels provided are considered representative of the local noise climate.

Flood risk and drainage

9.5 London plan policy 5.12 requires developments to comply with flood risk assessment and management requirements set out in the NPPF. The site is situated within Flood Zone 1 and therefore has the lowest level of flood risk, and is below the 1 hectare threshold for undertaking a full Flood Risk Assessment (FRA). However a Flood Risk Assessment does support the application. This confirms the site is at low risk of tidal or fluvial flooding, and that flood risk from all other sources is deemed to be low.

9.6 London plan policy 5.13 requires development to utilise sustainable urban drainage systems (SUDS), aim to achieve greenfield run-off rates and to ensure surface water run-off is managed as close to source as possible. A Drainage Strategy submitted with this application outlines the proposed strategy for dealing with surface water and foul water drainage. The strategy seeks channel stored water to the manhole located directly south of the development site once storm events have subsided which would equate to a total reduction in required storage of 71% compared to if no SUDS were utilised. Further details of this strategy have been requested by condition by the Council's Infrastructure, Flood and Drainage engineer.

Contaminated Land

9.7 The requirement to deal with contaminated land is set out in London Plan policy 5.21 and reinforced by the NPPF. The site is located on land that has had a previous contaminative land use (garages) this indicates that there is potential for contamination to be present. Therefore Environmental Health officers have recommended a condition concerning site investigations and remediation and verification.

10. Conclusion

Officers consider that the scheme meets planning policy objectives and is in general conformity with local, regional and national policy. The proposal makes efficient use of previously developed land in a sustainable location and would make a positive contribution to the locality. This efficient use of the land will result in a substantial number of new homes, helping to meet housing targets, and secures the maximum reasonable proportion of affordable housing. It is considered that the form of development will have an acceptable impact

on and relationship with the existing surrounding development and will not unduly harm surrounding amenity. A well considered landscape strategy is proposed, which combined with the proposed standard of design and layout of buildings will ensure a high standard of development and a good quality residential environment for future occupiers. Officers recommend the application for approval subject to the conditions and s106 obligations set out in this report.

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 **£420,200.55*** 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): 1529 sq. m.

Total amount of floorspace on completion (G): 3055 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
Shops	167		83.4180032733224	£40.00	£35.15	£4,260.28	£3,743.72
Drinking establishments (2004)	153		76.4248772504092	£40.00	£35.15	£3,903.13	£3,429.87
Hot food take away (2004)	52		25.9744680851064	£40.00	£35.15	£1,326.55	£1,165.71
Dwelling houses	2683		1340.18265139116	£200.00	£35.15	£342,225.21	£60,146.08

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	£351,715.17	£68,485.38

*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: 17/0298

To: Mr Ben Rogers
Grade Planning
14 Great Chapel Street
London
W1F 8FL

I refer to your application dated 20/01/2017 proposing the following:
Demolition of all existing mixed used buildings and garages and construction of part three, part four and part five storey building providing 219 sqm of flexible retail floorspace for shop / financial and professional services (Use Classes A1 / A2), hot food takeaway (Use class A5) and 153 sqm for public house (Use Class A4) at ground floor level, and 38 residential units (Use Class C3) on the upper floors comprising 16 x 1 bed, 12 x 2 bed, 9 x 3 bed and 1 x 4 bed units with associated car and cycle parking spaces, bin stores and landscaping
and accompanied by plans or documents listed here:
See condition 2
at All Units at 4-9 INC, and Garages rear of 4-9 Gladstone Parade, Edgware Road, Cricklewood, London

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: 16/06/2017

Signature:

A handwritten signature in black ink that reads "Alice Lester".

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 STANDARD TIME FOR COMMENCEMENT**

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 APPROVED DRAWINGS AND DOCUMENTS

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

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

3 NO PARKING PERMITS

Occupiers of the residential development, hereby approved, shall not be entitled to a Residents Parking Permit or Visitors Parking Permit to allow the parking of a motor car within any existing or future Controlled Parking Zone (CPZ) operating in the locality within which the development is situated unless the occupier is entitled; to be a holder of a Disabled Persons Badge issued pursuant to Section 21 of the Chronically Sick and Disabled Persons Act 1970. For the lifetime of the development written notification of this restriction shall be included in any licence transfer lease or tenancy agreement in respect of the residential development. For the lifetime of the development a notice, no smaller than 30cm in height and 21cm in width, clearly informing occupants of this restriction shall be displayed within the ground floor communal entrance lobby, in a location and at a height clearly visible to all occupants. On, or after, practical completion but prior to any occupation of the residential development, hereby approved, written notification

shall be submitted to the Local Highways Authority confirming the completion of the development and that the above restriction will be imposed on all future occupiers of the residential development.

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

4 HOURS OF OPERATION - A5 UNIT

The A5 premises shall not be used except between the hours of:

Monday - Thursday: 08:00hrs - 23:30hrs
Friday - Saturday: 08:00hrs - midnight
Sunday and Public Holidays: 09:00hrs - 23:30hrs

Reason: to protect the amenity of neighbouring and nearby residential occupiers.

5 HOURS OF OPERATION - A4 UNIT

The public house shall not be used except between the hours of:-

1. 08:00 hours and 23:00 hours Mondays to Fridays
2. 10:00 hours and 00:00 hours Saturdays
3. 10:00 hours and 23:00 hours Sunday and Public Holidays and at no other time.

Reason: To ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties.

6 HOURS OF OPERATION - OUTDOOR SEATING

The outdoor seating area shall not be used except between the hours of :

1. 10:00 hours and 22:00 hours Mondays to Saturdays
2. 10:00 hours and 21:00 hours Sundays and Public Holidays

and at no other time whatsoever.

Reason: To protect acceptable local noise levels and neighbouring amenity

7 ACCESSIBILITY

Not less than 10% of residential units shall be constructed to wheelchair accessible requirements (Building Regulations M4(3)) or shall meet easily accessible/adaptable standards (Building Regulations M4(2)) unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure suitable facilities for disabled users, in accordance with the London Plan policy 4.5.

8 LAY OUT PARKING AND CYCLE PARKING

Prior to the commencement of the use of any part of the approved Development the following shall be constructed and permanently marked out:-

- the approved number of car parking spaces as shown on the approved plans
- cycle parking numbers as approved
- The private footway and public footway should be demarcated with a row of setts

Thereafter the approved parking shall be retained and used solely for the specified purposes in

connection with the Development hereby approved for the lifetime of the Development and shall not be obstructed or used for any other purpose/s.

Reason: To ensure adequate parking and cycle parking provision in accordance with adopted standards.

9 TIMING FOR VEGETATION CLEARANCE

Vegetation clearance of shrubs/trees 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).

10 A4 USE CLASS RESTRICTION AND REMOVAL OF PERMITTED DEVELOPMENT RIGHTS TO CHANGE USE

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended (or any order revoking and re-enacting that Order with or without modification), the public house identified as C1 on approved drawing 0200 Rev A shall be used as a drinking establishment (Use Class A4) only and for no other purpose whatsoever without express planning permission first being obtained from the Local Planning Authority.

Reason: in light of the weight given to the merit of reproviding the public house in accordance with policy DMP 21

11 MATERIALS - SUPPLY DETAILS

Prior to the commencement of above ground works details of materials for all external work, including manufacturer's literature and physical samples of bricks to be provided on site for inspection, shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The work shall be carried out in accordance with the approved details.

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

12 MECHANICAL PLANT - NOISE TESTING

Prior to the installation of any mechanical plant together with any associated ancillary equipment ('the plant') further details of the plant shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include: (i) manufacturer's specifications and literature of the plant; (ii) an assessment of the expected noise levels of the plant carried out in accordance with BS4142:2014 'Methods for rating and assessing industrial and commercial sound'; and (iii) any mitigation measures necessary for the plant to achieve noise levels of not louder than 10dB(A) below the measured background noise level when measured at the nearest noise sensitive premises.

The plant shall be installed and maintained in accordance with the approved details for the lifetime of the development.

Reason: To protect acceptable local noise levels, in accordance with DMP1 of the Development Management Policies

13 HARD AND SOFT LANDSCAPING INCLUDING TREES

Before any above ground construction work (excluding demolition) is commenced a detailed scheme for the hard and soft landscape works shall be submitted to and approved in writing by

the Local Planning Authority. The approved landscaping works shall be fully completed prior to occupation of the building(s). Such a scheme shall include, but is not limited to:-

- (a) the means of protection (in accordance with BS5837:2012) of all existing trees on site or in close proximity to the site boundaries and not directly affected by the building works and which are to be retained, including detailed proposed protection measures during any demolition or construction works to include locations of all protective fencing, ground protection, site facilities and storage areas. Where, for construction purposes, it is necessary to position tree protection fencing within the RPA of retained trees, suitable ground protection will be installed to prevent undue soil/root compaction from pedestrian and/or vehicular traffic. Such works are to be carried out fully in accordance with Treeline Services Ltd report (ref: 28869) unless otherwise approved in writing.
- (b) Details of proposed walls, fencing and other means of enclosure indicating materials and heights;
- (c) Details for all new tree planting across the site, with all new trees planted at a minimum girth of 12-14cm,
- (d) Details of adequate physical separation, such as protective walls and fencing between landscaped and paved areas;
- (e) Details of any balustrade/balcony treatment
- (f) Details of areas of hard landscape works and proposed materials, including details of a robust and durable choice of material for the parking area and loading bays;
- (g) Details of the proposed arrangements for the maintenance of the landscape works.
- (h) Details for the provision for outside seating / benches and children's play equipment
- (i) Details for the provision of on site bird and bat boxes
- (j) Details of demarcation of the private and public footway

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, to ensure that the proposed development enhances the visual amenity of the locality in the interests of the amenities of the occupants of the development and, ensure that it enhances the visual amenity of the area and to protect trees in the immediate environment and to retain a mature tree cover around the site and to provide tree planting in pursuance of section 197 of the Town and Country Planning Act 1990.

14 WATER USAGE

Prior to first occupation of the Residential Development ('the Development') confirmation from the Building Control body to demonstrate that the relevant building 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 (as amended) shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to protect and conserve water supplies and resources in order to secure London's needs in a sustainable manner.

15 CONSTRUCTION - CEMP

No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include: (i) The phases of the Proposed Development including the forecasted start and completion date(s) (ii) A commitment to apply to the Council for prior consent under the Control of Pollution Act 1974 and not to commence development until such consent has been obtained (iii) A scheme of how the contractors will liaise with local residents to ensure that residents are kept aware of site progress and how any complaints will be dealt with reviewed and recorded (including details of any Considerate Constructor or similar scheme) (iv) A scheme of how the contractors will minimise complaints from neighbours regarding issues such as noise and dust

management, vibration, site traffic and deliveries to and from the site (v) Details of hours of construction including all associated vehicular movements (vi) Details of the construction compound (vii) A plan showing construction traffic routes (viii) An audit of all waste generated during construction works. The construction shall be carried out in accordance with the approved CEMP.

Reason: To ensure the protection of living conditions, highway safety and managing waste throughout development works due to the particular risk of harm arising from these works in respect of air quality and highway safety.

16 SUSTAINABLE URBAN DRAINAGE

Prior to the commencement of relevant drainage works full details of a drainage strategy detailing any on and/or off site drainage works which shall include but is not limited to a scheme of drainage measures for all areas of hard surface, showing those areas to be treated by means of hard landscape works to utilise a sustainable urban drainage system (SUDS) to reduce run-off rates, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to first occupation of the development and shall be retained for the lifetime of the Development.

Reason: To ensure the development meets the requirements of London Plan Policy 5.13 Sustainable Drainage.

17 AIR QUALITY - FURTHER DETAILS

Prior to the commencement of development further details of the impact of the development on air quality and impact of air quality on the development shall be submitted to and approved by the Local Planning Authority and shall include:

- (i) An assessment and modelling results for the nitrogen dioxide and particulate emission levels for the 1st and 2nd floor flats as well as the 3rd floor.
- (ii) Information on the air quality levels from the additional heating systems for the proposed new flats
- (iii) An air quality neutral assessment

The approved details shall be implemented in full for the lifetime of the development.

Reason: To ensure the safe development and secure occupancy of the site for residential use and having regard to the fact the site lies in an Air Quality Management Area and has the risk to increase poor air quality.

18 DELIVERY AND SERVICING PLAN

Prior to first occupation of any building(s) details of a Delivery and Servicing Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full for the lifetime of the development.

Reason: To minimise the impacts of the development on the highway.

19 SITE INVESTIGATION AND REMEDIATION

(a) Prior to the commencement of any works on site, with the exception of works necessary to facilitate compliance with part (a) of this condition, a Site Investigation shall be submitted to and approved in writing by the Local Planning Authority. The Site Investigation shall be carried out by competent persons in accordance with the principles of BS 10175:2011 to determine the nature and extent of any soil contamination present; include the results of any research and analysis undertaken as well as an assessment of the risks posed by any identified contamination; and include an appraisal of remediation options should any contamination be found that presents an unacceptable risk to any identified receptors

(b) Prior to the commencement of any works, with the exception of works necessary to facilitate compliance with part (b) of this condition and UNLESS the Local Planning Authority has previously confirmed in discharging part (a) above that no remediation measures are required, a Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy shall specify measures to contain, treat or remove any soil contamination to bring the site to a condition suitable for the intended residential use; include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures; ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

The works shall be carried in accordance with the approved details in accordance with the approved timetable of works. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Any remediation measures required by part (a) above shall be carried out in full.

(c) Prior to the occupation of the Development and UNLESS the Local Planning Authority has previously confirmed in discharging part (a) above that no remediation measures are required, a Verification Report shall be submitted to and approved in writing by the Local Planning Authority. The Remediation Verification Report shall demonstrate that the remediation has been carried out in accordance with the approved Remediation Strategy; and that the Development is permitted for its approved end use.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off site receptors

INFORMATIVES

- 1 The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk
- 2 The applicant is advised that 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.
- 3 A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwgriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality."
- 4 Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
- 5 Applicants are reminded of hazards caused by asbestos materials especially during demolition and removal works and attention is drawn to the Asbestos Licensing Regulations 1983. Licensed Contractors only are permitted to remove asbestos which must be transferred to a licensed site. For further advice the Council's Chief Environmental Health Officer should be contacted.

- 6 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.
- 7 Prior consent may be required under the Town and Country Planning (Control of Advertisements) Regulations 1990 for the erection or alteration of any
 - (a) illuminated fascia signs
 - (b) projecting box signs
 - (c) advertising signs
 - (d) hoardings
- 8 The applicant is advised to ensure that demolition and construction works follow Best Practicable Means (BPM) of Section 72 of the Control of Pollution Act 1974 to minimise noise and vibration effects.

Any person wishing to inspect the above papers should contact Barry Henn, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5232