

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

17 January, 2018
10
17/3673

SITE INFORMATION

RECEIVED	22 August, 2017
WARD	Willesden Green
PLANNING AREA	Brent Connects Willesden
LOCATION	WILLESDEN GREEN BAPTIST CHURCH, High Road, London, NW10 2PR
PROPOSAL	Demolition of the existing adjoining structures to the rear; erection of a part two and part three storey rear extension including basement level; internal alterations to create new mezzanine and upper floor levels to facilitate the creation of 7 residential units (1 x 1bed, 4 x 2bed & 2 x 3bed); 7No. dormer windows to the east and west roof slopes; new access gates to facilitate vehicle and pedestrian access from Huddlestone Road; alterations to fenestration including new front access door to residential units; removal of part of front boundary wall; and provision of secure storage for 14 cycles for the residential units and refuse facilities to serve both residential and church buildings
APPLICANT	Willesden Green Baptist Church
CONTACT	Ibbotson Architects
PLAN NO'S	See condition 2
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_135933</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 "17/3673" (i.e. Case Reference) into the search Box3. Click on "View Documents" tab

RECOMMENDATIONS

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

Conditions:

1. Standard 3 year permission
2. Approved plan numbers / documents
3. Permit free development
4. Conservation Area style rooflights
5. Submission of details of materials
6. Submission of details of stained/leaded glass windows
7. Record of interior of building taken
8. Submission of further details of cycle and refuse storage

Informatives:

1. Party Wall Act
2. Building near the boundary
3. Construction hours
4. Structural integrity
5. Licences
6. Highways permissions
7. Vibration
8. Air quality
9. Notify Brent Transportation on condition of pavement
10. Fire safety
11. 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.

SITE MAP



Planning Committee Map

Site address: WILLESDEN GREEN BAPTIST CHURCH, High Road, London, NW10 2PR

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This map is indicative only.

PROPOSAL IN DETAIL

The application proposes the internal remodelling of the Willesden Green Baptist Church to re-establish the worship space and gallery on the ground floor, with modernised reception, lift, stairs, new entrance and meeting rooms. Four new apartments would replace the existing first floor worship space and also occupy the second floor roof area. The structure to the rear on Faith Court would be demolished however the historic Huddlestone Street façade would be retained. The rear of the building would be partly rebuilt to include a basement, and a community hall and kitchens, with community facilities to the basement below. Three further apartments would be constructed above in the mezzanine and first floor level.

EXISTING

The application site accommodates the Willesden Green Baptist Church which is located on the corner of Willesden High Road and Huddlestone Road. The site does not contain any listed buildings but is located within the Willesden Conservation Area. The Church is a large red brick Edwardian building that shares a rear access with Faith Court which is located directly to the east of the site. To the rear of the site there is a carpark that is used by the residents of Faith Court. The northern part of the building is a later addition from the 1980s. The Church is located directly on Willesden High Road whilst the streets to the north, east and west of the site are residential in character, occupied by two storey terraced properties and Faith Court, which is a three storey building consisting of self-contained flats. The ground floor of the Church is currently occupied by a reception area, hall, meeting rooms and a kitchen. The first floor is currently used as the worship space within the building. The Church provides a place of worship and community services for people, such as a weekly hot meal for homeless people and a used clothes sorting and dispensing service.

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: The proposal would improve the facilities for the Church and its role in the local area. The proposal would also provide seven residential units to the boroughs housing stock. There is no objection in principle to the proposal.

Representations received: Objections were received from six local residents raising concerns regarding parking and additional members of the Church, impact of basement construction works, noise and disturbance from the Community Centre/Kitchen and the Ministers access on Huddlestone Road.

Character and Appearance: The proposal is considered to have a high quality design that has regard to the character of its surroundings and would preserve the building and Willesden Conservation Area.

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

Impact on Neighbouring Amenity: The development has been assessed against loss of light, overlooking and disturbance on all neighbouring properties. It has been found that the relationship between the proposed development and all surrounding properties is considered to be acceptable. In accordance with SPG17 and draft SPD1.

Parking & Access: It is considered the use of a 'permit free' agreement secured by condition would mitigate against street parking concerns in the area for the proposed residential units. It is considered that the presence of a CPZ and good transport links would mitigate against any potential increase in numbers to the Church.

RELEVANT SITE HISTORY

16/5367 – Refused 06/04/2017

Application 16/5367 for the internal remodelling of the Willesden Green Baptist Church to re-establish the worship space and gallery on the ground floor, with modernised reception, lift, stairs, entrance and meeting rooms with 5 new apartments replacing the first floor worship space. The demolition of the rear structure to Faith Court retaining the historic Huddlestone Street facade. The rear part rebuilt to include a basement, and providing a new accessible linked community hall and kitchens, with community facilities to the basement below, with 3 further apartments above was refused due to the standard of accommodation that would be afforded to future residents and also for heritage reasons.

This application was refused for the following reasons:

- 1. The proposed development would not provide an adequate overall standard of accommodation for future occupiers, by virtue of the undersized nature of Apartments 1 and 3 combined with the inadequate headroom of those flats (plus apartment 2) and the poor levels of outlook and access to natural light of Apartments 6, 7 and 8, which would be contrary to Development Management Policy DMP1, Policy 3.5 of the London Plan (2011 as amended) and the Mayor's Housing SPG.*
- 2. The proposed dormer windows and rooflights, by reason of their excessive size, frequency and poor design, would dominate the original roof plane and represent incongruous and poorly designed features that harm the character of the original property, locality and Willesden Conservation Area, contrary to Development Management Policies (2016) DMP1 and DMP7, Core Strategy (2010) policy CP17 and the NPPF (2012).*

CONSULTATIONS

80 neighbouring properties were consulted on the 15th of September. Due to the receipt of a revised site location plan and amendments to the Huddlestone Road side of the building neighbours were re-consulted on the 3rd of November. Site notices were erected on the 15th of September and 6th of November. Press notices were issued on the 21st of September and 3rd of November. In the first round of consultation six representations were received. In the second round of consultation six further representations were received. The representations are summarised in the table below:

Objection	Response
Ministers' access door on Huddlestone Road and potential for door to be inserted at a later date.	<p>This has been removed from the proposed plans. No additional access from Huddlestone Road is now proposed.</p> <p>The insertion of a door at a later date would require planning permission and a formal application.</p>
Impact of basement from excavations and on conservation area	<p>The potential impact of basement development in terms of noise, disturbance and structural matters on neighbouring properties is covered under environmental legislation and building regulations and as such is not a planning consideration. Officers do however recommend that informatives are added concerning hours of work, structural integrity, licenses, highway works, vibration and air quality.</p> <p>The proposed basement would not be visible and therefore would not materially harm or alter the</p>

	buildings appearance.
Disturbance from public community kitchen – traffic, loading, unloading and extraction equipment	<p>The Church has confirmed that the kitchen would not be open to the public. The main function of the kitchen would be to provide hot food and drinks to the homeless on a specific day of the week or on special occasions to provide hot food and drinks to members of the Church. This is not considered to have a significant impact.</p> <p>Due to the parking restrictions in place any loading or unloading will have to avail of the existing CPZ spaces.</p> <p>Further details of the extraction equipment proposed will be secured by condition.</p>
Additional parking and increased numbers attending the Church	<p>A CPZ is currently in place on Huddlestone Road and the neighbouring streets that run parallel to the site. Parking is not permitted in front of the Church on the High Road due to the presence of the bus stop and double yellow lines. Therefore people wishing to drive to the Church must park in controlled areas.</p> <p>The area is well served by public transport and has a PTAL rating of 3/4. The Church has confirmed that the majority of people attending arrive by public transport or are dropped off/picked up by relatives or taxis. Therefore any increase in numbers is likely to be met by public transport/taxis/or drop offs as parking is restricted in the area.</p>

POLICY CONSIDERATIONS

Development Plan:

London Plan consolidated with alterations since 2011 (March 2016)

Development Management Policies, London Borough of Brent (2016)

London Borough of Brent LDF Core Strategy 2010

Other material planning considerations:

NPPF (2012)

Supplementary Planning Guidance 17 'Design Guide for New Development' (2002)

Draft SPD1 – Brent Design Guide

Mayor's Housing SPG

Technical housing standards – Nationally described space standard

DETAILED CONSIDERATIONS

Background and Context

1. As discussed in the 'history' section of this report a previous, similar application was refused due to concerns with the standard of accommodation and impact on character and design. The applicant has sought to address these concerns by reducing the number of flats proposed, improving access to light and outlook

and also by improving the design.

Amendments since submission

2. The applicant has removed a proposed entrance on the Huddlestone Road side of the site due to concerns from residents. The red line boundary on the site location plan has been corrected to include the proposed gate to the rear of the site on Huddlestone Road and alterations to the front boundary wall on the High Road side of the site.

Principle

3. The application proposes a number of extensions to the existing church and the conversion of the upper floors to residential accommodation. This would then see the creation of a community hall and worship space at ground floor level. Core Strategy policy CP23 seeks to protect existing community and cultural facilities. The Church provides a place of worship within the area and also engages in community activities and provides services for local people. The proposal would also result in the creation of seven self-contained flats which would contribute to the boroughs housing stock. Two of the units would also be family sized units of which there is a recognised shortage of and need within the borough. Taking these factors into consideration the proposal is considered to be acceptable in principle subject to the material planning considerations set out in this report.

Standard of accommodation

4. The application proposes the creation of seven self-contained flats set out over the mezzanine, first, second and third floors. All units proposed comply with DMP18 and the minimum size standards contained in London Plan policy 3.5 Table 3.3.

5. DMP19 requires residential units to have private amenity space with 20 sqm per flat and 50 sqm per family sized unit the required target. In this case private amenity space has not been provided. However due to the fact that the property is a Church and within a conservation area it would not be practical to use balconies as it would detract from the character and appearance of the building. In this case the lack of amenity space is therefore considered to be acceptable on balance.

6. Outlook and access to natural light is more restricted due to the design of the building and also the proximity of Faith Court on the eastern side of the site. However the applicant has sought to overcome restrictions of light with the use of rooflights and has submitted a Daylight/Sunlight report in support of the application. The report has concluded that with regard to natural daylight all rooms would meet or exceed the minimum required threshold set out in the BRE guidelines. With regard to sunlight although some of the bedrooms would not achieve minimum sunlight standards the living areas that are the primary living area where residents would spend the majority of time within the units have been prioritised and meet BRE guidelines.

7. Although the proposal would not provide amenity space and the bedrooms of some of the bedrooms would not achieve minimum sunlight standards a more flexible approach can be taken due to design of the existing building. Therefore on balance it is considered that the proposal would result in a good standard of accommodation for prospective residents.

Parking and Access

8. The proposal is considered to be acceptable in terms of parking and access.

9. Under the parking standards set out in Appendix 1 of the adopted DMP 2016, car parking for the existing church is only permitted when justified by a Transport Assessment. The absence of any existing or proposed off-street parking for the church therefore complies with standards, with disabled staff and visitors able to use the on-street parking spaces along Huddlestone Road adjoining the building.

10. As the site has good access to public transport services, the lower residential car parking allowance of 0.75 spaces per 1-/2-bed flat and 1.2 spaces per 3-bed flat applies to the new accommodation. This gives an

allowance of up to 6.15 spaces, so with no off-street parking proposed, the maximum standard is complied with. However, Policy DMP12 encourages parking permit restricted developments in areas with good access to public transport services. This site meets those criteria and the applicant has therefore proposed that the flats are designated parking permit restricted. This is welcomed to ensure that parking associated with the flats does not have a negative impact on parking conditions in the area, a condition is recommended to secure is requirement.

11. Concerns have been raised by local residents about increased numbers of people attending the Church and the potential impact that this could have on parking in the area. Officers have considered the CPZ is currently in place on Huddlestone Road and the neighbouring streets that run parallel to the site. Parking is not permitted in front of the Church on the High Road due to the presence of the bus stop and double yellow lines. Therefore people wishing to drive to the Church must park in controlled areas. In addition to this the area is well served by public transport and has a PTAL rating of 3/4. The Church has specified that the majority of people attending arrive by public transport or are dropped off/picked up by relatives or taxis. Therefore any potential increase in numbers is likely to be met by public transport/taxis/or drop offs as parking is restricted in the area.

12. The London Plan requires the provision of a secure bicycle parking space per 1-bed flat, with two spaces required per 2/3-bed flat. A total of 13 spaces are therefore required. The Design & Access Statement suggests that 14 spaces are to be provided, but the ground floor plan for the storage at the rear shows only 9 spaces, unless a double-height rack is proposed. Therefore further details are sought as a condition of any approval.

13. Refuse storage is also indicated at the rear for five wheeled bins within 20m of Huddlestone Road, which meets wheeling distances for staff. However, 8 bins would be required for this number of flats and further details of refuse storage are therefore also sought by condition.

14. Pedestrian access is via a stairwell from the private access drive to the Faith Court car park, as well as directly from High Road via a lift. This provides good access from both frontages, with a kerbed 1.2m wide footway available alongside the rear of the building to provide a suitably safe means of pedestrian access.

15. The application proposes a new gate at the rear of the site to Faith Court. As this is relatively close to the highway there is the possibility that vehicles would have to queue on Huddlestone Road to enter the car park. Details of a remote controlled system are therefore recommended to be secured by condition.

Impact on character and design

16. The development would not result in material harm to the character of the building, conservation area or streetscene.

17. There is no objection to the elements of demolition at the rear of the building as these are later additions and of no special heritage interest. The proposed alterations to adapt the building for part residential use have been carefully designed to preserve its character and as a result the conservation area. On the Huddlestone Road side, three pairs of lancet windows would have their aprons removed and the windows lowered. The leaded and stained glass would be carefully adapted to retain the pattern but preserve the feature. Six lancet dormer windows would be installed to the roof. These have been designed and located to match the character of the building. Rooflights would be added to the east side but these would be largely unseen from Willesden High Road given the proximity of the adjoining property, Faith Court. At the front, new glass doors would be installed, however, the attractive timber doors would also remain. A new secondary entrance would be installed under a window at the front. This has purposely been designed as a subsidiary feature. The existing front wall would be removed and the forecourt landscaped with two trees. A new front wall would be constructed and a ramp behind installed for better access. These works would maintain the appearance of the building. At the rear a new extension is proposed. This is considered to be subservient in nature and would be constructed in brick to match the church.

18. Due to the sensitive nature of the building and its setting within the conservation area a number of

conditions are recommended including the submission of details of proposed materials including windows; further details of the entrance doors and forecourt layout; the rooflights to be conservation area style; and that a comprehensive record of the building shall be taken. Subject to these conditions it is considered that this scheme has been carefully considered and would preserve the character of the building and the appearance of the conservation area.

Impact on neighbouring amenity

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

20. Residential properties are located to the north and east of the site in the form of No.3 Huddlestone Road and Faith Court which is a five storey block of flats. No.3 Huddlestone Road consists of two self-contained flats. The ground floor flat has a number of habitable room windows that face south and directly overlook the rear of the application site. The proposal would see the building to the rear of the site extended. This would result in an increase from 6.5 to just over 9 metres which is a significant increase in height. However the majority of the extensions would be located adjacent to the main part of the neighbouring dwelling that does not contain habitable room windows rather than directly opposite the outrigger that contains habitable room windows in the side elevation. As such there would no material harm.

21. Windows are located in the side elevation of Faith Court directly overlooking the site. Habitable room windows are proposed in the application site that would directly overlook these windows; however the existing windows appear to be secondary windows to rooms. As such there would be no material impact with regard to overlooking in this location.

22. Concerns have been raised by local residents regarding noise and disturbance from the community hall and also the proposed residential accommodation. The residential access and access to the Church is mostly contained at the front of the building on Willesden High Road that would reduce the number of people using the residential streets to the north and west of the site. Reasonable use of the proposed dwellings would not result in any significant noise and disturbance impacts to the neighbouring occupiers.

23. Concerns have been raised by local residents about disturbance from the proposed kitchen including increased numbers of people, loading/unloading and extraction equipment. The Church has confirmed that the kitchen would not be open to the public. The main function of the kitchen would be to provide hot food and drinks to the homeless on a specific day of the week or on special occasions to provide hot food and drinks to members of the Church. Due to the parking restrictions in place any loading or unloading would have to take place in the existing CPZ spaces or car park to the rear of the site. Due to the close proximity of residential properties and the proposal residential properties further details of the extraction equipment proposed would be secured by condition.

24. Concerns have also been raised about the proposed basement development. The potential impact of basement development in terms of noise, disturbance and structural matters on neighbouring properties is covered under environmental legislation and building regulations and as such is not a planning consideration. Officers do however recommend that informatives are added concerning hours of work, structural integrity, licenses, highway works, vibration and air quality. Concerns have also been raised about the impact the basement would have on the existing building and conservation area. Due to the subterranean nature of the basement it would not be visible from the street and therefore would not materially harm or alter the buildings appearance.

Conclusion

25. The proposal would provide an improved community space for residents and a place of worship in the area. In addition to this the development would provide additional residential units to the Borough's housing stock, two of which are family sized units which can be given significant weight. The alterations to the exterior of the Church are considered acceptable and would preserve the character and appearance of the building and Willesden Conservation Area. Taking these factors into consideration the application is recommended to

be granted.

CIL DETAILS

This application is liable to pay **£218,998.66*** under the Community Infrastructure Levy (CIL).

We calculated this figure from the following information:

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

Total amount of floorspace on completion (G): 666.5 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	666.5		666.5	£200.00	£35.15	£186,262.95	£32,735.71

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	
Total chargeable amount	£186,262.95	£32,735.71

*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: 17/3673

To: Mr Ibbotson
Ibbotson Architects
105c
Southgate Road
Islington
LONDON
N1 3JS

I refer to your application dated **22/08/2017** proposing the following:

Demolition of the existing adjoining structures to the rear; erection of a part two and part three storey rear extension including basement level; internal alterations to create new mezzanine and upper floor levels to facilitate the creation of 7 residential units (1 x 1bed, 4 x 2bed & 2 x 3bed); 7No. dormer windows to the east and west roof slopes; new access gates to facilitate vehicle and pedestrian access from Huddlestone Road; alterations to fenestration including new front access door to residential units; removal of part of front boundary wall; and provision of secure storage for 14 cycles for the residential units and refuse facilities to serve both residential and church buildings

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

at **WILLESDEN GREEN BAPTIST CHURCH, High Road, London, NW10 2PR**

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 policies contained in the:-
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 drawings:

101 01A
101 02B
101 03C
101 04B
101 05B
101 06B
101 07B
101 08B
101 09
101 10
101 11
102 01
102 02
102 03B
102 04B
103 01
103 02
103 03
103 04
103 05B
103 06C
103 07B
103 08B
103 09B

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

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

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

- 4 The rooflights hereby approved shall be detailed to be a 'conservation flush-type' set flush with the roofplane, and shall be so maintained.

Reason: To protect the character of the building and the appearance of the conservation area.

- 5 No works shall be undertaken until full details of the materials (to include a specification and photograph illustrating the material sample and samples made available at the site) shall be submitted to and approved in writing by the local authority.

In addition to this details of the following at a scale of 1:10 and in sectioned drawings shall be submitted to and approved in writing by the local authority:

- The new residential door and framing to the front elevation.
- A front forecourt layout indicating materials and the new front wall and trees.
- The new front entrance doors and associated framing and fixing.
- The new rear gate.

The approved details shall be implemented in full prior to first occupation and maintained as such for the lifetime of the development.

Reason: To ensure a high quality design and to protect the character of the building and the visual amenity of the area.

- 6 Precise details of the adapted stained/leaded glass windows including framing shall be submitted to and approved in writing by the local authority before the commencement of works. The approved details shall be implemented in full prior to first occupation and maintained as such for the lifetime of the development.

Reason: To protect the character of the building and the appearance of the conservation area.

- 7 A comprehensive record (to Historic England Level 2) shall be taken of the building to include the interior shall be submitted to and approved in writing by the local authority, with a copy to be provided to the Willesden Library before the commencement of works.

Reason: To safeguard the architectural character and appearance of the building and to provide an updated Historic Environment Record.

- 8 Prior to the occupation of the development hereby approved, further details of cycle storage detailing a minimum of 14 cycles and refuse storage for a minimum of eight bins for use by occupiers of the development shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full prior to first occupation of the development and thereafter retained and not used other than for purposes ancillary.

Reason: In the interest of promoting sustainable transport and proper refuse storage

- 9 Details of the extract ventilation system and odour control equipment for the kitchen, including all details of external ducting, shall be submitted to and approved by the Local Planning Authority. The approved equipment shall be installed prior to the commencement of the kitchen use and shall thereafter be operated at all times during the operating hours of the kitchen use and maintained in accordance with the manufacturer's instructions.

Reason: To protect the amenity of nearby residents.

INFORMATIVES

- 1 The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk
- 2 The applicant must ensure, before work commences, that the treatment/finishing of flank walls can be implemented as this may involve the use of adjoining land and should also ensure that all development, including foundations and roof/guttering treatment is carried out entirely within the application property.
- 3 The applicant is advised that noise and vibration is controlled by the Control of Pollution Act 1974 and statutory nuisance provisions contained within the Environmental Protection Act 1990 and the British Standard Codes of practice 5228:1997 Parts 1 to 4. Key issues relating to noise from construction sites include: (i) prior consent may be sought from the Council relating to noise from construction activities (s.61 of COPA 1974); (ii) if no prior consent is sought, the Authority may serve a notice on the site/works, setting conditions of permitted work (s.60 of COPA 1974); (iii) an action in statutory nuisance can be brought by a member of the public even if the works are being carried out in accordance with a prior approval or notice (s.82 of the EPA 1990). In particular, the normal hours of work shall be between the following hours:

Monday to Friday - 08.00 to 18.30
Saturdays – 08.00 to 13.00
Sundays and Bank Holidays – No noisy works at all

No work or ancillary operations, which are audible at the site boundary, will be permitted outside these hours unless fully justified and any such works shall be kept to an absolute minimum.
- 4 **STRUCTURAL INTEGRITY**
The applicant is advised that Building Regulations control these works and compliance is required when converting an existing basement to habitable use, excavating a new basement or extending an existing basement. Building Regulations control matters such as structure, fire safety, ventilation, drainage, waterproofing, insulation, sound proofing, heating systems and access.

For the avoidance of doubt, the granting of planning permission does not provide any warranty against damage of adjoining or nearby properties, and the responsibility and any liability for the safe development of the site rests with the developer and/or landowner.
- 5 **LICENCES**
The applicant is advised that some aspects of construction are subject to licences. For example, the developer/contractor will be required to obtain licences from the Local Authority before: (i) erecting any scaffolding, hoardings, gantry, temporary crossing or fence on the highway; (ii) depositing a skip; or (iii) operating a mobile crane, aerial platform, concrete pump lorry or any such equipment. The contractor has a duty to inform local residents likely to be affected by such activities at least 14 days prior to undertaking the works, as well as applying for the appropriate permits and licences. The most suitable method of informing residents is through newsletters. Such newsletters should also update neighbours on site progress and projected activities that might cause loss of amenity, e.g. road closures for delivery or use of mobile cranes or abnormal deliveries to the site.
- 6 **HIGHWAYS**
The applicant is advised that the Highways Act 1980 (particularly Part IX) sets out requirements relating to construction work on or near the highway. Key requirements of the 1980 Act include: (i) permission by formal agreement from the Highway Authority (London Borough of Brent except for the North Circular Road) is required for any works to highways; (ii) licences are required for permission to place temporary obstructions on the highway (e.g. hoardings, fenced storage areas, temporary cross-overs, scaffolding, gantries and skips); (iii) deposition of mud or other such materials on the highway is prohibited. Measures to prevent this (e.g. wheel washing) can be required by order; (iv) surface drainage from a construction

site must not be allowed to run across the footway part of a public highway; (v) the contractor is responsible for any damage caused by their activities to roads, kerbs or footpaths in the vicinity of the work site; (vi) any street furniture (electrical or non-electrical) cannot be removed or relocated by the developer or any of its contractors. This may only be carried out by the Highway Authority or its appointed contractor.

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

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

7 VIBRATION

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

8 AIR QUALITY

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

9 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.

10 The Council recommends that the maximum standards for fire safety are achieved within the development.

11 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 Barry Henn, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5232