

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

13 September, 2017
04
17/2331

SITE INFORMATION

RECEIVED	25 May, 2017
WARD	Kensal Green
PLANNING AREA	Harlesden Neighbourhood Forum
LOCATION	Manor Park Works, Manor Park Road, London, NW10 4JJ
PROPOSAL	Redevelopment of industrial site to residential to form a total of 45 units comprising: conversion, top floor extension and change of use of existing building from industrial and storage (B1 and B8) to residential (C3), accommodating 24 units (2 x studios, 8 x 1bed, 10 x 2bed and 4 x 3bed maisonettes) over 6 storeys; and erection of a seven storey residential building with basement level accommodating 22 units (4 x studios, 14 x 2bed and 1 x 2bed and 1 3 x 3 bed maisonettes) with associated car and cycle parking, refuse storage, landscaping and amenity space provision, including a roof terrace at each building
APPLICANT	Beckley Group
CONTACT	Planning Co-operative
PLAN NO'S	2128-00DR-0002 2128-00-DR-0001 2128-00-DR-0050 2128-00-DR-0010 2128-00-DR-0011 2128-00-DR-0012 2128-00-DR-0013 2128-00-DR-0015 2128-00-DR-0016 2128-00-DR-0017 2128-00-DR-0018 2128-00-DR-0020 2128-00-DR-0051 2128-00-DR-0052 2128-00-DR-0108 2128-00-DR-0109 2128-00-DR-0110 2128-00-DR-0111 2128-00-DR-0112 2128-00-DR-0113 2128-00-DR-0114 2128-00-DR-0115 2128-00-DR-0116 2128-00-DR-0117 2128-00-DR-0401 2128-00-DR-0402 2128-00-DR-0403 2128-00-DR-0604 2128-00-DR-0602 2128-00-DR-0001

	<p>2128-00-DR-0603 2128-00-DR-1400 2128-00-DR-1401 2128-00-DR-1402 2128-00-DR-1403 2128-00-SA-0016 p02 2128-00DR-0601 rev D09 212-00dr-0412-DO6 212-00-DR-0117-D03 2128-00-GR-00-D39</p>
<p>LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION</p>	<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_134470</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.uk 2. Select Planning and conduct a search tying "17/2331" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab

RECOMMENDATIONS

RECOMMENDATION

That the Committee resolve to GRANT planning permission subject to:

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

- Fees for monitoring and enforcing its performance
- Notification of material Start
- Affordable Housing - 15% of dwellings shall be for Affordable Rented Units
- Affordable Housing Review Mechanism - end of scheme
- Training and Employment targets
- Highway works
- Travel plan including car club incentives
- Considerate Contractors Scheme
- Energy - zero carbon

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:

1. Standard three year
2. Approved drawings
3. Water efficiency
4. Requirement to provide refuse and recycling, cycle storage and disabled parking
5. Means of enclosure
6. Landscape works
7. Accessibility
8. Lighting
9. Materials
10. Sustainable urban drainage
11. Air quality
12. Contaminated land
13. Any other planning condition(s) considered necessary by the Head of Planning

Informatives

1. CIL liable
2. Repair highway if damaged
3. Fire Safety Strategy
4. Soil verification
5. Asbestos
6. Air quality
7. Vibration
8. Highways
9. Licences
10. Noise
11. Structural integrity

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 it has paid special attention to the desirability of preserving or enhancing the character and appearance of the Harlesden Conservation Area(s) as required by Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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.

That, if by 13/12/2017 the legal agreement has not been completed, the Head of Planning is delegated authority to refuse planning permission.

SITE MAP



Planning Committee Map

Site address: Manor Park Works, Manor Park Road, London, NW10 4JJ

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This map is indicative only.

SELECTED SITE PLANS

SELECTED SITE PLANS

PROPOSAL IN DETAIL

The application seeks permission for the redevelopment of industrial site to residential to form a total of 45 units comprising: conversion, top floor extension and change of use of existing building from industrial and storage (B1 and B8) to residential (C3), accommodating 24 units (2 x studios, 8 x 1bed, 10 x 2bed and 4 x 3bed maisonettes) over seven storeys (lower ground plus six); and erection of a eight storey (basement and lower ground plus seven) residential building with basement level accommodating 20 units (4 x studios, 14 x 2bed and 1 x 2bed and 1 3 x 3 bed maisonettes) with associated car and cycle parking, refuse storage, landscaping and amenity space provision, including a roof terrace at each building.

The proposal will retain the principal existing building however the ground level will be lowered to create an additional floor at lower ground level and the proposal will include a roof extension to add two new floors to the building. The corrugated metal staircase lift enclosure will be removed from the front of the building.

The existing single storey structures would be demolished and a new eight storey building would be erected.

EXISTING

The existing is known as Manor Park Works and comprises principally of a four storey warehouse building. In addition the application site also contains a single storey extension to the main building and a single storey outbuilding. The site is located to the north of the junction between Manor Park Road and Park Parade within the centre of Harlesden. Vehicular access to the site is from Manor Park Road and there is a narrow pedestrian access route from Park Parade.

The existing industrial site covers an area of 0.146ha and contains a 4 storey industrial building. The surrounding building heights in the area are up to five storeys.

The building is not listed nor is the site within or particularly close to the Harlesden Conservation Area, though the proposal's relationship with the Conservation Area has been considered, see Remarks section below. The site is designated as an Archaeological Priority Area and a Site of Archaeological Importance.

AMENDMENTS SINCE SUBMISSION

SUMMARY OF KEY ISSUES

The key material planning considerations are:

1. Principle of development - this site is a Site Specific Allocation and its efficient use is a significant merit as contributing to the supply of homes in Brent in a sustainable urban location (PTAL 6a)
2. Density of development - as above, the efficient use of land is a significant merit given the high public transport accessibility of this location, subject to matters such as standard of accommodation and impact on neighbours discussed below.
3. Affordable housing - the scheme is providing the maximum viable amount of affordable housing and the applicant agrees in principle to a pre-completion affordable housing review mechanism
4. Design and appearance - this proposal is acceptable on balance, having regard to its town centre location, the merit of retaining the existing non-designated heritage asset and limited visual impact on public areas
5. Heritage - this proposal would have an acceptable impact on designated heritage assets including Harlesden Conservation Area and the Area and Site of Archaeological Importance and would retain a non-designated heritage asset
6. Standard of accommodation - this proposal is acceptable on balance in terms of internal and external amenity, having regard to its town centre location and the merit of retaining the existing non-designated heritage asset
7. Impact on living conditions of neighbours - this proposal is acceptable on balance, having regard to its

town centre location and the character of the area.

8. Landscaping and trees - subject to conditions, the proposal would provide adequate landscaping and provision of trees
9. Highways and access - this proposal is acceptable on balance, having regard to the existing access which could be brought back into more intensive use without further planning permission

These and other planning considerations are discussed in more detail in the Remarks section, below.

RELEVANT SITE HISTORY

16/4917 - Redevelopment of industrial site to residential to form a total of 51 units comprising: conversion, top floor extension and change of use of existing building from industrial and storage (B1 and B8) to residential (C3), accommodating 25 units (two studios, two 1-beds and 21 × 2-beds) over 6 storeys; erection of adjacent linked seven storey residential building accommodating 26 units (six studios, 12 × 1-beds, five 2-beds and three 3-beds) with associated car and cycle parking, refuse storage, landscaping and amenity space provision, including a roof terrace at each building. - **Application withdrawn**

CONSULTATIONS

In accordance with Article 15 of The Town and Country Planning (Development Management Procedure) (England) Order 2015, the application was publicised by serving notice on the adjoining owners or occupiers on 19/06/2017. In addition to this consultation letters were sent to a total of 502 addresses in the surrounding area. A press notice was advertised on 29 June 2017 and multiple site notices were displayed from 20 June 2017.

Eight objections have been received, comprising two ward councillors, the Rucklidge Avenue residents' association and five other local residents.

Cllr Hector has objected on the following grounds:

- Principle: no pressing need for new homes in light of Old Oak Park Royal Mayoral Development Corporation plans
- Design and scale: height of the building resulting in harm to character of area
- Access: width restrictions and their implications for fire safety
- Highway and pedestrian safety: No separate pedestrian path along the access route
- Density: too high in terms of traffic safety given accident record on Manor Park Road
- Standard of accommodation: in terms of lack of outdoor amenity space

Cllr Kelcher has objected and requested the case be decided by Planning Committee on the following grounds:

- Standard of accommodation: in terms of room sizes
- Access: width restrictions and their implications for fire safety

Rucklidge Avenue Residents Association objected on the following grounds:

- Design and scale: design and height of the building resulting in harm to character of area, site does not integrate with area
- Living conditions of neighbours: height of buildings would overlook and overshadow neighbouring school, loss of privacy to neighbours, overwhelming
- Access: width restrictions and their implications for fire safety
- Highway and pedestrian safety: increase in traffic crossing pavement on Manor Park Road, limited access for emergency vehicles, lack of parking
- Density: over development of the site
- Standard of accommodation: lack of amenity space, poor level of residential amenity, poor levels of daylight, sunlight
- Infrastructure: additional demand on social infrastructure that cannot be accommodated

Five other local residents objected (although to date--5 September--one has not confirmed their postal address) on the following grounds:

Representation	Response
<u>Character</u> The development too high for area and towers above Harlesden Skyline Building too high and will change skyline	See Remarks section

Building should be smaller Density too high	
<u>Highways</u> Insufficient parking spaces and residents bays already under pressure. Not enough Parking Edge of busy road where there have been accidents involving pedestrians	See Transport section
<u>Fire Safety</u> Risk of Fire i.e Grenfall due to lack access for emergency vehicles	See Remarks section
<u>Standard of accommodation</u> Crammed housing, Room sizes too small Lack of green space	See remarks section
<u>Landscaping</u> Retain trees	See Landscaping section
<u>Impact on neighbours</u> Overlooking of neighbouring school	See remarks section

In addition to the responses above the Council two responses received letters in support of the proposal.

STATUTORY CONSULTTEES

Historic England - No objection raised

OTHER CONSULTTEES

External

Metropolitan Police Design Advisor - Comments initially raised regarding residents having access to both blocks however the proposal has been amended which has addressed the comments and therefore there is no objection to the proposal.

Internal

Transport: No objection subject to conditions requiring: (i) designation of the development as car-free, with the right of future residents to on-street parking permits withdrawn; (ii) full implementation of the submitted Travel Plan Statement; and (iii) submission and approval of a Construction Logistics Plan, there would be no objections on transportation grounds to this proposal.

Landscape Design -No objection

Heritage Officer – No objection

Design Officer - No objection following the amendments to the application.

POLICY CONSIDERATIONS

For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the Development Plan in force for the area is the 2010 Brent Core Strategy, the 2016 Brent Development Management Policies Document and the 2016 London Plan (Consolidated with Alterations since 2011).

The following are also relevant material considerations:

Brent Site Specific Allocations DPD 2011
National Planning Policy Framework 2012
Mayor's Housing Supplementary Planning Guidance
SPG17 – Design Guide for New Development
Emerging draft SPD1 - Brent Design Guide

DETAILED CONSIDERATIONS

GENERAL PRINCIPLE OF DEVELOPMENT:

1. The principle of development is accepted. This site is part of a Site Specific Allocation (SSA11) for residential development with an indicative capacity of 30 units.
2. Some objections relate to the need for homes here in light of the Old Oak Park Royal Mayoral Development Corporation located to the south of Harlesden in parts of Brent, Hammersmith and Fulham and Ealing. Whilst this will provide much needed new homes over the next 20 years the majority of the housing site is not within Brent and this site is identified as forming part of Brent's five year supply of land for new homes. Policy 17 of the National Planning Policy Framework (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". These principles also include to "pro actively drive and support sustainable economic development to deliver homes ...". The NPPF goes on to state that development proposals that accord with the development plan should be approved without delay.
3. The development site is located on previously developed land, within a sustainable location and has been vacant for over a year. Therefore the redevelopment of the site for residential purposes is supported in principle as the proposal would provide new homes and would make efficient use of the land by providing these homes at a reasonably high density.
4. The principle of the proposed development complies with Council objectives and national policy as outlined in the Brent Core Strategy and the NPPF respectively. The development site is not covered by a restrictive land use designation within the adopted development plan and although the site is a local employment use, the SSA means there is a presumption in favour of residential development.

AFFORDABLE HOUSING:

5. London Plan Policies 3.11A, 3.11B and 3.12 require boroughs to maximise affordable housing provision, set an overall target in Local Plans for the amount of affordable housing provision needed over the plan period, and seek the maximum reasonable amount of affordable housing when negotiating on individual private residential and mixed use schemes. Brent's Core Strategy Policy CP2 identifies capacity for at least 22,000 homes over the local plan period 2007-2026 and sets a target that 50% of new homes should be affordable. Developers are required to provide development appraisals to demonstrate that each scheme maximises affordable housing output. This is supported by recently adopted policy DMP 15 of the Development Management Policies DPD (2016).
6. An initial viability assessment was undertaken by The Beckley Group to assess what level of affordable housing the scheme could viably deliver. This assessment was carried out on the basis of a 45 unit residential scheme, comprising a mix of 1, 2 and 3 bedroom units. The Viability report submitted by the applicant concludes that high building cost and existing use value would result in a deficit of £3,010,000, however the applicant is still prepared to provide 4 number 3 bedroom units for Discounted Market Rent, or 15% affordable housing by habitable room.
7. The Council commissioned BNPP to carry out an independent review of the viability report. The purpose of this was to determine if the affordable housing offer at that time represented the maximum reasonable proportion that the scheme could viably deliver.
8. Whilst BNPP has disputed a number of assumptions, they do accept that the proposed development would be currently by unable to viably deliver a greater proportion of affordable housing units. One major factor in this case is that the relatively high build costs associated with the refurbishment of the existing building and the high construction cost associated with the new building development.
9. However BNPP recommend that a post implementation viability review is included in the s106 agreement and this is supported by DMP 15 which also requires that appropriate provisions to re-appraise viability be sought on major sites where the proportion of affordable housing agreed is significantly below 50%.
10. Officers have therefore agreed in principle a post implementation s106 review mechanism with the applicant, to be secured by a planning obligation within a S106 legal agreement. This would re-appraise scheme viability 6 months prior to practical completion against an agreed residual land value of £1.9m and profit margin of 15%.
11. Therefore subject to agreement of such s106 review mechanism, Officers recommend that the scheme proposes the maximum reasonable amount of affordable housing in line with planning policy.

RESIDENTIAL MIX:

12. The proposal includes a mix of 6 x Studio units (13%), 8 x 1-bed (17%), 25 x 2 bed (54%) and 7 x 3-bed (15%). All are proposed as private rented units. This mix would result in 15% of units being family accommodation (3+ bedrooms), which is not strictly in accordance with the 25% policy target for family accommodation set out in Core Strategy policy CP2 however given the characteristics of the site including the refurbishment of the existing building, the proposed level of family accommodation is considered to be acceptable.

DENSITY:

13. The site is located within Harlesden town centre and for the purposes of emerging draft Brent Design Guide SPD 1, it is considered to be a 'transitional' area typology site which can accommodate higher density than existing.
14. London Plan policy 3.4 aims to optimise the housing potential of sites, especially in locations that are sustainable, with 'good' public transport accessibility. In applying the density matrix to this location with a PTAL of 6a and of a urban location, a density of between 70 and 260 units per hectare would be deemed to be appropriate. The proposed density of 310 units per hectare is above the indicative density range for this location however this is a guide only and site specific circumstances should be taken into account. In this case, the site is considered capable of accommodating this slightly higher density without compromising design or living standards of future or neighbouring residents. Officers give this efficient use of land resulting in the provision of a substantial number of new homes in a sustainable location significant weight.

LAYOUT:

15. Existing building: the proposal would involve retaining and extending the existing building and its conversion into residential. This would involve removing the corrugated metal staircase and lift enclosure and the insertion of an additional floor finished in Corteen which is harmonious with the industrial heritage of the existing building
16. The new building: the proposed new building has been designed to compliment the existing works building and footprint of the new building would have an irregular hexagon shape. The proposed new building has been set back at upper floors and would be hidden from view by the Salvation Army building when viewed from the street and would only become visible from the existing works building.
17. Access: Pedestrian and vehicular access to the site is via a shared surface drive from Manor Park Road and the existing pedestrian access from Park parade would be closed for security reasons. The eight maisonettes have their own front doors and the entrances to the two circulation cores are in the centre of the two front elevations.

MASSING, DESIGN and MATERIALS:

18. The character of the area is mixed and the site is located to the rear of an area of mixed commercial and residential buildings fronting Manor Park Road and Park Parade with school grounds behind. The existing building is higher than the majority of nearby buildings.
19. Objections have been received on the basis of the impact of the development on the character and appearance of the area.
20. The proposal would increase the height of the existing warehouse which is currently four storeys and alter the roof to accommodate a lower ground and upper ground floors and six storeys above the lower ground level. This would result in a roof height which would be a storey higher than the existing ridge line of the existing roof, however this additional floor comprises a combination of an open metal frame, small areas of filled in gaps and set back structures, so the appearance and impact is lessened.
21. The new building would also have a lower ground and seven storeys above and whilst this building would be taller than the surrounding buildings; the building would be mostly screened from public areas by the existing buildings on the Manor Road frontage. In addition to this the proposed top floor of the building has been amended and is now set further back from the front of the building in order to reduce the massing.

22. The applicant's Design and Access Statement indicate that views of the new building would be limited, with views from Manor Park Road to the existing building along the entrance route and also views of the top of the existing building from the junction of Park Parade and Rucklidge Avenue. Given the limited views and the mixed character of the area, the proposal is considered to be in keeping with the character and appearance of the locality, in accordance with Development Management Policy DMP1 and having regard to the emerging guidance in the draft Brent Design Guide.
23. The quality of material is critical to the success of the buildings. The overall approach to the materials is considered to be acceptable. The brick work of the existing works building would be repaired and proposed palette of materials for the new building would be complimentary to the existing building. Powder coated aluminium and steel is proposed for the balconies and window frames and Corteen type weatherboard steel would be used for the top floors to create further visual interest and is considered acceptable.

Summary

24. Whilst the buildings would be higher than their surrounding context, their location is such that their appearance from the public highway would be limited. They would be noticeable and potentially prominent from the windows and gardens of nearby homes, including those that do not immediately adjoin the site (e.g. properties on Harlesden Gardens) however this is not in itself a reason for refusal and officers have given weight to the town centre location and its 'transitional' typology. Therefore the proposed massing and building heights are considered to be appropriate and in keeping with the overall context in the surrounding area. The proposed materials palette is also considered appropriate to its context and the design is supported by officers.

HERITAGE:

25. The site is in close proximity to the Harlesden Conservation Area however given the siting of the development to the rear of the properties; the proposed development is considered to preserve the setting of the conservation area in accordance with s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Development Management Policy DMP7.
26. The site is also located within an Archeological Priority Area and a Site of Archaeological Importance and as such the proposal was supported with a Desk Based Archeological Assessment. The results of the assessment indicated that the archeological potential for the site is very limited and therefore recommends that no archaeological mitigation is necessary. Historic England have raised no objection to this proposal and accept the conclusions of the desktop assessment and agree that no further conditions are required. This is considered to be acceptable and complies with policy DMP 7.
27. The existing building is itself considered to be a non-designated heritage asset and officers welcome the efforts to retain this building. Officers give weight to its retention and recognise that in order to accommodate retention of the building, some compromises have been accepted in terms of design and living conditions.
28. In terms of impact on heritage assets, the proposed is acceptable.

PUBLIC REALM:

29. The proposal would include a shared surface space which has been designed to prioritise the pedestrian and fronting the new building however these works would not run over the highway and as such is not considered to have a material impact on the public realm. In addition to the shared surface area each terrace would be separated with planting beds hosting evergreen shrubs in order to soften the appearance.
30. The existing boundaries to the site would generally be retained and extensive tree planting would be incorporated into the northern and western boundary to mitigate any views from the neighbouring gardens.

LANDSCAPING and TREES:

31. Roof gardens would provide the main opportunity for landscaped areas and planting is proposed within these courtyard spaces (including new trees) to create interest, privacy and screening. Full details of the materials, seating, boundary treatments, play equipment etc that are to be laid out within these areas

would be required by condition.

32. In addition to this on the western boundary a communal private amenity has been provided to create informal play space and would be landscaped with ornamental shrub beds and a mix of tree planting.
33. There are no concerns from a Landscape perspective and a detailed landscaping plan would in any event be required by condition; this will include measures to retain or replace boundary trees as appropriate that form a screen in pursuance of section 197 of the Town and Country Planning Act 1990.

QUALITY of RESIDENTIAL ACCOMMODATION:

Internal floorspace and accessibility

34. London Plan policy 3.5 and the Mayor's Housing SPG set out minimum space standard requirements for new housing. An objection has been received on the basis of the standard of accommodation in terms of unit size. It has been demonstrated that the minimum internal floor space and floor-to-ceiling height standards would be met, or exceeded. It has also been demonstrated that all units are designed to Lifetime Homes and 10% of the dwellings would be Wheelchair Accessible have been designed to comply with the Building Regulations Part M4(3), which is in line with National Housing Standards. Therefore subject to a condition to ensure that 10% of the dwellings would be wheelchair accessible; the proposal is considered to be in accordance with Development Management Policy DMP18.

Light, outlook

35. In accordance with Development Management policy DMP1 65% of flats have more than one aspect in the converted building and none have a sole northern aspect. The remainder of the flats with a sole aspect have a south west aspect which allows good levels of light penetration. This is acceptable having regard and weight to the merit of retaining the existing building.
36. The applicants have submitted a Daylight/Sunlight report to assess the level of direct sun-light to each unit and the results confirm that each unit would meet or exceed the level required to provide natural warmth and direct sunlight. Therefore the level of light and outlook is considered to be acceptable and in accordance with the BRE guidance .

External amenity space and play space

37. Objections have been received in terms of amenity space. The proposal incorporates landscaped communal roof gardens within both buildings. Residents at the lower ground floor would be provided with small front gardens. Units on all other floors would be afforded a private balcony, the sizes of which meet or exceed the 5sqm minimum standard set out in the Mayor's Housing SPG. The proposal also includes a informal communal space at ground floor level. This is considered to be acceptable and in accordance with the requirements set out in DMP 19. The private rear gardens to the family houses are less than 50sqm, however on balance there is sufficient communal provision, and access to a park locally to make up for any shortfall. Therefore the proposed level of amenity space is considered to be sufficient for the site and is considered to satisfy the proposed residents needs in accordance with Policy DMP 19 and having regard to the provisions of the emerging Brent Design Guide section 4.1.4 for 'transitional' areas.
38. The proposal also incorporates children's play space, which is in accordance with London Plan policy 3.6 and therefore the proposed level of amenity and play space is considered to be acceptable.

NEIGHBOURING AMENITY:

Privacy/ Outlook

39. Some objections have been received on the basis of harm to the living conditions of adjoining residents; however, no objections have been received from residents of properties directly adjoining the site. Whilst not determinative in itself, this fact is given some modest weight by officers when considering the impact of the development on the living conditions of those properties.
40. Separation distances between individual buildings within the site does vary, resulting in some relationships where a distance of less than 20m is proposed. Due to the inclusion of habitable windows within these facing elevations the relationships have been rigorously scrutinised, and mitigation proposed,

as discussed in the following paragraph. Officers note, however, that the emerging draft Brent Design Guide reduces the separation distance between habitable room windows to 18m for 'typical' area typologies and reduced distances in 'transitional' and 'transformational' areas, subject to general compliance with BRE standards on daylight and sunlight (see below).

41. On the balance it is considered the use of projecting directional windows is an appropriate design response for a dense urban scheme such as this, which is seeking to optimise housing potential and this form of mitigation would reduce potential for direct overlooking and loss of privacy.
42. At various locations the separation distances between the existing properties and the proposed buildings exceed the 20m separation distance referred to in SPG17. However there are some locations where the level of separation is less than 20m but are substantially in line with the emerging Brent Design Guide standards: e.g. the proposed new building is 18m from the rear of the two-storey outrigger of Nos.38 and 36 Manor Park Road, increasing to 24m to the rear of the main part of those properties. This is in line with the emerging Brent Design Guide for 'typical' areas and is therefore acceptable. The closest facing relationship is from the balcony to the west facing unit in the new block, which would be 16m to the rear of the two storey outrigger of No. 34 Manor Park Road; however this is considered to be broadly in keeping with the existing urban grain and street pattern locally which displays similar relationships and therefore the proposal is not considered to be harmful to the residential amenities of the properties on Manor Park Road, having regard to the approach suggested in the emerging Brent Design Guide for 'transitional' areas.
43. Due to the siting of existing building and the rear windows of Park Parade the separation between facing internal facades is over 22m and this reduces down to 16m from the flank wall of the warehouse to the rear outriggers of Park Parade. Whilst below the 20m and 18m separation distance discussed above, opportunities for direct overlooking and loss of privacy have been designed out through the use of projecting directional windows where necessary over ground, first and second floors. In the main any windows facing these properties are secondary and could be obscured glazed if necessary, via condition.
44. The separation distance to the boundary of the neighbouring school site is only 5 metres and objections have been received relating to the overlooking of the school grounds. However the existing building has not moved any closer to the boundary of the school and the increase in height by one storey is not considered to increase the impact of the building on the neighbouring school. With regards to the proposed new building; the building would be sited 5 metres from the boundary of the school grounds playing area, however the elevation facing the school would have angled windows to ensure there is no direct overlooking of the school. In addition to this it is not uncommon for residential development to overlook school grounds in built up areas of London and therefore the proposal is not considered to result in material harm to the amenities of the neighbouring school site.

Overshadowing/Loss of Light

45. A daylight/sunlight report has been submitted assessing the impact of the proposals on daylight/sunlight conditions for surrounding residential properties and amenity areas/gardens, and also assessing the potential daylight and overshadowing levels of the proposed residential accommodation (habitable rooms) and amenity spaces. The report has assessed the scheme for compliance with the BRE Guide "Site layout planning for daylight and sunlight: A guide to good practice", which is the recognised standard and considered a robust method of assessment.
46. Daylight criteria within the BRE Guide have been used as a basis to assess the potential impacts on surrounding properties: the two relevant tests are (i) Vertical Sky Component (VSC) and (ii) No-Skyline (NSL). VSC assesses the impact on daylight based on the total amount of unobstructed view that is available from a habitable room window. NSL is a measure of the distribution of daylight that a room would receive, however for this test to be accurate internal room layouts must be known, which is not strictly the case for this proposal.
47. Sunlight criteria to assess the impact on surrounding properties is referred to as a test of Annual Probable Sunlight Hours (APSH). This tests the potential effect of a development to the existing sunlight amenity of occupants of neighbouring dwellings. It involves the prediction of potential sunlight availability for the main window of each habitable room, which face within 90 degrees of due south. The overshadowing impact to surrounding amenity areas/garden spaces have also been considered.
48. With regards to daylight, 76 windows in total were analysed regarding existing and proposed daylight (VSC) levels, of these 67 were excluded as they passed the BRE negligible impact test. Of the remaining

9 windows, 3 windows (34 Manor Park and 38 Manor Park) would experience a minor adverse impact, 4 windows (2 at 34 Manor Park and 2 at 36 Manor Park) would have a moderate adverse impact and 2 windows (1 at 36 Manor Park & 1 at 38 Manor Park) would have a major adverse impact. Given that some of the latter windows falls below the 27% target; an Average Daylight Factor test have been undertaken.

49. Daylight levels (ADF) within the habitable rooms of Nos 36 and 38 Manor Park Road have been assessed and results show that all of the windows would achieve the required ADF levels for daylight.
50. On the basis of the results it is considered that the impacts of the development on daylight/sunlight conditions for surrounding properties would not unduly harm existing levels of amenity. Furthermore, the daylight/sunlight conditions that are to be experienced for residents of the proposed accommodation perform would against the BRE criteria.

Noise and Disturbance

51. The closest residential properties are the properties on Manor Park Road and Park Parade, however the existing commercial use of the site and the fact this could be brought back into use without further planning permission is a material consideration. The proposed residential use is considered to be more in keeping with the surrounding land uses and therefore the proposal is not considered to result in significant noise and disturbance to the neighbouring properties.

Summary

52. The extensions to the

TRANSPORTATION:

Parking

53. Policy DMP12 and Appendix 1 of the DMP 2016 allow up to two car parking spaces for the existing workshop, whilst Policy DMP13 and Appendix 2 require servicing by full-size delivery vehicles.
54. There is a car park/service yard for the premises available, which provides considerably more parking than allowed in the DMP. It can also accommodate servicing by vans, but the narrowness of the access and tightness of the 90° turn in the access in front of the building prevent access by delivery lorries, so full servicing requirements cannot be met.
55. With the high PTAL rating, the proposed use is permitted up to 0.75 spaces per 1-1/2-bed flat and 1.2 spaces per 3-bed unit, giving a total car parking allowance of 37.65 spaces. No standard sized parking spaces are proposed, so maximum allowances are not exceeded.
56. However, Policy DMP12 requires that development does not add to on-street parking demand where on-street provision cannot meet this demand. With the site fronting a major London distributor road, any over spill parking would harm on-street parking conditions.
57. To address this, Policy DMP12 does support 'car-free' development in areas with high PTAL values and it is therefore recommended that a 'car-free' agreement be secured for this development through a legal agreement. This would remove future residents rights to on-street parking permits in the vicinity of the site and would require proper written notification of this restriction to be provided to all prospective residents.
58. The DMP requires 10% of spaces to be widened and marked for disabled drivers. Although no standard width parking spaces are proposed, two wide disabled bays are to be provided within the site, which meet standards in terms of dimensions and turning space. Any further Blue Badge holders would be exempt from the 'car-free' agreement, so could purchase permits to park on-street in the wider area.

Cycle parking

59. The London Plan requires at least 64 long-term bicycle parking spaces and two short-term spaces. Secure storage has been indicated within the basement for 80 bicycles (assumed to be on double-height racks) with access via a lift with suitable internal dimensions for cyclist use from the ground floor courtyard. Two further bicycle stands are shown in the courtyard area for visitors and therefore bicycle

parking requirements are met. A condition would require these be provided prior to occupation.

Access and Servicing

60. With regard to servicing, tracking has been provided to show that the development would be accessible by 7.5m box vans along a 4.2m wide shared surface, which would cater for the majority of ad-hoc deliveries.
61. Objections have been received on the basis of the restricted access and the effect this could have on highway safety. The tightness of the existing access means it cannot accommodate access and turning by larger delivery vehicles (e.g. refuse vehicles or fire appliances). However this is also the case for the existing workshop use, which would have more onerous servicing requirements and in this regard, the conversion of the building to residential use has a generally beneficial impact on servicing and should reduce the impact of loading from Manor Park Road. Therefore on the balance this is considered to be acceptable.
62. A Transport Statement has been submitted with the application, which has compared the proposed development to other similar developments in Inner London in order to estimate the numbers of trips likely to be generated to and from the site. This estimates that 5 arrivals/26 departures would be generated in the morning peak hour (8-9am) and 15 arrivals/9 departures in the evening peak hour (5-6pm). These totals are likely to be lower than the numbers generated by the existing employment use and with parking largely removed from the site, the impact of vehicular movements on the highway network would be negligible.
63. As the development is to be car-free, the vast majority (90%) of these trips would enter and leave the site by foot, with 5% by bicycle. Modal share information suggests that 85% of onwards trips would be by public transport, but with numerous bus and rail services passing close to the site each hour, less than one additional passenger would be generated on each service, which is not significant. Given the limited number of vehicular movements anticipated along this 4.2m wide access, it is acceptable for it to be a shared pedestrian and vehicle route.
64. The road accident history for the area has also been examined over the five year period March 2011-February 2016. This identified 36 accidents in this period between Park Parade and Tavistock Road. The high total is reflective of the main road status and the busy town centre location and there are no identified commonalities that would be likely to be exacerbated by this development.
65. To help manage travel arrangements to and from the site for new residents in the absence of any general car parking, a Travel Plan has been submitted. This sets out a number of measures (supply of transport information packs, personalised travel planning, promotion of Car Clubs including free initial membership, provision of a one month Travel card and £300 credit for public transport journeys etc.) to be implemented by a Travel Plan Co-ordinator over a five year period. The aim would be to keep car use below 7% of trips (although the car-free nature of the development should almost guarantee this), with success against this target measured by snapshot surveys every two years.
66. Detailed modal split targets have not been provided at this stage and it is not confirmed that the monitoring surveys would fully comply with full Travel Plan requirements. However, as a relatively modest development, a Travel Plan Statement would be sufficient and this meets the requirements for a Travel Plan Statement. A condition is recommended to secure implementation of the Travel Plan.
67. The Transport Statement also confirms that a Construction Traffic Management Plan would be produced for the development and the approval of a Construction Logistics Plan by the highway authority is essential, given the restrictions on access to the site. An informative is advised drawing the applicant's attention to their responsibilities in respect of the Highways Act 1980.

Refuse

68. Bin storage is proposed within the basement, with a lift to bring bins up to ground floor. An area alongside the access drive close to Manor Park Drive has been identified for bins to be left by the management company on collection days, allowing easy access for refuse crews without the vehicle having to access the site. Adequate width would remain past the bins for vehicular and pedestrian access and this is considered to be acceptable.

Fire Safety

69. Given the issue of access for service vehicles concerns have been raised in relation to fire safety. Whilst this is not a material planning consideration, as a response the applicant has appointed a fire consultant Hoare Lea Fire Engineering In order to assess the Fire strategy which includes a dry riser is proposed to be laid beneath the access road and a sprinkler system would be installed in the building. The Fire consultant has confirmed that the approach to the development is acceptable and the Fire strategy for the building would increase the minimum level of the required fire safety. In addition to this an informative is recommended which requires the implementation of the Fire Safety strategy.

FLOOD RISK and DRAINAGE:

70. The application has been supported by a Flood Risk Assessment (FRA), and this sets out that there are no existing watercourses near to the site and that the site is located in an area of the lowest risk (Zone 1) from fluvial or tidal flooding. The site has been assessed as being at very low risk from ground water, surface water and/or sewer flooding.
71. The application has been supported with a Flood Risk Assessment which demonstrates that the proposal would achieve reduce surface water run off through the use of SuDS achieved through the use of a green roof and cellular storage system in combination with an orifice plate control device.
72. This approach is considered to be acceptable subject to conditions which require the implementation of the SuDs.

AIR QUALITY:

73. The application is within a designated Air Quality Management Area (AQMA) along with the rest of the south part of the borough due to elevated levels of nitrogen dioxide and particulates as a result of road traffic emissions. Due to this designation the proposal is accompanied by an Air Quality Assessment which examines the potential impact of the development on air quality during construction and the impacts of existing air quality on future residential occupiers. The Assessment used dispersion modelling was to predict pollutant concentrations across the development.
74. Based on the assessment results, the site is considered suitable for the proposed end use subject to the inclusion of relevant mitigation measures and complies with the London Plan and relevant legislation. The assessment identifies the need for mitigation measures in the form of air tight windows, and mechanical ventilation for all units. Appropriate conditions are recommended to ensure the mitigation measures are implemented.

SUSTAINABILITY:

75. A Energy Statement supports the application, this seeks to demonstrate how the proposed scheme complies with London Plan policies which seek to reduce carbon emissions, in the form of an approach that accords with the Mayor's energy hierarchy to 'Be Lean' (use less energy), 'Be Clean' (supply energy efficiently) and 'Be Green' (use renewable energy), and Brent's adopted policies on climate change.
76. The scheme has been designed to achieve a level of carbon reduction that is over and above the 2013, Part L Building Regulations emissions reduction target of 35%. This reduction is to be achieved through passive energy efficiency measures and a combined Heat & Power system. This combined with a carbon offset payment mean the scheme would be able to achieve the zero carbon standard set out in the London Plan policy 5.2.
77. This is considered to be in compliance with the carbon reductions target and the delivery of the wider sustainability measures should be secured or by condition.
78. Water efficiency is to be achieved by a water leak detection system and is in line with national housing standards, and the London Plan. Compliance with this would be secured by condition.

INFRASTRUCTURE

79. Concerns have been raised in relation to the additional pressures the proposal would put on existing infrastructure such as demand for school places and doctors surgeries. However the proposal would be liable for Community Infrastructure levy contributions which is charged per square metre and therefore the proposal is not considered to warrant additional contributions to infrastructure

SUMMARY:

80. 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 continued regeneration of area. This efficient use of the land would result in a substantial number of new homes, helping to meet housing targets, and secures the maximum reasonable proportion of affordable housing to be delivered off site. It is considered that the form of development would have an acceptable impact on and relationship with the existing surrounding development. Officers recommend the application for approval subject to the conditions and s106 obligations set out in this report.

CIL DETAILS

This application is liable to pay **£795,325.59*** 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): 4151 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	4151	1502	2649	£200.00	£35.15	£676,441.07	£118,884.52

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	£676,441.07	£118,884.52

*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: 17/2331

To: Mr Carroll
Planning Co-operative
30 Altenburg Avenue
West Ealing
W13 9RN

I refer to your application dated **25/05/2017** proposing the following:

Redevelopment of industrial site to residential to form a total of 45 units comprising: conversion, top floor extension and change of use of existing building from industrial and storage (B1 and B8) to residential (C3), accommodating 24 units (2 x studios, 8 x 1bed, 10 x 2bed and 4 x 3bed maisonettes) over 6 storeys; and erection of a seven storey residential building with basement level accommodating 22 units (4 x studios, 14 x 2bed and 1 x 2bed and 1 3 x 3 bed maisonettes) with associated car and cycle parking, refuse storage, landscaping and amenity space provision, including a roof terrace at each building

and accompanied by plans or documents listed here:

2128-00DR-0002
2128-00-DR-0001
2128-00-DR-0050
2128-00-DR-0010
2128-00-DR-0011
2128-00-DR-0012
2128-00-DR-0013
2128-00-DR-0015
2128-00-DR-0016
2128-00-DR-0017
2128-00-DR-0018
2128-00-DR-0020
2128-00-DR-0051
2128-00-DR-0052
2128-00-DR-0108
2128-00-DR-0109
2128-00-DR-0110
2128-00-DR-0111
2128-00-DR-0112
2128-00-DR-0113
2128-00-DR-0114
2128-00-DR-0115
2128-00-DR-0116
2128-00-DR-0117
2128-00-DR-0401
2128-00-DR-0402
2128-00-DR-0403
2128-00-DR-0604
2128-00-DR-0602
2128-00-DR-0001
2128-00-DR-0603

2128-00-DR-1400
2128-00-DR-1401
2128-00-DR-1402
2128-00-DR-1403
2128-00-SA-0016 p02
2128-00DR-0601 rev D09
212-00dr-0412-DO6
212-00-DR-0117-D03
2128-00-GR-00-D39

at **Manor Park Works, Manor Park Road, London, NW10 4JJ**

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: 05/09/2017

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
The London Plan Consolidated with alterations since 2011
3.3 Increasing Housing Supply
3.5 Quality and design of housing developments
5.3 Sustainable Design and Construction
7.4 Local Character
7.5 Public Realm
7.6 Architecture
Mayor's Housing Supplementary Planning Guidance
Brent Core Strategy – July 2010
CP2 – Population and Housing Growth
CP17 – Protecting & Enhancing the Suburban Character of Brent
CP21 – A Balanced Housing Stock
Brent DMP 2016
DMP1 – General Development Management Policy
DMP7- Archeaological Priority Area
DMP12 – Parking
DMP18 – Dwelling Size and Residential Outbuildings
Supplementary Planning Guides
SPG17 – Design Guide for New Development

- 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):
2128-00DR-0002
2128-00-DR-0001
2128-00-DR-0050
2128-00-DR-0010
2128-00-DR-0011
2128-00-DR-0012
2128-00-DR-0013
2128-00-DR-0015
2128-00-DR-0016
2128-00-DR-0017
2128-00-DR-0018
2128-00-DR-0020
2128-00-DR-0051
2128-00-DR-0052
2128-00-DR-0108
2128-00-DR-0109
2128-00-DR-0110
2128-00-DR-0111
2128-00-DR-0112
2128-00-DR-0113
2128-00-DR-0114
2128-00-DR-0115
2128-00-DR-0116
2128-00-DR-0117

2128-00-DR-0401
2128-00-DR-0402
2128-00-DR-0403
2128-00-DR-0604
2128-00-DR-0602
2128-00-DR-0001
2128-00-DR-0603
2128-00-DR-1400
2128-00-DR-1401
2128-00-DR-1402
2128-00-DR-1403
2128-00-SA-0016 p02
2128-00DR-0601 rev D09
212-00dr-0412-DO6
212-00-DR-0117-D03
2128-00-GR-00-D39

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

3 WATER EFFICIENCY

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

Reason: In order to ensure a sustainable development

4 REQUIREMENT TO PROVIDE REFUSE AND RECYCLING, CYCLING AND DISABLED PARKING

The refuse and recycling storage, cycle storage and disabled parking bays as shown on the approved plans shall be provided prior to the occupation of the development and shall be retained for the lifetime of the development.

Reason: to ensure adequate provision is made for these matters in the interests of amenity, sustainable transportation and disabled parking requirements.

5 MEANS OF ENCLOSURE - FURTHER DETAILS

Details of all fencing, walls, gateways and means of enclosure shall be submitted to and approved in writing by the Local Planning Authority before the development hereby approved is completed and the work shall be carried out prior to occupation, in accordance with the details so approved, and the fencing, walls, gateways and means of enclosure shall thereafter be retained at the height and position as approved.

Reason: in the interests of the visual amenity and character of the locality.

6 LANDSCAPE WORKS - FURTHER DETAILS

Notwithstanding any details of landscape works referred to on the approved plans, a detailed scheme for the landscape works and treatment of the surroundings of the proposed development (including species, plant sizes, locations and planting densities and existing trees to be retained and/or replaced if removed) shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the superstructure (not including any demolition, groundworks or formation of the basement). Any approved planting, turfing or seeding included in such details shall be completed in strict accordance with the approved details prior to the occupation of any part of the development, or in accordance with a programme agreed in writing with the Local Planning Authority.

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

Reason: To ensure a satisfactory standard of appearance and setting for the development and 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 to provide tree planting in pursuance of section 197 of the Town and Country Planning Act 1990.

7 ACCESSIBILITY

Not less than 10% of residential units shall be constructed to wheelchair accessible requirements (Building Regulations M4(3)) or meet easily accessible/adaptable standards (Building Regulations M4(2)).

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

8 LIGHTING - FURTHER DETAILS

Details of all external lighting shall be submitted to and approved in writing by the Local Planning Authority prior to construction of the superstructure (not including demolition, groundworks and formation of the basement). The approved details shall be fully implemented prior to first occupation of any of the development and retained as such thereafter.

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

9 MATERIALS - FURTHER DETAILS

Details of materials for all external work, including samples to be provided on site for inspection and/or manufacturer's literature, 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.

10 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.

11 AIR QUALITY - SUBMIT AIR QUALITY NEUTRAL ASSESSMENT

No development shall take place unless an Air Quality Neutral Assessment ("the Assessment") has been submitted to and approved in writing by the Local Planning Authority. The Assessment must be undertaken in accordance with guidance published by the Greater London Authority (GLA) and shall include appropriate mitigation proposals should it be found that the development is not air quality neutral. The development shall be carried out in accordance with the Assessment and any approved mitigation measures shall be implemented prior to the occupation of the development and shall be retained for the lifetime of the development.

Reason: to protect local air quality in accordance with London Plan policy 7.14

12 CONTAMINATED LAND

(a) Prior to 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, 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 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 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.
- 3 The applicant is advised to ensure that the submitted Fire Strategy is implemented in consultation with the London Fire Brigade
- 4 The quality of imported soil must be verified by means of in-situ soil sampling and analysis. We do not accept soil quality certificates from the soil supplier as proof of soil quality.

- 5 Given the age of the building to be demolished it is possible that asbestos may be present. The applicant should be reminded of their duties under the Control of Asbestos Regulations and must ensure that a qualified asbestos contractor is employed to remove all asbestos and asbestos-containing materials and arrange for the appropriate disposal of such materials.

6 **AIR QUALITY**

The applicant is advised that the Environmental Act 1995, Clean Air Act 1993, the Health and Safety at Work Act 1974 etc, the Environmental Protection Act 1990 all control air quality and that the EPA 1990 controls dust under the 'statutory nuisance' provisions. The contractor should: (i) take all necessary measures to avoid creating a dust nuisance during both demolition and construction works including excavations; (ii) not burn any materials on the site; (iii) avoid the occurrence of emissions or fumes from the site including from plant and ensure off-road vehicles (e.g. bulldozers, excavators etc) with compression ignition engines comply with emission standards set in EC Directive 97/68/EC, meeting Stage II limits where possible and run on low sulphur diesel; (iv) ensure on-road vehicle emissions are in line with the provisions of the Road Vehicles (Construction and Use) Regulations (as amended) and the Motor Vehicles (Type Approval) (Great Britain) Regulations made under the Road Traffic Act 1988 and the EURO standards.

7 **VIBRATION**

The applicant is advised to adhere to the following guidance in respect of vibration to ensure measures are taken to protect the residents and users of buildings close by and passers-by from nuisance or harm and protect buildings from physical damage: (i) human exposure: the contractor should refer to BS5228:1992 Part 4 'Code of Practice for Noise and Vibration Control Applicable to Piling Operations' for guidance; and (ii) protection of structures: the contractor should carry out demolition and construction activities in such a way that vibrations arising will not cause significant damage to adjacent structures and should refer to BS7385 'Evaluation and Measurement of Vibration in Building - Part 2 Guide to Damage Levels from Groundborne Vibration' for guidance.

8 **HIGHWAYS**

The applicant is advised that the Highways Act 1980 (particularly Part IX) sets out requirements relating to construction work on or near the highway. Key requirements of the 1980 Act include: (i) permission by formal agreement from the Highway Authority (London Borough of Brent except for the North Circular Road) is required for any works to highways; (ii) licences are required for permission to place temporary obstructions on the highway (e.g. hoardings, fenced storage areas, temporary cross-overs, scaffolding, gantries and skips); (iii) deposition of mud or other such materials on the highway is prohibited. Measures to prevent this (e.g. wheel washing) can be required by order; (iv) surface drainage from a construction site must not be allowed to run across the footway part of a public highway; (v) the contractor is responsible for any damage caused by their activities to roads, kerbs or footpaths in the vicinity of the work site; (vi) any street furniture (electrical or non-electrical) cannot be removed or relocated by the developer or any of its contractors. This may only be carried out by the Highway Authority or its appointed contractor.

The applicant is also advised of their responsibility to apply to the Council for parking bay suspension:

www.brent.gov.uk/services-for-residents/parking/suspending-a-parking-bay-and-dispensations

9 **LICENCES**

The applicant is advised that some aspects of construction are subject to licences. For example, the developer/contractor will be required to obtain licences from the Local Authority before: (i) erecting any scaffolding, hoardings, ganty, temporary crossing or fence on the highway; (ii) depositing a skip; or (iii) operating a mobile crane, aerial platform, concrete pump lorry or any such equipment. The contractor has a duty to inform local residents likely to be affected by such activities at least 14 days prior to undertaking the works, as well as applying for the appropriate permits and licences. The most suitable method of informing residents is through newsletters. Such newsletters should also update neighbours on site progress and projected activities that might cause loss of amenity, e.g. road closures for delivery or use of mobile cranes or abnormal deliveries to the site.

10 NOISE

The applicant is advised that noise and vibration is controlled by the Control of Pollution Act 1974 and statutory nuisance provisions contained within the Environmental Protection Act 1990 and the British Standard Codes of practice 5228:1997 Parts 1 to 4. Key issues relating to noise from construction sites include: (i) prior consent may be sought from the Council relating to noise from construction activities (s.61 of COPA 1974); (ii) if no prior consent is sought, the Authority may serve a notice on the site/works, setting conditions of permitted work (s.60 of COPA 1974); (iii) an action in statutory nuisance can be brought by a member of the public even if the works are being carried out in accordance with a prior approval or notice (s.82 of the EPA 1990). In particular, the normal hours of work shall be between the following hours:

Monday to Friday - 08.00 to 18.30

Saturdays – 08.00 to 13.00

Sundays and Bank Holidays – No noisy works at all

No work or ancillary operations, which are audible at the site boundary, will be permitted outside these hours unless fully justified and any such works shall be kept to an absolute minimum.

11 STRUCTURAL INTEGRITY

The applicant is advised that Building Regulations control these works and compliance is required when converting an existing basement to habitable use, excavating a new basement or extending an existing basement. Building Regulations control matters such as structure, fire safety, ventilation, drainage, waterproofing, insulation, sound proofing, heating systems and access.

For the avoidance of doubt, the granting of planning permission does not provide any warranty against damage of adjoining or nearby properties, and the responsibility and any liability for the safe development of the site rests with the developer and/or landowner.

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