

# COMMITTEE REPORT

Planning Committee on  
Item No  
Case Number

17 January, 2018  
03  
17/3717

## SITE INFORMATION

RECEIVED	25 August, 2017
WARD	Northwick Park
PLANNING AREA	Brent Connects Wembley
LOCATION	79-83 ODDS, Kenton Road, Harrow, HA3 0AH
PROPOSAL	Demolition of existing dwellinghouse and erection of a part three part four storey building comprising 39 self-contained flats (27 X 1bed, 8 x 2bed and 4 x 3bed) with associated basement car and cycle parking spaces accessed via new crossover off Rushout Avenue, bin stores, fencing and landscaping
APPLICANT	Sunline Developments Ltd
CONTACT	Bell Cornwell LLP
PLAN NO'S	See condition 2
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><b><u>When viewing this on an Electronic Device</u></b></p> <p>Please click on the link below to view <b>ALL</b> document associated to case <a href="https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_135979">https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_135979</a></p> <p><b><u>When viewing this as a Hard Copy .</u></b></p> <p><b>Please use the following steps</b></p> <ol style="list-style-type: none"><li>1. Please go to <a href="https://pa.brent.gov.uk">pa.brent.gov.uk</a></li><li>2. Select Planning and conduct a search tying "17/3717" (i.e. Case Reference) into the search Box</li><li>3. Click on "View Documents" tab</li></ol>

## RECOMMENDATIONS

**RECOMMENDATION** Resolve to grant planning permission subject to conditions and the completion of a satisfactory Section 106 or other legal agreement and referral to the Mayor.

### Section 106 Heads of Terms

1. Payment of legal and professional costs
2. Notification of material start 28 days prior to commencement
3. Securing 4 affordable housing units as intermediate units together with post implementation review.
4. Contribution towards a local carbon off-setting scheme to achieve the London Plan targets for carbon reduction, should those targets not be met through on-site measures.
5. Training and Employment
6. 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. 3 year permission
2. Approved Plan
3. Provision of amenity space
4. 10% Disabled Parking
5. Air Quality Impact Assessment
6. Car Parking Layout
7. Television Aerial and Satellite System
8. Water Consumption
9. Considerate Contractors
10. Construction and Demolition Environmental Management / Logistics Plan
11. Air Quality Neutral Assessment
12. Lighting
13. Play Provision
14. Landscaping
15. Electric Vehicle Charging
16. Cycle Parking
17. Materials
18. Refuse Storage
19. Screens to Balconies
20. Security Gate
21. Tree Protection
22. Deliveries and Servicing Management Plan
23. Sedum Roof Details
24. Noise Insulation
25. PV Panels
26. Gradient of access ramp
27. Travel Plan
28. Details of noise in relation to air conditioning etc
29. SUDS
30. Crossover

### Informatives:

1. CIL Liable approval
2. Party Wall
3. Asbestos
4. Crossover contact
5. Trees contact
6. Repair damage to highway
7. Fire safety

- 8. Living wage
- 9. Noisy works

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 3 months of the committee date 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.

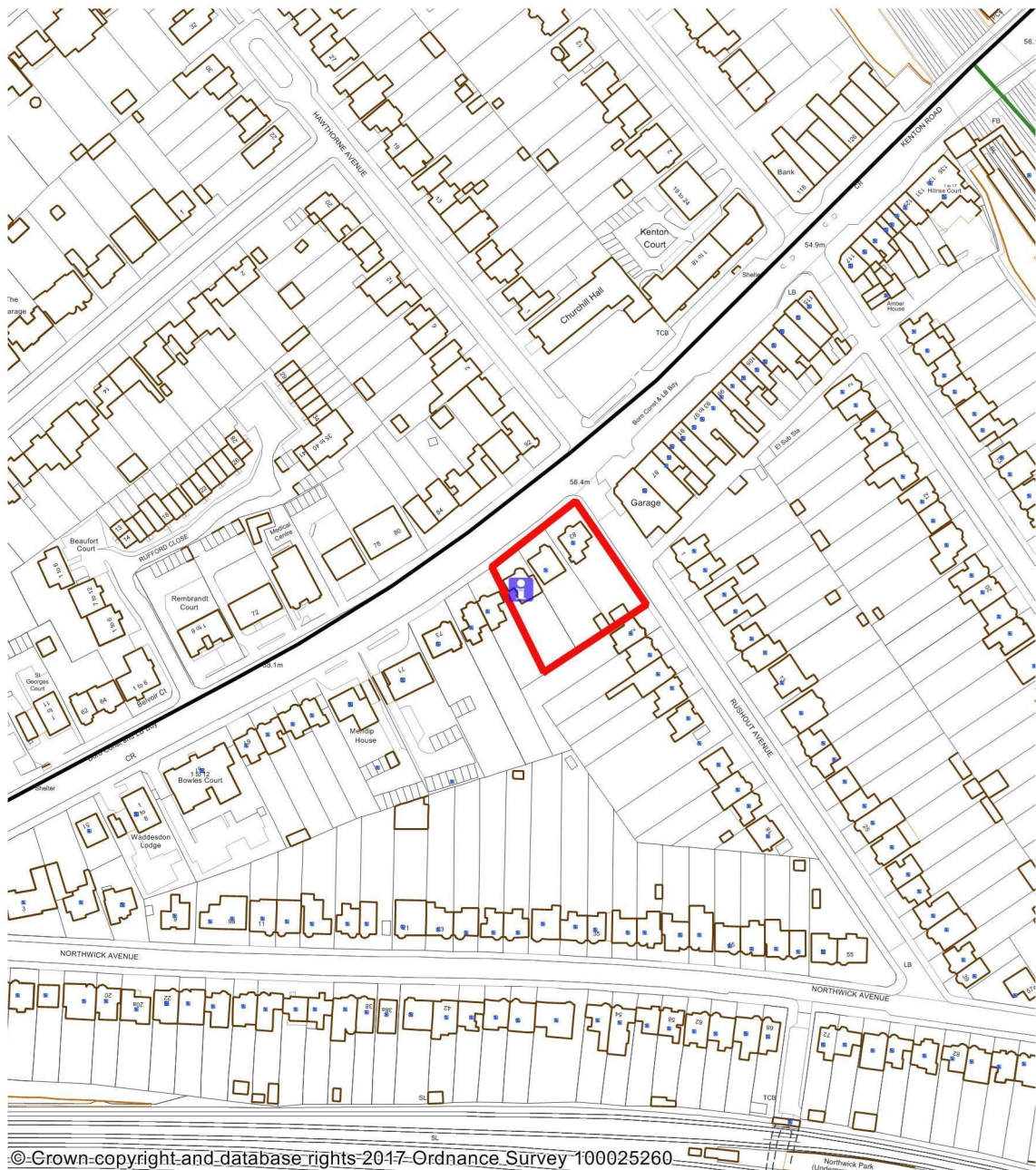
## SITE MAP



### Planning Committee Map

Site address: 79-83 ODDS, Kenton Road, Harrow, HA3 0AH

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This map is indicative only.

## PROPOSAL IN DETAIL

Demolition of existing dwellinghouse and erection of a part three part four storey building comprising 39 self-contained flats (27 X 1bed, 8 x 2bed and 4 x 3bed) with associated basement car and cycle parking spaces accessed via new crossover off Rushout Avenue, bin stores, fencing and landscaping.

## EXISTING

The application site comprises of 3 two storey dwellings located along Kenton Road (known as 79 to 83 Kenton Road). The site also wraps around the corner with Rushout Avenue. The surrounding area is mixed, with commercial premises containing residential accommodation on the upper floors located to the east of the site. The majority of properties north, east and south of the site are predominantly residential in nature.

The opposite side of Kenton Road lies within the London Borough of Harrow.

## AMENDMENTS SINCE SUBMISSION

The following amendments were made during the course of the application:

- Alterations were made in relation to the positioning of the entrance to the proposed basement parking. As a result of this additional amenity space was provided to the rear of the proposed development.
- Minor alterations to the balconies at the rear of the site.

## SUMMARY OF KEY ISSUES

The key planning issues for Members to consider are set out below. Objections have been received regarding some of these matters. Members will need to balance all of the planning issues and the objectives of relevant planning policies when making a decision on the application:

**Principle of development:** The site contains existing residential properties, and is located within a predominantly residential area. It proposes a redevelopment of the site that delivers a range of new private and affordable homes. As such the principle of development is considered acceptable.

**Design and appearance:** The new building utilises good architecture with quality detailing and materials in order to maximise the sites potential whilst respecting surrounding development. It is considered to be of an appropriate scale for its context.

**Transport Impacts of the proposal:** The site has very good access to public transport (PTAL of 5) and the 39 flats would have a maximum parking standard of 31 spaces. The provision of 30 spaces is only marginally below the maximum permissible and is considered sufficient to meet operational minimum levels to mitigate the risk of overspill parking. Access and refuse storage proposals are considered to be acceptable, and the proposal is not considered likely to materially impact the levels of congestion on the local highway network.

**Quality of the proposed residential accommodation:** The scheme provides a good standard of accommodation and sufficient external amenity space, meeting or exceeding relevant standards..

**Impact on adjoining residents:** The proposal is considered to be of an appropriate scale and sited in a manner that does not have an unduly detrimental impact on the amenity of neighbouring occupiers, according with the Council's guidance (SPG 17 and draft SPD1).

## MONITORING

The table(s) below indicate the existing and proposed uses at the site and their respective floorspace and a breakdown of any dwellings proposed at the site.

### Floorspace Breakdown

Primary Use	Existing	Retained	Lost	New	Net Gain (sqm)
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### **Monitoring Residential Breakdown**

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
EXISTING ( Houses )				3						3
EXISTING ( Flats û Market )										
PROPOSED ( Houses )										
PROPOSED ( Flats û Market )	27	8	4							39

### **RELEVANT SITE HISTORY**

No relevant planning history

### **CONSULTATIONS**

#### **Consultation**

Press Notice published on 21/09/2017

Site Notice displayed on 13/09/2017

The owner/occupier of 127 properties within the vicinity of the site were notified of the application 11/09/2017.

17 objections were received.

Summary of Objections: \_

Grounds for objector	Response
Traffic concerns with regards to Rushout Avenue including ability for buses to travel down road	There are on street parking restrictions directly outside the site on Rushout Avenue. The application is supported by a Transport Statement that has considered the proposed predicted vehicular movements associated with the development. This has been reviewed by both Brent's Highways Team and the TFL, and no objections have been raised. This is discussed further within paragraphs 40 to 42 within the remarks section below.
Access to new development will affect safety along Rushout Avenue and the service road behind the shops on Kenton Road	The location of the new access is considered acceptable by Brent's Highways Team. This is discussed within paragraph 36 of the remarks section below.
Proposal not in keeping with the area	The principle of development, layout, design and scale has been considered within the remarks section below (paragraphs 1 and 2, and 8 to 15). The proposal is considered to be in keeping with the area.
Impact of overspill parking on Rushout Avenue	The proposal includes 30 car parking spaces within a basement car park, and therefore meets the Council's parking standards. Therefore there are no concerns regarding overspill parking that could lead to a detrimental impact on the local highway. Further details are set out within paragraph 35 of the remarks section below.
Result in overlooking	The impact on the proposal regarding overlooking to neighbouring properties has been considered within paragraphs 25 and 26 of the remarks section below.

Loss of trees to the rear	The Landscape Officer had no objections with the removal of the trees to the rear. The landscape condition will secure the replacement of trees within the communal garden. The street tree on Rushout Avenue will be protected during the construction works.
Loss of rear garden space to the rear of the site	Amendments were received during the course of the application to include additional garden space to the rear. The overall amount of external amenity space for the scheme is considered acceptable.
The proposed development would have a negative impact on the refuse collection service	The Collection Department had no objections and were satisfied with the location of the refuse area on Kenton Road.
Introduction of basement will impact foundations of surrounding properties	This is not a material planning consideration and is an issue resolved via the Party Wall Agreement
Construction traffic and work will cause disruption to neighbouring residents and will be unsafe for children coming to and from school	A construction management plan will be secured as a condition to any forthcoming consent.
Proposal not in line with Council's current planning policy in relation to housing/ loss of family housing	The scheme proposing 4 family sized units (three bedrooms or more), which is considered sufficient replacement to the loss of the three houses.
Lack of green space for children as garden space taken over by new development	Informal play facilities will be provided within the communal garden, in accordance with London Plan requirements.
Balconies appear to protrude over the public highway, and would be an eye sore to as a result of washing, Bicycles etc being stored on them	The whole development including the balconies will be sited within the application site. Details of the materials of the balconies will be secured as a condition.
Loss of sunlight to properties on Rushout Avenue	A daylight and sunlight assessment has been submitted to demonstrate that the proposal will not adversely impact on sunlight to the properties on Rushout Avenue. Likewise the development sits within 45 degree line when viewed from neighbouring gardens – see paragraphs 27 to 29 within the remarks section below.
Car headlights will cause glare into the neighbouring property opposite.	The access arrangements opposite a residential property together with the width of Rushout Avenue is a typical arrangement seen within the Borough. It is not considered that glare into the neighbouring living room is material harmful to their amenity.
Loss of view	This is not a material planning consideration
Need to restrict hours of noisy works	This matter is covered through environmental health legislation. An informative is recommended to remind the applicant of the restrictions.
No affordable housing proposed	The scheme proposes 4 shared ownership units. Further details are set out within paragraphs 4 to 7 within the remarks section below.
Lack of consultation	<p>The consultation has been carried out in accordance with statutory requirements. This includes a site notice and press notice. In addition the properties adjoining the application site, together with a number of other properties on Kenton Road, Rushout Avenue and Northwick Avenue were consulted by letter.</p> <p>The Council received 17 responses from a number of properties on Rushout Avenue and Kenton Road.</p>
Council refused other scheme at 10 Rushout Avenue, and objected to a scheme within Harrow (Churchill Hall site)	Each application is assessed on its individual merits having regard to the development plan and supplementary planning guidance in place. This scheme has been assessed in accordance with Brent's current development plan, and supplementary planning guidance. It is considered to comply with policy, for the

	reasons as set out below within the remarks section.
Inaccuracies with daylight/sunlight assessment	<p>The daylight and sunlight assessment has been updated to assess the impact on Nos. 77, 88, 90 and 85 Kenton Road, together with Nos 1 and 3 Rushout Avenue. No. 2 Rushout Avenue has been excluded from the assessment as it is located to the south of the application site and is therefore not considered to be affected by the proposal.</p> <p>It is noted that the original daylight and sunlight report made reference to the incorrect site, but as this is a supporting document to the planning application and that the scheme fully complies with SPG17 with regards to 45 degree line, it was not considered necessary to re-consult on this supporting document.</p>

Three objections were received from the Northwick Ward Councillors on the following grounds:

- Size of the development
- Problems with access from Rushout Avenue that already has issues with volume of buses travelling down the road.

### **Internal Consultees**

Environmental Health Officer provided the following: \_

No objections were outlined. The Officer recommended that conditions should be included associated with noise levels, sound, vibration, ventilation, working hours and noise from generators.

Principle Engineer:

The Principle Engineer was satisfied with the information provided within the Flood Risk Assessment and drainage details provided during the course of the application.

### **External Consultation**

Harrow Council: \_

Had no objections.

Transport for London

No in principle objections raised, but suggested that parking levels were reduced on site together with a restriction on parking permits. The cycle parking provision was considered acceptable. Conditions are recommended relating to electric vehicle charging points, Travel Plan, Delivery & Servicing Plan (DSP) and Construction Logistics Plan (CLP).

In response to the concerns regarding the overprovision of parking your officers can advise that the introduction of a restriction on parking permits cannot be applied as the site is not within a Controlled Parking Zone (CPZ) and therefore a 'permit free' agreement cannot be enforced. Additional pressure for on-street parking on these residential streets would not be supported and would be likely to result in obstructive and dangerous parking behaviour on the surrounding streets and on the main distributor road. The parking standard is within London Plan allowances and is already reduced to reflect the good access to public transport and therefore the proposed 30 spaces are considered appropriate to satisfy standards and ease concerns of overspill parking on the Highway.

## **POLICY CONSIDERATIONS**



The following policies are considered to be relevant to the assessment of this application:

### **National Planning policy Framework 2012**

Paragraph 60

### **London Plan 2016**

- Policy 3.3 - Increasing housing supply
- Policy 3.4 - Optimising housing potential
- Policy 3.5 - Quality and design of housing developments
- Policy 3.6 - Children and young people's play and informal recreation facilities
- Policy 3.10 - Definition of affordable housing
- Policy 3.11 - Affordable housing targets
- Policy 5.1 - Climate change mitigation
- Policy 5.2 - Minimising carbon dioxide emissions
- Policy 5.13 - Sustainable drainage
- Policy 6.9 - Cycling
- Policy 6.10 - Walking

### **Brent's Core Strategy 2010**

- CP 1 - Spatial Development Strategy
- CP 2 - Population and Housing Growth
- CP 5 - Placemaking
- CP 6 - Design & Density in Place Shaping
- CP 17 - Protecting and Enhancing the Suburban Character of Brent
- CP 19 - Brent Strategic Climate Change Mitigation and Adaptation Measures
- CP 21 - A Balanced Housing Stock

### **Brent's Development Management Policy 2016**

- DMP1 Development Management General Policy
- DMP 11 Forming an Access on to a Road
- DMP12 Parking
- DMP15 Affordable Housing
- DMP 16 Resisting Housing Loss
- DMP18 Dwelling Size and Residential Outbuildings
- DMP 19 Residential Amenity Space

### **Supplementary Planning Guide and other guidance documents**

SPG17 - Residential Design Standards

Emerging Supplementary Planning Document 1 - The drafted document has been through consultation and therefore significant weight should be given on the guidelines outlined within the document  
Technical Housing Standards 2015

Mayors Housing SPG 2016

## **DETAILED CONSIDERATIONS**

### **Principle**

1. Policy CP2 in Brent's Core Strategy seeks the provision of at least 22,000 additional homes to be delivered within the Borough between 2007 and 2026. The application site is previously developed land in existing residential use. It is located within a primarily residential area, but is also close to the edge of Kenton Local Centre and located within an area of very good public transport accessibility (PTAL 5). Residential redevelopment of the site is supported by Policy CP2 of Brent's Core Strategy and by the London Plan Policy 3.3, which supports sensitive renewal of existing residential areas, and Policy 3.4 which seeks to optimise housing input within the relevant density range.

2. As the site is not located within a conservation area nor does it contain any listed buildings, the demolition of the existing dwellinghouses can be supported, subject to the replacement building being of good quality design, and a sufficient amount of family sized units (three bedrooms or more) being provided within the new development. As such, the principle of development of the site for residential purposes can be supported subject to the evaluation of the remainder of the material planning considerations.

## Housing Mix

3. Core Strategy Policy CP21 seeks an appropriate mix of accommodation types and size, and policy CP2 specifies that at least 25% of new housing units should be family sized units having three or more bedrooms. The proposal will result in the demolition of three existing family sized units but the new development will include the provision of four three bedroom units, and thus will replace the loss of these units. However, the overall provision of family sized units within the new development is 10% which is significantly below the target of 25%. Nevertheless, the provision of family sized units would reduce scheme viability and result in a lower level of Affordable Housing and in this instance, on balance, the provision of additional units of affordable homes outweighs the under-provision of family sized homes in this particular instance.

	No. units	% total
1-bed	27	69.2
2-bed	8	20.5
3-bed	4	10.3

## Affordable Housing

4. 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. 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%.
5. The proposal would fall below the target level of 50 % and as such, the application is supported by a Financial Viability Assessment (FVA). This assessment has been reviewed by Council officers and their consultants to establish the maximum level of affordable housing the scheme could deliver. This assessment was carried out on the basis of the proposed 39 residential unit scheme which comprises of a mix between 1, 2 and 3 bedrooms. It was initially proposed that no Affordable Housing would be provided within the scheme. However, following the assessment by the Council, this has been increased to 10 % (4 homes) to be provided as intermediate shared ownership accommodation. While this falls below the Borough wide strategic target of 50% of new homes, it has been demonstrated that this represents the maximum reasonably proportion of Affordable Housing.
6. All of the Affordable Housing would be provided as Intermediate Accommodation. Whilst this does not accord with the Council's target Affordable Mix (70:30 Affordable Rent to Intermediate), the provision of Affordable Rented homes would result in a lower total number of Affordable Homes and the resultant levels are unlikely to be considered to be attractive or viable to Registered Providers of Affordable Homes. It is also recommended that the Section 106 Agreement should also include a post-implementation review mechanism, to be captured through the Section 106 legal agreement.
7. The Affordable Housing proposals therefore represent the provision of the maximum reasonable proportion of Affordable Housing, with a tenure split that reflects the Council's adopted policies.

## Design

8. Under the emerging SPD1 the site would be classified as 'Transitional'. This is applicable for sites in areas of higher public transport accessibility levels (PTAL) where higher density development than existing may be appropriate. It is also noted that this site is located next to Kenton Local Town Centre, and Kenton Road itself is a wide and busy road. Development is required to take appropriate cues from its surrounding area, for example materials. SPD1 also recognises that the scale and height needs to respect the relationship of adjoining areas of established character, in this case Rushout Avenue.

9. The areas to the south and west of the site contain elements of the typical (established) character outlined within SPD1. Good contemporary architecture will be welcomed however emphasis will be placed on established approaches in Brent to amenity standards, such as density, separation and overlooking, etc. These matters are discussed in detail below.

#### *Scale, massing and bulk*

10. The new build would contain an L-shape design fronting Kenton Road and Rushout Avenue. Along the Kenton Road frontage, the building has a maximum width of approximately 34m. Along the Rushout Avenue frontage, the building has a maximum width of 35m. It essentially fills the plot where the three existing semi detached houses are sited, but contains an increased set in from the boundary with No. 77 Kenton Road by 2.3m compared to the existing dwellinghouse at No. 79 Kenton Road, and an increased set back from the pavement on Rushout Avenue than the existing dwellinghouse at No. 83 Kenton Road. The proposed set back of the building from the pavement varies from 4.6m to 5.1m along Rushout Avenue (excluding the projecting balconies on the upper floors). This reflects the depth of the front gardens along Rushout Avenue.
11. The building is proposed with a flat roof. It is three storeys in height next to No. 77 Kenton Road (the height of the building at this point is the same height as the ridge of the existing dwellinghouse at No. 79 Kenton Road) and then steps up to four storeys to reflect the height of the ridge of the roof at 85 Kenton Road. Along the Rushout Avenue frontage, the building is four storeys close to the junction with Kenton Road and then has a stepped design at four storeys and then three storeys next to No. Rushout Avenue. This stepped building height reflects the levels changes across the site, and assists in breaking up the mass of the development when particularly viewed from the eastern flank elevation.
12. The development is located alongside a designated town centre where buildings have comparable heights and massing have long existed. As such on this occasion given design, the varied heights and established design characteristics of Kenton Road, the varied heights of the proposal are acceptable.
13. Main bulk included to the western portion and mirrors built form directly west of the site and along this part of Kenton Road. This is considered acceptable and the stepped design approach to the rear provides a variation to the scale and massing which maintains the varied character of the area. Massing of the development is broken up due to the staggered front building line. The introduction of recessed and projecting windows, details in the brick work and projecting balconies also assist in breaking up the bulk of the building and provide visual interest. Given the proposed building's placement within an area at the confluence of suburban Brent and a denser town centre environment, it is considered that the proposed development is of a scale and massing that can be comfortably accommodated within this location. The proposal is therefore considered to be in keeping with the character and appearance of the surrounding area.
14. The staggered front building line respect the established building lines east and west of the site. The front building line of the three storey element towards the western portion of the development is slightly set back from the north eastern element of the new build. This approach maintains the front building line of the neighbouring properties to the west. The staggered built form to the front elevation respects the transition between the building lines of the dwellings to the west and the commercial buildings to the east. The proposal also maintains the building line of the built form to the east and the south of the site.

#### *Layout and Access*

15. As discussed above the development would occur over three existing plots and is an L shaped building. Two entrances are provided to the development, both on Rushout Avenue. These will contain two central cores, which supports access to 10 units on the ground floor, 11 on the first floor, 11 on the second floor and 7 on the third floor. This ratio falls within the London Plan recommendation of 8 flats maximum per floor per core. The entrance closest to the corner with Kenton Road will contain a ramped access. There is also an entrance on Rushout Avenue to the basement car park, located alongside No. 2 Rushout Avenue. A rear communal garden is proposed within the rear of the site, and private front gardens for the ground floor flats are proposed along both the Kenton Road and Rushout Avenue frontages. A

#### **Quality of proposed accommodation**

16. The proposed residential units would comply with the London Plan and National Space Standards in relation to floorspace and therefore the size of the flats and associated rooms are considered to provide

an acceptable standard of accommodation for future residents.

#### *Outlook and privacy*

17. Almost all primary and sole habitable room windows provide a good level of outlook with no unobstructed outlook from their source. Units 6, 7, 8, 17, 18, 19, 28, 29, 30 and 37 will have single aspect units directed north. The London Plan seeks to avoid north facing units where possible, and where these are proposed to keep them to the minimum. The layout of the building within the site is dictated by its surrounding context, with the accommodation proposed within the building situated within the two road frontages. This results in a long east-west form along the Kenton Road frontage, which necessitates a higher proportion of north facing units. These units would have acceptable accessibility to daylight as there would be no built form directly in the vicinity of these flats. The flats meet floorspace standards and this occasion the north facing units are considered acceptable. The open plan nature of the development would provide living/dining/kitchen spaces which will maximise the available light across the flats.
18. The ground floor units facing Kenton Road and Rushout Avenue would have access to a private garden and these are separate to the communal space to the rear. An approximately 1.2m fence will be included to the front of these gardens and will maintain sufficient outlook and would prevent any potential enclosure with regards to these ground floor units.
19. The units have been designed to not directly overlook one another, so there are no concerns regarding loss of privacy between the units within the scheme. However, given the close relationship between the proposed balconies relative to the each other It is also recommended to add a condition to any consent ensuring that appropriate screening should be included sides of each of the balconies to prevent any harmful overlooking for future occupiers of the proposed flats.

#### *Wheelchair accessible units*

20. The London Plan sought a provision for 10% of accommodation to have disabled access. The entrance to the eastern portion of the development adjacent to Rushout Avenue has wheel chair access. The Design and Access Statement originally submitted with the application outlined that the disabled units would be included within the proposal. However no details are provided within the plans. Your officers therefore recommend that a condition will be included to any consent requiring details of location of the units within scheme and ensuring that a provision of 10% is included. It is also noted that numerous units provided would exceed the London Plan floorspace requirements and therefore there is scope for disabled units to be included within the development.

#### *External Amenity Space*

21. The proposal would provide an amenity area to the rear of the site and this would measure approximately 178sqm. The majority of units will have access to balconies. The ground floor units will have access to private amenity space to the front and the rear ground floor units would have access to small amenity areas measuring between 6sqm and 12sqm. A total of 713sqm of private amenity space will be provided via private gardens, balconies and a shared communal space to the rear. This equates to approx. 18sqm per unit.
22. The proposed balconies will contain depth of approximately 1.5m and it is considered that this space will provide efficient depth for usability. As highlighted above a condition will be added to ensure that details of appropriate screening/boundary treatment is provided between each of these amenity spaces and balconies. Each flat will have access to the rear communal space and 4 of the proposed units will not have access to a private balcony area.
23. Policy DMP19 seeks for new residential units to have 20sqm of private external amenity space per unit. 50sqm is required for family sized units (three bedrooms or more) located on the ground floor. There are two family sized units on the ground floor. One has access to a front garden that is around 90sqm, and the other has access to a balcony that is 10sqm but this also adjoins the communal garden. SPD1 outlines greater flexibility may be allowed in relation to the ratio of private amenity space to communal space, where a greater reliance on communal space is possible. Where the on-site amenity space is of particularly high quality, a reduction in provision may be possible. The overall amenity space provided would amount to approximately 713sqm with approximately 382sqm that would be provided as communal space to the rear of the development. The proposed amenity space provided is considered satisfactory for future occupiers.

24. The London Plan requires children play area for major schemes. In this case, 40sqm is proposed within the communal garden. The Design and Access Statement indicates that it will include a climbing frame, fixed seating/terraced gardens and a lawned area. Further details of the play area should be required via a condition for any future consent.

### **Impact on existing residential amenity**

#### *Privacy*

25. To ensure that there is not a loss of privacy to neighbouring occupiers, SPG17 provides minimum distances between new development and the boundary with adjoining private gardens to ensure that there is not an undue loss of privacy to the existing occupants. SPG17 requires a distance of 10m to be maintained from rear habitable room windows to the boundary with adjoining private gardens. A similar approach is proposed within the emerging SPD1 which also requires a 10m separation distance. In this case, the new development is located over 20m away from the private gardens of No. 2 Rushout Avenue and 77 Kenton Road. As such, it is not considered that these properties will experience a detrimental impact to their amenity as a result of a loss of privacy.
26. Your officers also recommend that a condition is secured to provide a privacy screen to the side elevations of the balconies closest to No. 2 Rushout Avenue and No. 77 Kenton Road, to prevent a loss of privacy.

#### *Overbearing appearance*

27. SPG17 requires a new development to sit within the 45 degree line when measured from the edge of adjoining private gardens (measured at a height of 2m above garden level). This is to ensure that the development is not overbearing from these gardens. The three storey element of the development on Rushout Avenue frontage follows the rear building line of No. 2 Rushout Avenue. The wing of the building on Kenton Road does project beyond the rear building line of 2 Rushout Avenue, however, it sits within 45 degree line. As such, the development is not considered to be overbearing when viewed from No. 2 Rushout Avenue.
28. The three storey element on Kenton Road does project beyond the rear building line of No. 77 Kenton Road by approximately 2.2m. The emerging SPD1 makes reference to the 2:1 rule outlined within SPD2, when assessing this type of relationship. It states that the depth of a rear projection should not exceed half the distance between the middle of the rear habitable room window of the neighbouring occupier to the flank wall of the proposed extension. The depth of extension is restricted to half the distance between the side wall and the middle of the nearest neighbouring habitable room window. The projecting element next to No. 77 would be approximately 7.7m from the middle element of the first floor window positioned at the south eastern portion of the dwelling. This segment of the development would extend approximately 2.2m from the rear elevation of this window and therefore would comply with 1:2 rule. It was also noted from the site visit that No. 77 Kenton Road contained a flank wall window, but this did not appear to serve a single light source to a habitable room. The wing of the building on Rushout Avenue also projects beyond the rear building line of 2 Rushout Avenue. Once again it also sits within 45 degree line. As such, the development is not considered to be overbearing when viewed from No. 77 Kenton Road.

#### *Daylight and Sunlight*

29. Day and Sunlight Report was submitted with the application. The study has been carried out in accordance with established BRE guidance and the British Standard document BS8206 Pt2. The results of these tests have shown that, whilst there will be some reductions in daylight to individual windows, the amount of direct skylight received within each of the neighbouring habitable rooms will remain high and in excess of the BRE criteria. The assessment of sunlight to neighbouring windows has also shown full compliance with the BRE criteria.

### **Landscape Design and Trees**

30. A number of trees will be lost within the site. It is recommended that replacement trees are reprovided within the communal garden. In addition, a Common Lime along the Rushout Avenue frontage will be retained. The Council's Tree Officer satisfied with the information submitted and recommended that a condition should be included with any consent ensuring a detailed methodology be submitted and approved in writing from the Local Authority. A tree protection plan is recommended to be conditioned.

## Highways and Transportation Considerations

31. Kenton Road is a London Distributor Road and on street parking is restrictive due to the street being a London Distributor Road, with waiting restrictions along the site frontage. The street also carries 4 lanes of traffic.
32. Rushout Avenue has parking restrictions at the junction and adjacent to the site however the rest of the street has unrestrictive parking. Rushout Avenue is not defined as heavily parked overnight but does experience heavy commuter parking during the day.
33. Kenton Road and Rushout Avenue are both bus routes.
34. The site has very good access to public transport services (PTAL 5).

### *Car parking*

35. Car parking allowances for residential use are set out in standard appendix 1 of the Development Management Policies and due to the high access to public transport, the parking standards are reduced. Therefore a parking allowance of 0.75 spaces is permitted for a 1-2 bed unit and 1.2 spaces permitted for a 3+ bed unit. This results in a total of 31 spaces for the proposed new 39 flats and this is a significant increase from the existing parking allowance of 3.6 spaces for the existing 3 dwellings. Your officers in Transportation have advised that the proposed 30 spaces do satisfy parking standards, and will ease concerns of overspill parking onto the highway.
36. During the course of the application amendments were received to include more soft landscaping to the rear of the proposed development. A new ramp system was introduced where the original access was positioned. The vehicular access will be from the south-eastern edge of the property boundary onto Rushout Avenue. This is preferred over a vehicular access onto Kenton Road, which is a distributor road. The access ramp width is an approx. 4.6m, which does achieve the 4.1m width plus 300mm margins either side. The gates appear to be set back 6m from the back of the footway, which is acceptable. The crossover will be 4.8m wide which will allow two vehicles to pass one another when accessing / egressing and the 6m hard standing will allow a vehicle to wait on the private demise. The gradient for the straight ramp will be 1:10 over 25m, which is acceptable however, further details are sought on where the ramp meets the Public Highway and that sufficient transition lengths are provided. Such details are recommended to be conditioned to any forthcoming consent.
37. Four of the parking spaces are to be designated for disabled parking, to comply with policy requirements.
38. The London Plan also requires 20% of spaces to be for electric vehicle charging points and a further 20% passive provision, to encourage the uptake of electric vehicles. Such details are recommended to be conditioned to any forthcoming consent.

### *Cycle parking*

39. In line with the London Plan 51 cycle spaces should be provided, with the cycle spaces kept secure and covered. The scheme current proposes 40 cycle spaces within the communal garden and basement car park. Additional details of cycle spaces to achieve a total of 51 spaces is recommended to be secured via a condition.

### *Transport Statement*

40. TRICS data was analysed and used to provide the proposed predicted vehicular movements, which totalled 2 arrivals/7 departures in the am peak hour and 4 arrivals/1 departures in the pm peak hour. Point 5.2 states that existing trip generation has not been provided but assumed that the proposal will result in an increase in trips during the am / pm peak. The sites used from the TRICS database to base these calculations have not been submitted with the appendix for our assessment.
41. Brent's accident statistics which show that a total of 5 accidents have occurred in the last three years ending in December 2016 and of these 5 accidents, 1 was serious. The serious incident occurred with a vehicle turning right onto Kenton Road and into the path of another vehicle, causing a collision. Three of the other accidents involved vehicles moving off from this junction of Rushout Avenue and colliding with vehicles on Kenton Road. Junction improvements / visibility improvements have not been considered

however, the development is less than 50 flats and therefore a full transport assessment is not required. The accident stats analysed are not considered significant and are expected for a London Distributor Road. Line marking should however be refreshed at this junction.

42. 5.14 and 5.15 of the statement states that the developer has not committed to a travel plan as it is not required. Transportation's pre-application comments had requested a Travel Plan to be provided and TfL's comments on this application also state that Travel Plan Statement should be provided to ensure sustainable modes of travel are encouraged. Therefore a condition to provide a Travel Plan Statement is recommended.
43. It is recommended that a Construction Traffic Management plan is conditioned and that this document is approved prior to the commencement of any demolition / construction work on site.
44. In light of the comments provided by the Transport Officer, there are no objections to the proposed development on highway grounds and the recommended conditions should be included to any consent.

### **Refuse**

45. The location of the refuse area is considerable acceptable and would be situated 10m from the Kenton Road. The positioning of the refuse area is considered acceptable however further clarification will be required via condition regarding the management and operation of the bins during collection days. It is noted that the proposed location of the refuse area would be approximately 35m from the units located on the eastern flank elevation of the proposed development. This does not comply with the 30m guidance however on this occasion the excess of 5m is not reasonably reason to refuse the proposed development.

### **Environmental Health**

The Environmental Health Officer raised no objections to the proposed development.

### **Noise**

46. The Officer recommended that all residential premises shall be designed in accordance with BS8233:1999 'Sound insulation and noise reduction for buildings-Code of Practice'.

### **Construction Noise and Dust**

The development is located very close to residential premises. Demolition and construction therefore has the potential to contribute to background air pollution levels and cause nuisance to neighbours.

Construction/refurbishment and demolition works and ancillary operations which are audible at the site boundary shall be carried out only between restricted hours.

### **Flooding and Drainage**

47. A Flood Risk Assessment and drainage details have been provided during the course of the application and the Principle Engineer was satisfied with the details submitted.

### **Sustainability Assessment**

48. 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).
49. The applicant has included an Energy Statement with the proposal. The statement outlines numerous sustainable design and construction methods. It is highlighted that the building would exceed Part L1A building regulations requirements. It is intended to incorporate natural mechanical ventilation system and water consumption will be reduced by using water efficiency measures. A combined heat and power system is proposed within the development and the report submitted illustrates that it is highly energy efficient and will achieve a 60% reduction in carbon emissions. Photovoltaic Panels are also proposed on

the roof of the development which enhances the reduction. These proposed panels will be directed south for more efficiency.

50. The report submitted indicates that the development will result in a 60% reduction in CO2 emission utilising 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.

## Density

51. 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 5 would be appropriate for accommodating 200 - 700 hr/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".
52. The proposal would result in 39 units and 94 habitable rooms across a site that measures a total in 1,783 sqm. This would result in a density of 527 hr/ha or 218 u/ha, which is in accordance within the density matrix.

## Summary

53. 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.
54. 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.

## CIL DETAILS

This application is liable to pay **£953,539.55\*** 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): 587 sq. m.

Total amount of floorspace on completion (G): 3489 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	3489		2902	£200.00	£35.15	£811,005.36	£142,534.19

BCIS figure for year in which the charging schedule took effect (Ic)	224	224
BCIS figure for year in which the planning permission was granted (Ip)	313	
<b>Total chargeable amount</b>	<b>£811,005.36</b>	<b>£142,534.19</b>

\*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: 17/3717

To: Mrs Alexander  
Bell Cornwell LLP  
Oakview House  
Station Road  
Hook  
RG27 9TP

I refer to your application dated **25/08/2017** proposing the following:

Demolition of existing dwellinghouse and erection of a part three part four storey building comprising 39 self-contained flats (27 X 1bed, 8 x 2bed and 4 x 3bed) with associated basement car and cycle parking spaces accessed via new crossover off Rushout Avenue, bin stores, fencing and landscaping

and accompanied by plans or documents listed here:  
See condition 2

at **79-83 ODDS, Kenton Road, Harrow, HA3 0AH**

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: 08/01/2018

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 the:-  
National Planning Policy Framework  
London Plan 2016  
Brent Core Strategy 2010  
Brent Development Management Policies 2016
  
- 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):  
  
A001 Rev 00, A002 Rev 01, A100 Rev 00, A110 Rev 00, A111 Rev 00, A112 Rev 00, A200 Rev 01, A201 Rev 01, A202 Rev 01, A203 Rev 01, A204 Rev 01, A205 Rev 01, A210 Rev 01, A211 Rev 01, A220 Rev 01, A221 Rev 01, A221 Rev 01, A223 Rev 01.  
  
Reason: For the avoidance of doubt and in the interests of proper planning.
  
- 3 Prior to the occupation of the residential units hereby approved the communal and private external amenity spaces shown on the drawings hereby approved shall be provided in accordance with the approved details and made available. They shall be retained as such for the lifetime of the Development.  
  
Reason: To ensure that the residential units are high quality and offer acceptable amenity standards for future residents.
  
- 4 Not less than 10% of residential units shall be constructed to wheelchair accessible requirements (Building Regulations M4(3)), with the intermediate units provided as fully adapted units and the remainder shall meet easily accessible/adaptable standards (Building Regulations M4(2)).  
  
Reason: To ensure suitable facilities for disabled users and to future proof homes.
  
- 5 The scheme shall be constructed in accordance with the mitigation measures described in the approved Air Quality Impact Assessment  
  
Reason: To ensure the safe development and secure occupancy of the site proposed for residential use.
  
- 6 The car parking spaces and accesses shall be laid out and made available prior to the occupation of any part of the development hereby approved and shall thereafter be retained as such for the lifetime of the Development. The car parking spaces shall be maintained as ancillary to the development and shall be used for no other purpose at any time.  
  
Reason: To ensure that the impact of the development on the highways network is appropriate.
  
- 7 A communal television aerial and satellite dish system shall be provided, linking to all residential units unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of the visual appearance of the development in particular and the locality in general.

- 8 The building shall be 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 by minimising water consumption.

- 9 No development shall be carried out until the person or organisation carrying out the works is a member of the Considerate Constructors Scheme and its code of practice, and the details of the membership and contact details are clearly displayed on the site so that they can be easily read by members of the public.

Reason: To limit the impact of construction upon the levels of amenity that neighbouring occupiers should reasonably expect to enjoy.

- 10 Prior to the commencement of the development (including any demolition works) a Construction Method Statement shall be submitted to and agreed by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall include details of:

- i. Measures that will be taken to control dust, noise and other environmental impacts of the development.
- ii. Construction Logistics Management
- iii. Erection and maintenance of security hoarding
- iv. Wheel-washing facilities
- v. Parking of vehicles of site operatives and visitors
- vi. Arrangements for the loading and unloading of plant and materials
- vii. Storage of plant and materials used in constructing the development
- viii. Scheme for recycling/disposing of waste resulting from demolition and construction works

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

- 11 Prior to the commencement of development a scheme an Air Quality Neutral Assessment (including the CHP plant hereby approved) shall be submitted to and approved in writing by the Local Planning Authority. The report must be undertaken in accordance with guidance published by the Greater London Authority (GLA) and submitted to the Local Planning Authority for approval. The assessment shall include mitigation proposals should it be found that the development is not air quality neutral. The approved measures shall thereafter be implemented in full.

Reason: To ensure that the development would not result in a detrimental impact on local air quality.

- 12 Details of the height, type, position, angle and spread of any external lighting shall be submitted to and approved in writing by the Local planning authority prior to first occupation of the development hereby approved. The external lighting shall be erected and maintained in accordance with the approved details to minimise light spillage and glare outside the designated area.

Reason: To protect the amenity of existing and future residents and in the interest of safety and ecology.

- 13 Within 3 months of commencement of development, a site wide children's play space plan shall

be submitted and approved in writing by the Local Planning Authority. Such details shall include:

- (i) the location of the play area and/or equipment
- (ii) details of the equipment / measures to meet the minimum standards for play

The approved equipment / measures shall be installed prior to the occupation of the residential units and retained for the lifetime of the Development.

Reason: To ensure there is sufficient provision of areas and equipment for children's play.

- 14 Notwithstanding any details of landscape works referred to in the submitted application, a scheme for the hard and soft landscape works and treatment of the surroundings of the proposed development (including species, plant sizes and planting densities) shall be submitted to and approved in writing by the Local Planning Authority within 3 months of commencement of development. Such a scheme shall include:-

- (a) all planting and trees including location, species, size, density and number incorporating native species;
- (b) details of the layouts of the publicly accessible spaces;
- (c) areas of all hard landscape works including details of materials and finishes. These shall have a permeable construction and include features to ensure safe use by visually impaired and other users;
- (d) the location of, details of materials and finishes of, all street furniture, drainage and external cycle stands;
- (e) proposed boundary treatments including walls, fencing, retaining walls, divisions between private amenity spaces, indicating materials and height;
- (f) details of defensible space in front of bedrooms serving unit 10 at ground floor level;
- (g) a detailed (minimum 5-year) landscape-management plan showing requirements for the ongoing maintenance of hard and soft landscaping;
- (h) details of all tree planting pits (including surfacing);
- (i) details of the pedestrian access ramp along Rushout Avenue (to include details of materials of surface of ramp, gradient and details of hand rails)

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

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

- 15 Within 3 months of commencement of development, full details of electric vehicle charging points (with 20% to facilitate charging and 20% capable of being upgraded in the future) shall be submitted to and approved in writing by the Local Planning Authority. The spaces shall be provided in accordance with these details prior to the occupation of any part of the development and retained for the lifetime of the Development.

Reason: To encourage sustainable forms of transportation.

- 16 Within 3 months of commencement of development, full details of the cycle spaces shall be submitted to and approved in writing by the Local Planning Authority. Notwithstanding the approved drawings, these details shall show a minimum of 51 spaces across the site. The spaces shall be provided in accordance with these details prior to the occupation of any part of the development and retained for the lifetime of the Development.

Reason: To encourage sustainable forms of transportation.

- 17 Prior to commencement of the development (excluding demolition) details of all exterior materials including samples (which shall be made available for viewing on site or in another location as agreed) and/or manufacturer's literature shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include but not be limited to:

- (i) building envelope materials e.g. bricks, render, cladding;
- (ii) windows, doors and glazing systems including colour samples; and
- (iii) balconies and screens

The works shall be carried out in accordance with the approved details.

Reason: To ensure the appearance of the development is high quality, and in the interest of the privacy of future occupants.

- 18 The refuse areas shown on the drawings hereby approved shall be provided and made available prior to the occupation of the residential units. They shall be maintained as such thereafter.

Reason: To ensure that the residential units are high quality and that the development does not prejudice the enjoyment by neighbouring occupiers of their properties.

- 19 Prior to the commencement of development (including demolition) the tree protection measures shown on drawings 'Arbtech TPP 01' and 'Arbtech AIA 01' shall be enacted and remain in place for the duration of the construction period, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that those trees considered worthy of retention are protected from damage.

- 20 Prior to the occupation of the residential units hereby approved a Deliveries and Servicing Management Plan setting out delivery arrangements shall be submitted to and approved by the Local Planning Authority. The approved details shall be fully implemented upon first occupation of the non-residential units within the development, and maintained thereafter.

Reason: In the interests of providing sufficient servicing facilities on site, and ensuring that the relationship with the highways network and neighbouring properties is acceptable.

- 21 All residential premises shall be designed in accordance with BS8233:2014 'Sound insulation and noise reduction for buildings - Code of Practice' to attain the following internal noise levels:

<u>Time</u>	<u>Area</u>	<u>Maximum noise level</u>
Daytime Noise 07:00 – 23:00	Living rooms	35dB LAeq (16hr)
Night time noise 23:00 – 07:00	Bedrooms	30 dB LAeq (8hr)

Prior to first occupation of the residential units hereby approved a test shall be carried out to show that the required internal noise levels have been met and the results submitted to the Local Planning Authority for approval.

Reason: To obtain required sound insulation and prevent noise nuisance.

- 22 The scheme shall be constructed in accordance with the Sustainable Drainage measures described in the approved Flood Risk Assessment, SuDs & Drainage Strategy Report prepared by Nimbus Engineering Consultants Ltd.

Reason: To reduce the flow of surface water into the drainage system.

- 23 The proposed crossover on Rushout Avenue and any redundant crossovers on Kenton Road and Rushout Avenue shall be carried out at the applicants expense, in compliance with a scheme to be submitted to and approved in writing by the Local Highway Authority, with the works carried out and completed in accordance with these approved prior to first occupation of the development hereby approved.

Reason: In the interests of highway conditions within the vicinity of the site.

- 24 Prior to the occupation of the units hereby approved, and notwithstanding the approved drawings, details of a scheme to prevent overlooking from the balconies hereby approved shall be submitted to and approved by the Local Planning Authority.

Reason: To prevent overlooking between the units hereby approved and to ensure a high quality residential environment.

- 25 Prior to the occupation of the units hereby approved, details of how the vehicle entrance gate to Rushout Avenue shall be controlled and how access will be managed shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that suitable security arrangements are in place for future residents.

- 26 Prior to the occupation of the residential units hereby approved details of the sedum roof shall be submitted to and approved by the Local Planning Authority. This shall include details of species mix, depth and maintenance regime. The approved details shall be fully implemented upon first occupation of the non-residential units within the development, and maintained thereafter.

Reason: In the interests of maximising the sustainability (and in particular the ecological) benefits of the development.

- 27 Details of the roof plan, showing the areas of the proposed photovoltaic panels in accordance with the sustainability measures secured as part of this development, shall be submitted to and approved in writing by the Local Planning Authority, prior to completion of construction work and shall be installed prior to occupation of the development hereby approved.

Reason: To demonstrate these are adequate and suitable to provide the level of carbon offset sought.

- 28 Prior to commencement of works on site (excluding demolition), further details of the gradient of the basement car park access ramp to demonstrate that the gradient is satisfactory when joining the public highway and that sufficient transition lengths are provided, shall be submitted to and approved in writing by the Local Planning Authority. The access ramp shall thereafter be constructed in full accordance with the approved details.

Reason: To ensure safe and adequate access facilities to the basement car park.

- 29 Within 3 months of first occupation of the development, a Residential Travel Plan shall be submitted to and approved in writing to the Local Planning Authority. This shall demonstrate the Travel Plan is of sufficient quality to score a PASS when assessed under Transport for London's ATTrBuTE programme (or any replacement thereof), to incorporate targets for minimising car use, monitoring of those targets and associated measures to meet those targets. The approved Travel Plan shall be fully implemented for the lifetime of the Development, or as amended by

the agreement of the Local Planning Authority in writing.

Reason: In order to promote sustainable transport measures where on-street parking and manoeuvring may cause highway safety problems.

- 30 Prior to first occupation of the units hereby approved, an assessment of the noise level from any installed plant (such as air handling units, generators, ventilation/extraction systems) together with any associated ducting, achieving 10 dB(A) or greater below the measured background noise level at the nearest noise sensitive premises, shall be undertaken and submitted to the Local Planning Authority for approval. The method of assessment shall be carried out in accordance with BS4142:1997 'Rating industrial noise affecting mixed residential and industrial areas'. If the predicted noise levels of the plant exceed those specified within this condition, then a scheme of insulation works to mitigate the noise shall be included. The recommendations provided within the noise assessment together with any required mitigation measures shall be carried out in full accordance with the approved details prior to first use of the plant equipment hereby approved.

Reason: To protect that users of the surrounding area do not suffer a loss of amenity by reason of noise nuisance.

## 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](http://www.brent.gov.uk/CIL).
- 2 The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website [www.communities.gov.uk](http://www.communities.gov.uk)
- 3 Given the age of the buildings to be demolished it is possible that asbestos may be present. The applicant is 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.
- 4 In relation to condition 30, the applicant is advised to contact the Council's Highways and Infrastructure Service on 020 8937 5121 to make arrangements for the crossover works to be carried out.
- 5 In relation to condition 21, the applicant is advised to contact the Council's Tree Officer, Lawrence Usherwood. The contact details are [lawrence.usherwood@brent.gov.uk](mailto:lawrence.usherwood@brent.gov.uk) or on 020 8937 5247.
- 6 The applicant is advised to notify the Council's Highways and Infrastructure Service of the intention to commence works prior to commencement and include photographs showing the condition of highway along the site boundaries. The Highways and Infrastructure Service will require that any damage to the adopted highway associated with the works is made good at the expense of the developer.
- 7 The Council recommends that the maximum standards for fire safety are achieved within the development.
- 8 Brent Council supports the payment of the London Living Wage to all employees within the



Borough. The developer, constructor and end occupiers of the building are strongly encouraged to pay the London Living Wage to all employees associated with the construction and end use of development.

- 9 Construction/refurbishment and demolition works and ancillary operations which are audible at the site boundary shall be carried only between the hours of:

Monday to Fridays 08:00 to 18:00  
Saturday 08:00 to 13:00  
At no time on Sundays or Bank Holidays

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