

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

17 January, 2018
05
17/4151

SITE INFORMATION

RECEIVED	26 September, 2017
WARD	Fryent
PLANNING AREA	
LOCATION	Land adjacent to Hindhurst Court and Hartgrove Court, Hay Lane , London NW9 0NJ
PROPOSAL	Demolition of existing garages and erection of a three storey building to provide three self-contained flats (1x 1bed and 2x 2bed) with associated alterations including provision for car parking spaces, bicycle stores, bin stores, amenity space and soft and hard landscaping
APPLICANT	Brent Council
CONTACT	JLL
PLAN NO'S	Refer to condition 2.
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_136456</p> <p><u>When viewing this as an Hard Copy _</u></p> <p>Please use the following steps</p> <ol style="list-style-type: none">1. Please go to pa.brent.gov.uk2. Select Planning and conduct a search tying "17/4151" (i.e. Case Reference) into the search Box3. Click on "View Documents" tab

RECOMMENDATIONS

RECOMMENDATION Resolve to grant planning permission subject to conditions.

That the Head of Planning is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

Conditions

1. Time Limit for commencement
2. Approved drawings/documents
3. Flats to be for affordable rent
4. Parking, bin storage and cycle parking to be provided prior to occupation
5. Tree protection plan to be adhered to throughout construction
6. Details of materials to be submitted
7. Defensible screening details to be submitted
8. Landscaping details (inclusive of revised tree species) to be submitted
9. Details of pedestrian access to be submitted
10. Internal Noise levels details to be submitted
11. Contaminated land desktop study to be submitted
12. Site investigation to be submitted if necessary
13. Remediation works to be carried out and submitted if necessary

Informatives

1. Asbestos
2. CIL Liable
3. Party Wall
4. Building near boundary
5. Tree Officer contact
6. Notify highways before works commence
7. Fire Safety
8. Living Wage

That the Head of Planning is delegated authority to make changes to the wording of the committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the committee nor that such change(s) could reasonably have led to a different decision having been reached by the committee.

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

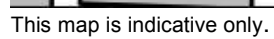
SITE MAP



Planning Committee Map

Site address: Land adjacent to Hindhurst Court and Hartgrove Court, Hay Lane ,
London NW9 0NJ

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EXISTING

The site has an overall area of 0.2 hectares which includes 11 existing garages, associated hardstanding and a small tract of green space.

The site comprises two car parking areas, one to the north of Hindhurst Court and east of Hartgrove Court, accessed from Hay Lane and one to the north of Hartgrove Court, accessed from Elmwood Crescent. The former car parking area contains 11 garages immediately to the east of Hartgrove Court. The applicant's planning statement confirms that 7 of the existing garages are currently vacant and 4 are in use. The site borders with communal garden areas of Hindhurst and Hartgrove Courts to the west and the rear of residential suburban gardens along Elmwood Crescent, Grove Crescent and Hay Lane to the north and east.

The site itself is not within a conservation area nor does it contain a listed building. Surrounding uses are residential.

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 use: Residential dwellings are proposed in a residential area. The proposed use is considered acceptable.

Design: The design of the building is considered to be acceptable and the height and massing is in keeping with the local context.

Quality of the resulting residential accommodation: The residential accommodation proposed is of sufficiently high quality and meets all relevant policy and guidance in respect of outlook, floorspace and amenity.

Neighbouring amenity: There would be no significant losses of light and outlook to neighbouring properties as the proposal complies with amenity impact guidance as laid out in SPG17 and draft SPD1.

Highways and transportation: The provision of parking and cycle storage and refuse storage are considered to be suitable. Conditions will require details of a dedicated pedestrian access to be provided.

Trees, landscaping and ecology: Some arboriculture is to be lost although new trees are to be planted to mitigate the loss. Landscaping improvements are proposed for the existing communal garden between Hindhurst and Hargrove Courts

MONITORING

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

Floorspace Breakdown

Primary Use	Existing	Retained	Lost	New	Net Gain (sqm)
Dwelling houses	0		0	242	242
Sui generis	64	0	64	0	-64

Monitoring Residential Breakdown

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

RELEVANT SITE HISTORY

This site has no planning history.

CONSULTATIONS

80 nearby properties were consulted regarding the proposal for a minimum of 21 days on 10/10/2017 and again on 27/11/2017 following the restarting of the application as a revised location plan was submitted.

During the consultation periods, five representations were received, three objecting to the proposal, one supporting the proposal and one taking a neutral stance on the proposal. The comments raised are summarised as follows:

Grounds of Support	Discussion/Paragraph No.
Getting rid of the garages is a good idea as the space the garages take up is wasted and would be better used to house people, even if my household would lose some of its view.	Weighing up all material planning considerations, officers consider that the proposal accords with adopted policy and guidance.
Grounds of Objection	Discussion/Paragraph No.
Emergency services would lose one of two access points to Hartgrove Court, with access restricted to Elmwood Crescent only, which could obstruct access for fire engines if cars are parked on both sides of the road.	Both the car parks serving Hindhurst Court and Hartgrove Court will remain accessible to emergency service response vehicles – the applicants have provided vehicle movement tracking diagrams to confirm this.
Hartgrove Court residents will lose a frequently used pedestrian entry point to their block.	Permeability through the site around Hindhurst and Hartgrove Court will be lessened to a degree, however there are still alternative and convenient means of access between all entrances and car parks, such as around the western side of Hartgrove Court.
The proposed flats require relocation of the main refuse disposal facilities currently receiving heavy use by existing residents. The proposed new location for refuse is located un-hygienically close to the homes and front gardens of the existing tenants, and will bring the refuse facilities into view of all Hartgrove Court tenants. This will reduce hygiene and living standards for existing tenants.	The refuse storage is proposed within a secured internal part of the building. It is not considered that hygiene and living standards will be reduced for nearby residents.
The new building will restrict the view for existing residents at Hindhurst Court, Hartgrove Court and Grove Crescent.	This is discussed in paragraph 11 below.
The existing garages were designed originally to meet the needs of Hartgrove and Hindhurst Court tenants. Removing these facilities and the surrounding space will remove the possibility of any such harmonious living environment intended by its designers and could introduce further social problems associated with densely populated housing estates.	The applicant has acknowledged that 4 of the existing garages remain in use and this has been factored into proposals and transport considerations. The application has still been considered in terms of whether the existing and proposed parking provision meets the likely needs of tenants. Please see paragraphs 28-33 below for further information.
There has been no convincing argument put forward that describes how the proposed homes	The proposals include plans to enhance existing landscaping between Hartgrove and Hindhurst

will contribute towards a better living environment for those immediately affected, or how it could be an improvement for Brent as a whole.	Courts, this is to include the provision of new planting and seating. The proposed building itself will not materially detract from the existing living environment.
The Council did not have funding to replace the garage doors but do have money to build flats on the site.	This is not a material planning consideration.
Most residents of the existing flats own a car and parking is very tight – parking takes place in spaces between the garages.	The parking situation has been considered thoroughly by the applicant and Brent's highways officers, and has been informed by recent overnight parking surveys. Please see paragraphs 28-33.
The car park is used by those who are not resident at the existing blocks.	Up to date overnight parking surveys have been undertaken to consider the existing parking demand.
Overspill parking is resulting in anti-social behaviour and vandalism.	These are matters to be considered the Metropolitan Police.
The development will result in polluted air due to overcrowding.	The development has been considered in terms of its environmental health impacts and it is not concluded that any unduly detrimental impacts are to be incurred on existing tenants in terms of polluted air.
The proposal will result in a lot of building work.	This is an inevitability with any development proposal. The applicant will be reminded of their requirement to only undertake noisy building works during the appropriate hours.
The proposal will result in increased noise disturbance.	It is not considered that the development is likely to result in any unreasonable increase in noise disturbance.
The proposal will result in a loss of privacy.	The development complies with Council guidance for protecting privacy. Please see paragraphs 12 and 14 below for further information.

The Council's regulatory services, tree officer and highways officer were consulted regarding this proposal. None of these consultees objected to the proposal. The comments of each officer are incorporated into the report below.

The applicant confirms that a public exhibition to inform the public of this development was held on 28th June 2017. This was held at the Father O'Callaghan Centre next to St Sebastian and St Pancras RC Church in the local area on Kings Drive in Wembley. Neighbouring residents and local ward Councillors were invited with flyers. The applicant reports that 11 attendees visited the exhibition and that 6 of the residents filled out a questionnaire to give opinions on the scheme. It is stated that 5 of these 6 people gave positive feedback to the proposal. It is also confirmed that three aspects of the submission have been implemented as a result of feedback at the exhibition, this includes:

- Providing re-provision of refuse and recycling facilities for existing Hindhurst Court and Hartgrove Court residents
- Providing landscaping improvements to the wider site, for the benefit of existing and future residents
- Formalising the existing car parking arrangements

POLICY CONSIDERATIONS

National Planning Policy Framework/National Planning Practice Guidance

London Plan 2011/ Mayors Housing SPG 2012 - Key policies include

Policy 3.5

Policy 6.9

Brent Core Strategy 2010

CP2 Population and Growth

CP17 Suburban Character

CP21 A Balanced Housing Stock

London Borough of Brent Development Management Policies 2016

DMP1: General Development Management Policy

DMP12: Parking

DMP15: Affordable Housing

DMP18: Dwelling Size and Residential Outbuildings

DMP19: Residential Amenity Space

Supplementary Planning Guidance 17:- Design Guide for New Development

Draft Supplementary Planning Document 1:- Design Guide for New Development

DETAILED CONSIDERATIONS

Principle

1 A total of three new homes are proposed consisting of one 1 bedroom 2 person dwelling and two 2 bedroom 3 person dwellings. The block will include one unit per floor, with the smallest unit on the ground floor. The proposal to include all units as affordable housing is welcomed. The application site is located within an existing residential area and as such there is no objection in principle to the development of the site for additional residential accommodation subject to the relevant material planning considerations set out below.

2 The development would result in the loss of eleven garages. The applicant has carried out a survey to confirm that four of these garages are still used, one for parking and three for storage. Subject to appropriate replacement of the used garage parking space, the loss of the garages is considered to be appropriately accounted for (see paragraphs 23-37).

Design

3 The proposed building location is deep within the site and is not highly visible from surrounding public highways as it is buffered from view by the existing Hindhurst Court Building to the south and Hartgrove Court building to the west. The new building will sit within the setting of these existing buildings and will inevitably affect the setting of this enclosed area away from the highways.

4 The existing context sees two flat roofed buildings (one four storeys and one three storeys) in amongst areas of communal garden and parking areas comprised of hardstanding. The proposed building will be erected immediately adjacent to the three storey building (Hartgrove Court) and will also be built to a height of three storeys with a flat roof. The building will be comfortably separated from Hartgrove Court by a gap of 2m and will be 2m greater in height than Hartgrove Court as it will sit on slightly higher ground and have greater internal ceiling heights than the existing neighbouring building. Any visual incongruity incurred by this height difference is significantly offset by the narrowness of the building, appearing much smaller than its neighbour in terms of width (12m wide compared to 40m wide). Furthermore, the proposed building is to be buffered from street view by the larger, four storey Hindhurst Court which defines the frontage along this part of Hay Lane.

5 Overall, on the basis that the building will have a minimal impact on the visual amenity of the street scene and that the building is small in its proportions despite its height, it is considered that the scale, massing and setting of the building is acceptable in relation to its surroundings.

6 The development will have a relatively small footprint (100sqm) and will sit to the north of the main car parking area accessed from Hay Lane. The pedestrian entrance to the building will be along its western elevation adjacent to Hartgrove Court which residents can reach through a gated access from the car parking area. The entrance will provide immediate access to the building's single stair core as well as to the ground floor flat.

7 Refuse/recycling storage is also to be provided on the ground floor, although with a separate access from the south elevation onto the car parking area. The building has a stacked design (with the exception of the refuse/recycling stores) and one flat is situated on each of the two upper floors.

8 Each flat is provided with a 6sqm south facing balcony (looking over the car park to the south) with the exception of the ground floor which is provided with a 9sqm private patio. Furthermore, a communal rear garden of 135sqm is to be provided, accessed from the side entrance. A green roof (although not for residents' use) is to be provided also.

9 The architectural approach is modern and is closely in keeping with surrounding buildings insofar as the approach for an orthogonal building with a flat roof. The building will however utilise tall floor-ceiling windows and projecting balconies as distinct features that separate it from the neighbouring blocks. Furthermore, the building will be externally clad in red brick, punctuated by select sections of horizontal alternating patterned brickwork in the same colour for additional articulation. The use of dark grey features for the window and door frames, balcony balustrades, fascias and soffits as well as roof guard rails provide a soft contrast with the brick exterior and result in a simple but pleasing appearance for the building as a whole.

10 This materiality is considered to be more sympathetic than that of the neighbouring buildings which are comprised of red and cream colour panels and smaller sections of exposed yellow brick. The materials proposed are likely to result in a building that is visually appealing and samples of these materials should be seen by officers to ensure a high quality finish is likely. A planning condition will require this.

Impact on neighbouring amenity

11 The proposed building complies with the 30 and 45 degree lines guidance as per SPG17/SPD1 principles when measured from the closest properties to the south (1-26 Hindhurst Court). The guidance is mostly achieved with properties to the north (62 and 64 Grove Crescent), with the exception of a very small section on the western edge of the rear garden of no. 64. However, the part of the rear garden for which this guidance is breached is heavily vegetated and is occupied by a rear garden outbuilding which renders the part of the garden not complying with guidance unusable anyway.

12 There are only two windows which would overlook the rear garden spaces of 62 and 64 Grove Crescent (these being the kitchen windows of flats 2 and 3), however these windows have been designed to sit in an angled section of the rear wall which would see the windows prevented from providing outlook across the rear gardens.

13 The building will sit directly alongside the eastern face of Hartgrove Court at a distance of 2m. There are no habitable room windows on the eastern elevation of Hartgrove Court so this will not result in a detrimental loss of amenity for existing residents. The building will not project to the rear of the existing Hartgrove Court rear building line and as such will not detrimentally affect the outlook from the rear windows of flats at Hartgrove Court. The building will project a maximum of 4m forward of the existing front elevation of Hartgrove Court, having an impact on the outlook of the front facing windows at Hartgrove Court. Nonetheless, the projection is not so significant as to breach 1:2 guidance line drawn towards the development from the nearest window and as such is considered to comply with relevant guidance.

14 Overall it is considered that the proposal meets SPG17/SPD1 guidance and would not require further testing with a daylight and sunlight assessment. The amenity impact of the development is acceptable.

Quality of accommodation

15 Three flats are proposed, which include a one bedroom flat on the ground floor and 2 x two bedroom flats on the upper floors.

16 Quality of accommodation:-

Flat 1	1-bed/2 person	= 54sqm (bedroom size 12.6sqm)
Flat 2	2-bed/3 person	= 64sqm (bedroom sizes 12.6sqm and 9.8sqm)
Flat 3	2-bed/3 person	= 64sqm (bedroom sizes 12.6sqm and 9.8sqm)

17 The unit sizes have been assessed against the Mayor's residential space standards, set out in the Mayor's Housing Design Guide and London Plan. It is found that all units accord with the minimum floorspace requirements for their respective units. All bedrooms exceed the minimum sizes for double bedrooms (11.5sqm) and single bedrooms (7.5sqm) as specified within the Mayor's standards.

18 With the exception of the single bedroom in flats 2 and 3, all habitable rooms within the flats are to be dual aspect rooms, which is welcomed. All habitable rooms will also achieve unobstructed outlook from at least one window of 10m or more, providing a good standard of living.

19 The flats stack appropriately, with no instances of living/kitchen rooms being located above bedroom spaces.

20 Amenity space is proposed in the form of private front balconies for flats 2 and 3 (6sqm with a depth of 1.5m). For flat 1, this is in the form of a private ground floor patio to the side (9sqm with a depth of 2m). It will be important for the rear facing ground floor window serving Flat 1's kitchen is provided with a private landscaping buffer to offer some defensible space that will provide for a more private relationship between the window and the communal garden over which it looks. The ground floor flat will also have windows that are located along the pedestrian entrance to the block and close to the car parking area to the south of the building. The plans indicate appropriate landscaping buffers (between 1m – 1.5m in depth) which will be effective in preserving privacy to these windows. Further details of all defensible planting will be required by condition.

21 In addition to the balconies, a communal garden is to be provided at the rear, providing a good sized and usable space of approx. 135sqm in size. The garden will be accessible to residents of all three flats and the plans confirm that a dedicated entrance to the garden is provided from the patio of flat 1 for additional ease of use for residents of flat 1. The overall quantum of amenity space is 156sqm, which is substantially greater than 60sqm which would be required in accordance with SPG17/SPD1 guidelines. All units have a substantial, London Plan compliant private amenity space as part of this and the overall amenity space provision is therefore accepted and welcomed.

22 The boundary treatments separating the gardens, buffer zone and public realm are not clearly defined within the application and a condition will require such details to be provided separately. It will be important to ensure that the boundary treatment between the buffer zone and the communal garden does not restrict the outlook of flat 1's windows. A lower height fence or sole reliance on defensible planting would therefore be expected in achieving this.

Parking & transport considerations

23 The parking and servicing standards for the existing unit are given in appendix 1 and 2 of the Development Management Plan.

24 The number of bedrooms of the existing flats at Hartgrove Court and Hindhurst Crescent have not been given however, it is assumed to be 1-2 bed units. Therefore a parking allowance of 24 spaces for Hartgrove Court and 26 spaces for Hindhurst Court are permitted. The existing parking courtyard for Hartgrove Court provides 30 spaces, which does exceed parking standards and the existing 22 spaces (including the garages) at Hindhurst Court, does satisfy 75% of the parking standard (i.e. the likely operational minimum required).

25 The proposed 3 self-contained flats will be affordable units and therefore a total parking allowance of 3 spaces is permitted for the units.

26 Drawing number 576017P03B proposes to formalise the parking for both courts, with 17 bays dedicated to Hindhurst Court and 21 spaces for Hartgrove Court, totalling 38 spaces. This is a significant reduction in off-street parking for both sites.

27 Policy DMP12 requires the impact of overspill parking to be considered whenever the full residential parking standard is not met within any site and to this end, the applicant has provided a parking survey.

Parking survey

28 A parking survey was carried out overnight on a weekday of the 8th and 9th March 2017.

29 Section 2.5 of the survey report states that 4 of the 11 garages are in use; 1 is used for a parking space

and the other 3 for storage.

30 The survey does not provide a plan showing the area that was surveyed. However, Appendix A shows a table of the data collected. The table shows that application site had an average of 38.5 vehicles parked in the 35 spaces, giving a parking stress of 110%. The parking survey found that on Wednesday 8th, 41 vehicles were observed parked within the application site and of these 41 spaces; 25 were parked in the Hartgrove Court and 16 spaces in Hindhurst Court.

31 The on-street pay and display along the frontage of the site on Hay Lane and along the neighbouring commercial units had an average of 6 vehicles parked out of 31 spaces and therefore had a low 19% parking stress. Elmwood Crescent had 20.5 vehicles parked overnight out of 24 spaces and therefore had a parking stress of 88%. Transportation defines any street with a parking stress of 80% or more as heavily defined and the survey results show that majority of the nearby streets are heavily parked, including the application site itself.

32 The pay and display parking along the site frontage can accommodate approx. 11-13 on-street spaces that could be counted towards the parking standard, although the use of these spaces that are partly marked on the footway along this distributor road and bus route is not particularly welcomed. Therefore sufficient on-street parking should be retained within the site to satisfy demand, if possible.

33 Drawing number 576/017/P03B proposes 17 formalised parking bays for Hindhurst Court 21 formalised parking bays for Hartgrove Court. The proposed parking spaces are welcomed and a further four spaces would also be available along the access drive to Hindhurst Court, taking the total provision to 42 spaces. This is sufficient to meet 75% of the maximum car parking standard and is therefore considered to be a suitable level of provision for the existing and new flats.

Refuse

34 The proposed bin storage for both Hindhurst and Hartgrove Courts is within 30m wheeling distance from the Public Highway. However, these will be large Eurobins and need therefore should be within 10m of a point that the refuse vehicle can access.

35 The applicants plans demonstrate that both emergency vehicles and refuse vehicles can access the car park area and as such, the proposed refuse storage arrangement can be accepted.

Pedestrian access

36 Safe pedestrian access to the new flats have not been provided, resulting in pedestrians forced to walk through the car park, to the detriment of their safety. The lack of adequate provisions for safe pedestrian access is a cause for concern. An additional plan will need to be submitted by condition to indicate an appropriate pedestrian access prior to occupation.

Cycle spaces

37 Drawing number 576/017/P03B proposes 5 cycle spaces for the new development only. The spaces are located to the rear of Hindhurst Court and are provided in a secure and covered location to protect against theft and weather.

Trees

39 The applicant has provided a comprehensive arboricultural impact assessment and tree protection plan. The proposal will necessitate the removal of a significant Category B mature poplar tree of 18m height. There are tree planting proposals to enhance the amenity value of the landscape which will also mitigate the loss of the poplar tree. The proposals are in the form of a London Plane tree, planted within the landscaping buffer between the communal garden and the Hindhurst Court car park to the south as well as a birch tree planted within the communal garden. In addition, tree protective measures have been proposed which will minimise effects on surrounding trees as a result of the development.

40 The tree protection plan indicates that tree protection fencing will be erected so as to contain the root protection areas of the trees along the north eastern boundary of the site (close to the boundary with Grove Crescent properties) and to the south east to protect tree root protection areas between Hartgrove Court and Hindhurst Court. There are also confirmed areas of 'no dig construction' to the north east of the car park to ensure that nearby trees' roots are not disturbed. The plan also confirms that the protective fencing will be of

welded mesh, heras type design which is accepted.

41 Brent's tree officer agrees with the methodology and the proposed tree protection plan and has requested a condition requiring that the tree protection plan is fully adhered to during the development phase, including a requirement for the erection of protective fencing to be observed and accepted by Brent's tree protection officer.

Environmental Health

Noise:

42 The development proposes the demolition of an existing set of garages and replacing this with a building that will consist of 3 residential apartments. A condition is recommended to ensure that the building is designed in accordance with the relevant British Standard for noise reduction/sound insulation.

Contaminated Land:

43 Given the non-residential history of the site it is considered necessary to require by condition that a desktop study of contaminated land is undertaken to provide some additional assurance on whether this is likely to be a matter of importance. Two related conditions will also be issued to require a full site investigation and remediation measures in the event that the desktop study concludes that contaminated land may be an issue of importance.

Asbestos

44 Given the age of the buildings 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. A relevant informative will be issued.

Conclusion

45 The proposal is acceptable for the reasons discussed above.

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 17/4151

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

I refer to your application dated **26/09/2017** proposing the following:

Demolition of existing garages and erection of a three storey building to provide three self-contained flats (1x 1bed and 2x 2bed) with associated alterations including provision for car parking spaces, bicycle stores, bin stores, amenity space and soft and hard landscaping

and accompanied by plans or documents listed here:
Refer to condition 2.

at **Land adjacent to Hindhurst Court and Hartgrove Court, Hay Lane , London NW9 0NJ**

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 National Planning Policy Framework/National Planning Practice Guidance****London Plan 2011/ Mayors Housing SPG 2012**

Policy 3.5 (table 3.3)

Brent Core Strategy 2010

CP2 Population and Growth

CP17 Suburban Character

CP21 A Balanced Housing Stock

London Borough of Brent Development Management Policies 2016

DMP1: General Development Management Policy

DMP12: Parking

DMP15: Affordable Housing

DMP18: Dwelling Size and Residential Outbuildings

DMP19: Residential Amenity Space

Supplementary Planning Guidance 17:- Design Guide for New Development**Draft Supplementary Planning Document 1:- 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):

576 017 E01 Rev C

576 017 P01 Rev C

576 017 P02 Rev B

576 017 P03 Rev C

576 017 P04 Rev A

576 017 P05 Rev A

576 017 P06 Rev A

576 017 P07 Rev A

576 017 P08 Rev A

576 017 P09 Rev A

DFCP 3985 TSP Rev B

DFCP 3985 TPP Rev B

0001 Rev A01

0009 Rev A01

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

- 3 The development hereby approved shall be implemented and maintained for the lifetime of the development as 100% affordable rented housing (meaning subsidised housing at 80% of market rent including service charge, intended for households who cannot afford housing market rates) and LB Brent will have the right to nominate people to be housed in the whole of the affordable housing development, unless otherwise agreed in writing with the local planning

authority.

Reason: To ensure the development is implemented in accordance with the details submitted, and to contribute to meeting Brent's identified housing needs, including meeting LB Brent's statutory housing duties.

- 4 The development shall not be occupied until the car-parking, refuse and recycling storage facilities, and cycle parking shown on the approved plans have been constructed, surfaced and marked out to the satisfaction of the Local Planning Authority, unless otherwise agreed in writing by the Local Planning Authority. The car-parking, refuse and recycling storage facilities, and cycle parking cycle parking so provided shall be maintained as ancillary to the development and shall be used for no other purpose at any time.

Reason: In the interests of highway safety.

- 5 The tree protection proposals as contained within the Arboricultural Impact Assessment prepared by DF Clark Bionomique Ltd (dated 25st August 2017) shall be adhered to in full throughout for the full period of construction of the development hereby approved. Subsequent to the erection of tree protective fencing but prior to commencement of the development, a meeting shall be arranged between the site manager and Brent's tree protection officer to allow the fencing to be observed by Brent's tree protection officer before works are undertaken.

Reason: For assurance that trees are to be protected to minimise negative external impacts of the development.

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

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

- 7 Prior to occupation of the development, details of screening/boundary treatment (including height) between all windows of the ground floor flat and the communal garden space / communal parking space / communal pedestrian access shall be submitted to and approved in writing by the Local Planning Authority. The approved screening details shall be implemented in full prior to first occupation of the development and thereafter retained for the lifetime of the development.

Reason: To protect the privacy of residents.

- 8 Details of all ground-floor areas indicated for hard and soft landscape works on the approved plans shall be submitted in writing to the Local Planning Authority. The submitted plans shall indicate suitable landscaping with shrubs /plants and hard surfacing which shall be approved in writing by the Local Planning Authority. The planting shall be approved in writing by the local planning authority and carried out in full prior to occupation of the buildings and thereafter maintained in accordance with the approved scheme.

The scheme shall indicate:-

- soft landscaping including plant and tree sizes and species and densities of planting for plants and shrubs;
- revision to the plan to replace the proposed London Plane tree with a standard Hornbeam tree (not fastigate);
- hard surfacing for paths with the surfacing materials defined;
- details of boundary treatments including materials;
- landscape management plan showing requirements for the ongoing maintenance of hard and soft landscaping.

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

Reason: To ensure a satisfactory standard of appearance and to ensure that the proposed development enhances the visual amenity of the area.

- 9 Prior to occupation of the development hereby approved, details of a pedestrian access (including location and materials), preventing the need for residents/visitors to walk across the car park to access the flats, shall be submitted to and approved in writing by the Local Planning Authority. The pedestrian access shall be implemented in accordance with the approved details prior to occupation of the development.

Reason: To ensure the development provides a safe environment for pedestrians

- 10 Prior to occupation of the development hereby approved, sound insulation details shall be submitted and approved in writing by the local planning authority. The details shall demonstrate how the development will be built or has been built in accordance with BS8233:2014 'Guidance on sound insulation and noise reduction for buildings' to attain indoor ambient noise levels suitable for internal bedrooms and living rooms.

Reason: To obtain required sound insulation and prevent noise nuisance

- 11 Prior to the commencement of the development (excluding demolition, site clearance) a desktop study shall be carried out by competent persons to determine whether land contamination is likely to be a relevant matter affecting this development. The findings of the desktop study shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development (excluding demolition, site clearance).

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

- 12 If the land contamination desktop study recommends a full site investigation is needed to determine the nature and extent of any soil contamination present, this shall be carried out in full prior to the commencement of the development (excluding demolition, site clearance). The investigation shall be carried out in accordance with the principles of BS 10175:2011. A report shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development (excluding demolition, site clearance), that includes the results of any research and analysis undertaken as well as an assessment of the risks posed by any identified contamination. It shall include an appraisal of remediation options should any contamination be found that presents an unacceptable risk to any identified receptors.

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

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

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

INFORMATIVES

- 1 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at www.brent.gov.uk/CIL.
- 2 The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk
- 3 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 5, the applicant is advised to contact the Council's Tree Officer, Lawrence Usherwood. The contact details are lawrence.usherwood@brent.gov.uk or on 020 8937 5247.
- 5 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.
- 6 The Council recommends that the maximum standards for fire safety are achieved within the development.
- 7 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.

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