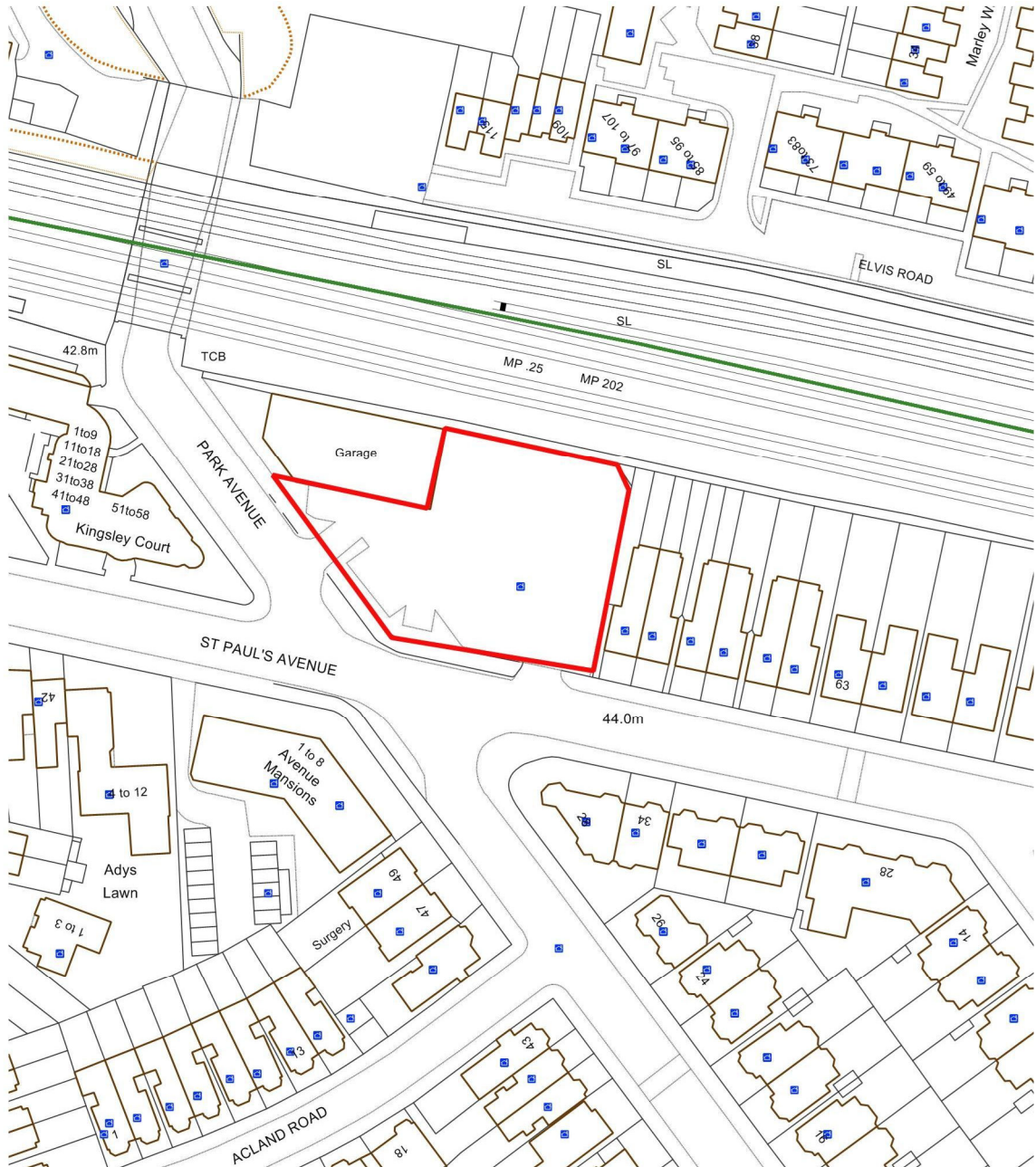
 **Planning Committee Map**

Site address: Storage Land next to 75, St Pauls Avenue, London, NW2 5TG

© Crown copyright and database rights 2011 Ordnance Survey 100025260



This map is indicative only.

RECEIVED: 2 February, 2012

WARD: Willesden Green

PLANNING AREA: Willesden Consultative Forum

LOCATION: Storage Land next to 75, St Pauls Avenue, London, NW2 5TG

PROPOSAL: Variation of condition number 2 (plan numbers) to allow the following minor material amendment:

- The inclusion of 8 parking spaces (for the use of the garage business or in association with the servicing and management of the proposed residential building only) within the proposed landscaped area at the southwest corner of the development site

to the scheme granted by full planning permission 11/0051 dated 11/04/01 for the redevelopment of the site to provide a part 3, part 4, storey building, comprising 10 affordable units and associated access, landscaping, a disabled parking space and cycle parking provision, and subject to a Deed of Agreement dated 11 April 2011 under Section 106 of the Town and Country Planning Act 1990, as amended

APPLICANT: Genesis Housing Association

CONTACT: Savills

PLAN NO'S:
See condition 2

RECOMMENDATION

Grant planning permission subject to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Area Planning and Development to agree the exact terms thereof on advice from the Director of Legal Services and Procurement.

SECTION 106 DETAILS

The application requires a Section 106 Agreement, in order to secure the following benefits:-

- (a) Payment of the Councils legal and other professional costs in
 - (i) preparing and completing the agreement and (ii) monitoring and enforcing its performance
- (b) 100% Affordable Housing .
- (c) A contribution of £55,200 (£2,400 per AH bedroom), 50% due on material start, 50% due on Practical Completion unless an affordable housing toolkit is submitted at that point showing a return of less than 15%. The contributions are to be index-linked from the date of committee and used for Education, Sustainable Transportation and Open Space & Sports in the local area.
- (d) Sustainability - submission and compliance with the Sustainability check-list ensuring a minimum of 50% score is achieved and Code for Sustainable Homes Level 3, with compensation should it not be delivered. In addition to adhering to the Demolition Protocol.
- (e) Offset 20% of the site's carbon emissions through onsite renewable generation. If proven to the Council's satisfaction that it's unfeasible, provide it off site through an in-lieu payment to the council

- who will provide that level of offset renewable generation.
- (f) Join and adhere to the Considerate Contractors scheme.
 - (g) The removal of the rights of residents to apply for parking permits.
 - (h) Contribution towards off-site landscaping in the pavement build-outs adjacent to the site.

And, to authorise the Head of Area Planning, or other duly authorised person, to refuse planning permission if the applicant has failed to demonstrate the ability to provide for the above terms and meet the policies of the Unitary Development Plan and Section 106 Planning Obligations Supplementary Planning Document by concluding an appropriate agreement.

EXISTING

The site is a vacant plot on the northern corner of St Paul's Avenue and Park Avenue North, NW2. The site is not within a conservation area but is opposite Kingsley Court which is a Grade II Listed Building.

The last lawful use of the site was as a petrol filling station. There is a functioning garage directly to the north of the site on Park Avenue North and a train line to the north of the site, all other neighbouring uses are residential.

PROPOSAL

See description above

HISTORY

11/0051 Granted subject to Legal Agreement

Redevelopment of the site to provide a part 3, part 4, storey building, comprising 10 affordable units and associated access, landscaping, a disabled parking space and cycle parking provision, and subject to a Deed of Agreement dated 11 April 2011 under Section 106 of the Town and Country Planning Act 1990, as amended

10/0677 Refused at planning committee on 30th June 2010

Redevelopment of the site to provide part 2, 3, 4 and part 6 storey building comprising 20 (5 one, 10 two and 5 three bed) affordable units and associated access, landscaping, car parking and cycle parking provision

POLICY CONSIDERATIONS

POLICY CONSIDERATIONS

National Planning Policy Framework

The NPPF was published on 27th March and replaces Planning Policy Guidance and Planning Policy Statements with immediate effect. It is intended to make the planning system less complex and more accessible, to protect the environment and to promote sustainable growth. It includes a presumption in favour of sustainable development in both plan making and decision making and its publication.

Saved policies from the adopted UDP will have increasingly less weight unless they are in conformity with the NPPF and can be demonstrated to be still relevant. Core Strategy policies will also need to be in conformity with both the London Plan and the NPPF and have considerable weight.

Where PPG's, PPS's, LDF Core Strategy and UDP saved policies are referred to in the report below they have been considerations in the assessment of the application. However, the recommendation is considered to comply with the NPPF.

London Plan 2011 and Mayor's Community Infrastructure Levy (CIL)

This applies to relevant developments from 01/04/2012

Brent's Core Strategy 2010

Within the adopted LDF Core Strategy the following policies are considered to be the most pertinent to the application.

CP6 Design & Density in Placeshaping

Sets out the factors that will be taken into account in determining density and requiring good design

CP21 A Balanced Housing Stock

The Plan seeks to maintain and provide a balanced housing stock in Brent in support of Policy CP2 by protecting existing accommodation that meets known needs and by ensuring that new housing appropriately contributes towards the wide range of borough household needs

London Borough of Brent Unitary Development Plan 2004

Within the adopted Unitary Development Plan 2004 plan the following list of 'saved' policies are considered to be the most pertinent to the application.

BE2 Townscape: Local Context & Character

BE6 Public Realm: Landscape Design

BE7 Public Realm: Streetscape

BE9 Architectural Quality

H9 Dwelling Mix

H12 Residential Quality – Layout Considerations

TRN23 Parking Standards – Residential Development

PS14 Parking Standards

Supplementary Planning Guidance Note 17: Design Guide for New Development Supplementary Planning Document: S106 Planning Obligations

SUSTAINABILITY ASSESSMENT

The checklist scores a value of 28.5%, which is considered fairly detrimental in sustainability terms. Further sustainability measures will need to be awarded to ensure that the proposal meets the 50% checklist requirement. This will be secured in the s106 agreement.

Suggestions to improve the sustainability score include:

- Provide information on the issues where points have been lost i.e. materials (including more sustainable materials – see SPG19 for details), water conservation and recycling, provide SUDs such as permeable paving, green/ brown roof.
- Provide further measures for water efficiency i.e. spray taps, water meter etc.
- Provide information for Localised lighting with user controls & low energy fittings.
- Sign up to the Considerate Contractors scheme and provide construction waste recycling targets in line with the ICE Demolition Protocol
- Proposals to improve air quality.

Energy

Applicants have gone through the necessary steps in accordance with the London Plan 'Energy hierarchy' to show the feasibility of reducing overall Carbon emissions.

Applicants have considered District Heating and CHP in line with the London Plan 'Energy Hierarchy' and have concluded that there is not a district network to connect up to, nor does the scheme have the appropriate mix or density for optimum CHP efficiency. These measures have been discounted accordingly.

Applicants have demonstrated that it is possible to achieve a 20% reduction on the buildings lean baseline CO₂ emissions (29,463KgCO₂/year) through renewables. It has been demonstrated that through a combination of solar thermal and solar PV, a 20% reduction can be achieved or alternatively, solar PV alone achieves the same reduction.

S106 requirements:

- Achieve at least 50% on the council's sustainability checklist
- An indicative BRE sustainability assessment showing that the development will be constructed to such specifications as to achieve Code for Sustainable Homes Level 3 rating.
- Energy conservation and passive solar measures to achieve higher levels of Carbon-reduction or SAP ratings (at least 10% above Building Regulations minimum)
- To commission and prepare a strategy to demonstrate that 20% of the site's Carbon emissions can be offset through onsite renewable energy generation and to fully implement that strategy and maintain it for the lifetime of the development unless otherwise agreed in writing by the Council OR if technically unfeasible, an equivalent level of off-site renewables, provided on a local school/community facility, and maintained for the life of the development.
- Evidence of sustainable materials shall be submitted to, and approved, by the local planning authority at Reserved Matters stage, or at least 4 months prior to site commencement of the development. Such materials shall be of a comparable sustainability standard to that indicated on (or negotiated through) the Checklist submitted with the application.
- To include details of how ICE Demolition Protocol Methodology has been applied in setting DRI &/or NBRI targets for recycled materials or content.
- To sign up to the Considerate Contractors' scheme

A pre-assessment statement has not been provided for the application. As the application is 10 units, the development will be expected to achieve Code for Sustainable Homes Level 3.

CONSULTATION

Neighbouring occupiers were consulted on 16th February 2012. A site notice and press notice were also published, 4 objections have been received making the following comments:

- The garage should be urged to use the forecourt in the way they have for the past 20 years - if there is any congestion in the garage forecourt traffic backs up onto Park Avenue North, the proposed parking bays will require cars to regularly block the entire Park Avenue North entrance causing traffic to back up around this blind corner creating the risk of accident.
- The proposal is a step backwards towards the original application rejected by the Inspector at appeal - the frontage and the vista as pedestrians walk down St Pauls Avenue would be a huge open paved area across the parking spaces
- The variation would leave only a narrow green strip while doubling the width of the paved area.
- Having trees along the perimeter is a good idea but the remaining total area of grass and trees is far too small to offset the massive frontage.
- The Inspector criticised the potential for conflict between cars and pedestrians - this will increase with this proposal.
- The conversion of the green area to a car park will attract rubbish and graffiti to the entire street.
- Not happy with the design/materials of the approved building - this will worsen with the stark open frontage replacing the promised green area.
- Conflict between Court Order and application - The application fails to show the other 7 parking spaces granted by the Court Order.
- Noise is likely to increase with the identified 15 parking spaces
- Traffic calming measures impede the right of way
- The introduction of these spaces is likely to lead to confusion amongst future residents as to who can use the space and conflict with the garage.

Internal

Highways - Residents will need to be informed that these spaces are not for residential use.

- It is recommended that a suitable line of bullnose kerbs, blocks or setts be provided along the line of the previously approved right of way to signify a consistent width of about 4m
- To compensate for the loss of landscaping new planting could be provided within the extensive footway areas around the amended junction, if this course of action is sought a suitable financial contribution should be secured.

REMARKS

Members will be aware that planning permission was granted on 11th April 2012 for a residential development comprising of 10 units. The original committee report for the approved scheme can be viewed in Appendix 1 below.

The current application seeks permission for the following amendment, otherwise the proposal remains unchanged:

- The inclusion of 8 parking spaces for the use of the garage to the north and the Housing Association within the proposed landscaped area at the southwest corner of the development site

Background

Following the approval of planning application 11/0051, the garage owners adjacent to the development site have successfully, through the courts, claimed prescriptive rights to park 15 vehicles on land owned by Genesis Housing Association (GHA). GHA are required to provide 8 parking spaces within the area of land to the south east corner of the plot which, under the approved planning application, is a landscaped area fronting St Paul's Avenue.

It is acknowledged that 7 other spaces will be provided elsewhere on the site but they do not impact on the form of the planning approval.

The application seeks approval for a revision, incorporating the 8 parking bays within the southeast corner of the site fronting St Pauls Road and Park Avenue East, to enable the 10 unit scheme to be implemented, whilst at the same time complying with the court ruling.

Landscaping

The extent of softlandscaping around the proposed building has been a significant issue and formed part of the reasons for refusal in the original application and dismissed appeal. This was, however, successfully overcome in the 10 unit scheme and an important element of this was the softlandscaped area on the corner of St Paul's Avenue and Park Avenue North.

It is inevitable that the current proposal, with the requirement to incorporate 8 parking bays within this identified area, will result in a reduction in the quantity of softlandscaping provided on the part of the site. However, officers have worked with the applicant, as well as highways and landscape officers, to seek a way to mitigate this.

A revised parking layout for the 8 cars has been provided since the submission of this application. The proposal now envisages a block of parking bays (2 rows of 4 spaces). While this arrangement means that not every space is independently accessible it is not unusual for working garages where parking is required in a relatively small space. GHA have sought advice and believe that this arrangement would not conflict with the Court Order, this is not an issue for the Council to judge but is a civil matter between GHA and the garage. The impact on the quantity and quality of landscaping and the resultant appearance of the development does however need to be considered.

The position of the parking bays allows for a fairly narrow strip of landscaping before the site boundary with Park Avenue North (ranging from just under 2m to about 1m), this will allow for the inclusion of a hedge as originally approved, a 1.5m high trellis is also proposed to allow for climbing plants. Other than the originally approved wheelchair accessible parking bay the rest of the space can remain as softlandscaping.

Officers are of the opinion that this revised layout of the parking spaces has a much less significant impact and can be mitigated by the inclusion of larger scale planting including trees within the site, this will be required by condition.

In addition to this, the recently revised junction layout adjacent to the site allows scope for the inclusion of softlandscaping within the widened pavement area further mitigating the on-site loss. A financial contribution will be required in a new s106 agreement to fund this, it is currently suggested that this could consist of 3 street trees but further details of this proposal will be included in a supplementary report.

While the quantity of on-site landscaping in terms of the area covered will reduce, through the inclusion of larger trees officers consider that the quality can be improved. The addition of off-site landscaping will further mitigate the quantitative loss with the result that the appearance of the development will, on balance, remain acceptable.

Impact on future residents

Officers raised initial concern about the relationship of the proposed parking spaces with the approved building in terms of the amenity of future occupants, particularly those with windows overlooking this space. The addition of the parking bays is not considered to specifically increase the capacity of the garage but the concern has been the proximity of activity to the residential units. The location of the parking bays is likely to increase the number of vehicular movements in close proximity to the residential units and may also increase the number of cars which choose to use the right of way to enter or leave the site.

The garage will be entitled to use the spaces Monday to Saturday from 7am to 7pm and not outside of these hours. There would be no vehicles or movements of vehicles in this space in the evenings or on Sundays.

Given that the site is located next to a garage and train line it has always been anticipated that there would be a notable amount of vehicle movements in and around the site as well as train noise. This was addressed in the original approval including a screen around the small private garden at ground floor as well as the angling of the upper floor balconies towards the front of the site, screening the garage. This design will largely direct outlook towards the part of the corner plot where softlandscaping is still proposed, as such the impact on amenity and outlook is expected to be limited.

Conclusion

Members will be familiar with this site and the difficulties of securing a scheme that can be supported by officers. A proposal was eventually granted in April 2011. The concerns of the adjoining garage site have been clearly set out over time and they have successfully, through the courts, sought to protect their position as far as number of car parking spaces are concerned. That position has impacted on the approved development and has required that it be re-visited. For Members information, this application only relates to the introduction of parking spaces into the south east corner of the site, and all other aspects are as per the approval from last April.

The revised proposal has been carefully considered and, with associated conditions and the additional financial contribution to off-site landscaping, will result in a different but nevertheless an

on balance acceptable arrangement. With the mitigation already designed into the approved scheme, the quality of accommodation will continue to be acceptable and with a larger scale of planting in the remaining on-site landscaped area plus the addition of off-site landscaping the appearance of the development will also remain of the necessary quality.

Appendix 1

As described above the application is for the development of the vacant plot on the northern corner of St Paul's Avenue and Park Avenue North, NW2.

The applicant is Genesis Housing Association and the proposed 10 units are all affordable and are proposed for social renting.

Context

A significant issue which has a direct and obvious impact on the form of the proposal is a Right of Access across this site which members will be aware of from previous applications. As things stand at the moment, the area affected cannot be built upon or treated in anyway which would prevent vehicular access. The areas unaffected are to the south west and to the centre, east and north east of the site. It is this right of access that has effectively determined the form that the proposal takes.

As yet discussions between the applicant and garage owner have not led to an agreement to remove this access or exchange an area of the site and as such the right of access and its restrictions remain.

No representations have been received from the garage owner to date about this current application.

Principle of Redevelopment

There is no objection to the principle of developing the site for residential use. It is not considered as local employment land, being a former petrol filling station, and the character of the area is residential with the exception of the adjacent garage site.

The proposal is for 100% affordable housing and would make a contribution to the housing need in the borough providing an acceptable mix of units including family sized maisonettes (7x2-bed and 3x3-bed).

Design & Scale

The site is a prominent corner plot at the junction of St Paul's Avenue and Park Avenue, across the junction to the west of the site is the 6-storey and Grade II Listed Kingsley Court and to the south, Victorian or Edwardian mansion blocks of 3 and 4 storeys face onto the junction. These buildings present a strong building line around the junction, each also benefiting from a landscaped set back and green perimeter resulting in the establishment of a clear residential character.

The proposal is for a part 3 and 4 storey building limited in its foot print to the eastern area as defined by the right of access. To the east of the site the buildings are semi-detached houses in appearance but were originally built as maisonettes. At the point closest to this neighbour the proposed building is 3 storeys and is lower than their ridge height, the main front building line here reflects that of the bay feature of the neighbouring maisonettes and officers' are of the opinion that this relationship is acceptable. The step up to 4-storeys still results in a building generally lower than the other corner plots.

The right of access has a significant impact on the treatment of the St Paul's Avenue frontage. Originally the proposed treatment of the frontage was 100% hardstanding. In the proposed scheme a front hedge has been introduced across the whole of the front curtilage. The Council's policies relating to the public realm state that a high standard of landscape design is required as an integral element of development schemes to provide a good quality residential development and to enhance the streetscene. In contrast to the refused scheme, as well as the above mentioned hedge, an area of green wall has been introduced to either side of the front entrance doors and most significantly it has been possible to add planters within the pedestrian frontage. These features add much needed softlandscaping to the hard frontage, a condition is recommended to ensure that good quality planting is introduced as well as maintenance to ensure it survives. This scheme also benefits from no building on the southwest part of the site which allows for the introduction a significant amount of softlandscaping. While the treatment directly in front of the building is still much harder than usually sought it is considered that given the specific constraints the proposals discussed above are acceptable.

Notwithstanding these significant limitations officers consider that the general design and scale of the proposed building is acceptable. The design detail relates acceptably to the architecture of Kingsley Court without mimicking the 1930s design and the height is sympathetic to the 2-storey houses. There is some rhythm and consistency with projecting windows and balconies providing some additional interest. Samples of the proposed materials are required by condition as high quality finished are required.

Residential Amenity

Standard of Accommodation for Future Residents

All units comply with or exceed the minimum internal floorspace standards of SPG17 and all are dual aspect, unit 2 does not have very generous outlook as it is constrained by the requirement for acoustic screening but its bedrooms have unobstructed outlook to their garden.

All units apart from flat 10 have private amenity space mostly in the form of small balconies. The two ground floor units each have a private curtilage indicated which are acceptably sized without counting the front gardens. The scheme achieves a sufficient quantity of amenity space as sought by SPG17.

In terms of noise the site suffers from both the railway to the north and the active garage to the northeast. The applicants have submitted a noise survey and assessment with the conclusion that the standards of BS8233:1999 "Sound insulation and noise reduction for buildings" can be achieved internally subject to particular construction of walls for the building. Officers are of the opinion that post-completion in this case will be particularly important and a condition is recommended to require this and, if standards are not achieved, remediation measures will need to be agreed and implemented which could require physical alterations and additions.

Noise attenuation will be crucial to ensuring the children's play space could be well used and details of the fencing are required, at busy times the garage can produce high levels of noise and the attenuation measures will aim to reduce the impact of this on the amenity space as far as possible. The shape and size of the amenity space has drastically improved from application 10/0677, while noise can be attenuated but not removed the quality and quantity is on balance considered to be acceptable.

Impact on Adjoining Occupiers

The separation distances across the junction and the fairly restrained height of the proposal result in an acceptable relationship in terms of surrounding neighbours.

To the rear the building has been designed to not project beyond the rear principal elevation (building line) of no. 75/75a St Paul's Avenue until it is 10m in from the joint boundary. At this point the building projects backwards by 6m at a height of 2-storeys, significantly less than the 2-storey outrigger of the adjacent building which is about 11.5m. At a further 5m from the boundary the projection increases by an additional 3m and is 4-storeys.

There are 2 windows above ground level in these flank walls and a condition is recommended to ensure they are obscure glazed to protect neighbouring privacy, as neither window is a sole window to a habitable room this condition would not harm the amenity of future occupants.

In the previous application concerns were expressed by an occupier of the neighbouring maisonette about the potential negative impact of the proposal on the levels of daylight and sunlight that they presently receive. In the neighbouring building containing 2 flats 3 windows (2 at ground floor and 1 at first floor) would experience a loss of daylight of over 20% which exceeds BRE Guidance, however the majority of reductions in daylight are below 20%. The units do benefit from south facing windows which do not face the application site and so are unaffected. While it would be preferable for the impacts not to exceed BRE Guidance at all the proposed height of the development is considered more sympathetic to the neighbouring dwellings and as a whole is considered to be sited so as to minimise its potential impact.

Transportation

As the development is proposed as social housing a 50% reduction in the parking standards set out in PS14 of the UDP 2004 applies, as such about 13 parked cars would be expected to be generated by this development. The proposal involves a single disabled off street parking spaces only

The applicant's Transport Statement suggests that a 'car-free' agreement be applied to the development,

While the site has a PTAL of 3 and PTAL 4 is usually required for car-free agreements it is at the upper end of the PTAL 3 range and the Council's Highways Officer accepts that a minor relaxation in this instance is acceptable and the scheme can be supported with a 'car-free' agreement to prevent future occupant's obtaining parking permits.

The disabled parking and cycle storage provision comply with the Council's requirements, as does the location and size of the refuse store.

Officers previously had concern about the awkward entrance arrangement into the site from St Paul's Avenue, while vehicles from the garage will still have use of this accessway only a single residential vehicle would now have access to the site which is considered to make a notable difference in the amount of vehicle activity.

One of the most concerning reasons for refusal in application 10/0677 related to the layout of the site and the conflict arising between vehicular and pedestrian movement across the front and also through the site. As no building is proposed on the plot to the left the visibility through the site is significantly improved, nevertheless officers still recommend a condition for a bollard on the southeast corner of the pedestrian only frontage as a marker for both pedestrians and vehicles. Speed humps are proposed along the route through the site as a traffic calming measure.

The pedestrian entrance to the site is proposed as a footpath with a kerb providing a safe accessway. Directly in front of the building, with the recessed ground floor entrance, there is a pedestrian only area of over 2.5m this is a significant increase compared to the refused scheme. A 1.5m deep area in front of this which is affected by the right of way is proposed to be treated in the same way as the pedestrian area to encourage drivers not to use it. An important and essential addition is the planters along the edge of the pedestrian space, these clearly indicate the

safe area for pedestrians without creating a solid barrier.

While the right of access is a significant constraint for the development of the site it is considered that the improvements made for pedestrian safety result in an acceptable proposal.

Landscaping

As discussed above the scheme provides a good quantity of amenity space. Details of all planting, play space equipment and planters etc. are required by condition to ensure high quality is achieved. Details of hardstanding are also sought and should be permeable as well as of a good quality appearance.

Servicing

Access to the refuse store from the highway does not exceed 15m and is therefore acceptable.

Comments were received from Thames Water on application 10/0677 and it is considered that the points raised need to be addressed in this application. Neighbours have raised concern about flooding from storm flow in the immediate vicinity and therefore a condition is required for details of storm flow attenuation to ensure that the development of the site does not negatively contribute to the existing situation. The site is currently 100% hardstanding so it is possible that the introduction of soft landscaping and permeable paving could improve the situation, but at the least it is important to ensure that it is not worsened.

S106

The applicants state that the scheme is unviable but make an offer of a contribution of £20,000. The standard contribution of £55,200 (£2,400 per AH bedroom) is advised by the s106 SPD and the recommended Heads of Terms suggest 50% provided on material start with 50% due on practical completion. The upfront 50% would be £27,600, officers seek this amount as the minimum contribution, upon Practical Completion the remaining 50% would be required unless an affordable housing toolkit is submitted at that point showing a return of less than 15%.

Other

Members are advised that as a final revision to the scheme was received at late notice (increasing the depth of the pedestrian area to the frontage and adding planters) only the ground floor plan so far shows this alteration. Other plans will be altered accordingly and revised plan numbers included in a supplementary report.

RECOMMENDATION: Grant Consent subject to Legal agreement

(1) The proposed development is in general accordance with policies contained in the:-

Brent Unitary Development Plan 2004
Council's Supplementary Planning Guidance 17 - Design Guide for New
Development
Conservation Area Design Guide

Relevant policies in the Adopted Unitary Development Plan are those in the following chapters:-

Built Environment: in terms of the protection and enhancement of the environment
Housing: in terms of protecting residential amenities and guiding new development

CONDITIONS/REASONS:

- (1) The development hereby approved shall be commenced within 3 years of 11th April 2011.

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):

813/X01

GHG/813/OD22 E

GHG/813/OD23 B

GHG/813/OD24 B

GHG/813/OD25 A

GHG/813/OD26 A

GHG/813/OD30 B

GHG/813/OD31

GHG/813/OD32 A

GHG/813/OD33 A

GHG/813/OD38 E

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

- (3) The east facing window of units 3 and 6 shall be obscure glazed and non-opening unless above at least 1.7m from internal floor level, and maintained as such.

Reason: In their interest of neighbouring amenity.

- (4) Any remediation measures required by the LPA shall be carried out in full. A verification report shall be provided to the LPA, stating that remediation has been carried out in accordance with the approved remediation scheme and the site is permitted for end use (unless the LPA has previously confirmed that no remediation measures are required).

Reason: To ensure the safe development and secure occupancy of the site proposed for domestic use in accordance with policy EP6 of Brent's UDP 2004.

- (5) The hereby approved 8 parking spaces shall be used by the garage business and in association with the servicing and management of the proposed building only and not by residential occupants at any time.

Reason: To prevent a conflict between the different users of the site and to maintain a car-free residential development.

- (6) Prior to the commencement of work details shall be submitted to and approved in writing by the LPA to demonstrate:
- proper provision for drainage of surface water to ground or a suitable sewer.
 - attenuation of storm flow or regulation into the receiving public network through on or off site storage.

N.b. Where the developer proposes to discharge to a public sewer prior approval from Thames Water is required.

Reason: To ensure that surface run off within the curtilage of the site can be contained.

- (7) In order to mitigate against the possibility of numerous satellite dishes being installed on the buildings hereby approved, details of a communal television system/satellite dish provision shall be submitted to, and approved in writing by, the Local Planning Authority. The approved details shall be fully implemented.

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

- (8) Notwithstanding indicative materials on plans details of materials for all external work, including samples, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works above ground level. 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.

- (9) All areas shown on the plan and such other areas as may be shown on the approved plan shall be suitably landscaped with trees/shrubs/grass in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority prior to commencement of work on the site above ground level. Such landscaping work shall be completed prior to occupation of the building(s).

Such scheme shall also indicate details of:-

- Proposed walls, fences and gates including materials and heights
- Play area equipment
- Dimensions, appearance and siting of planters to frontage.
- Width of planting bed for hedge at front boundary.
- Detail of planters with climbing plants on front elevation either side of entrance doors as shown on GHG/813/OD30
- Maintenance plan with particular detail relating to planters.
- Materials of all hardsurfacing including samples (to be SUDS and/or permeable paving systems)
- The inclusion of 4 trees (14-16cm girth) within the landscaped area at the southeast corner of the site.

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

Reason: To ensure a satisfactory standard of appearance and setting for the development and to ensure that the proposed development enhances the visual amenity of the locality in the interests of the amenities of the occupants of the development and to provide tree planting in pursuance of section 197 of the Town and Country Planning Act 1990.

- (10) Further details of the proposed development shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced above ground level and the development shall be carried out and completed in all respects in accordance with the details so approved before the building(s) are occupied and shall be maintained for the lifetime of the development. Such details shall include:-

- (a) acoustic barrier between the amenity space and the adjacent garage

(b) acoustic screening to balconies to west elevation

NOTE - Other conditions may provide further information concerning details required.

Reason: These details are required to ensure that a satisfactory development is achieved.

- (11) Prior to the commencement of building works, a site investigation shall be carried out by competent persons to determine the nature and extent of any soil contamination present. The investigation shall be carried out in accordance with a scheme, which shall be submitted to and approved in writing by the LPA, that includes the results of any research and analysis undertaken as well as an assessment of the risks posed by the contamination and an appraisal of remediation options required to contain, treat or remove any contamination found. The written report is subject to the approval in writing of the LPA.

Condition: To ensure the safe development and secure occupancy of the site proposed for domestic use in accordance with policy EP6 of Brent's UDP 2004

- (12) Prior to occupation of the dwellings the applicant shall be required to submit in writing to the LPA the results of the post-completion testing undertaken in the noise affected dwellings to verify that all units would comply with BS8233:1999 'Sound insulation and noise production for buildings – code of practice'. If requirements are not achieved remediation measures shall also be submitted to and approved in writing by the LPA and implemented and re-tested accordingly.

Reason: To verify that the internal noise levels specified can be met and safeguard the amenity of future occupants of the development.

- (13) Prior to the commencement of the development above ground level a Construction Method Statement shall be submitted to and agreed in writing by the LPA outlining measures that will be taken to control dust, noise and other environmental impacts of the development.

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

- (14) Further details of the proposed speed humps shall be submitted to and approved in writing by the Local Planning Authority and implemented before the building is occupied.

Reason: To minimise the conflict between users of the site.

INFORMATIVES:

- (1) Prior to the commencement of any works on site, developers must contact Network Rail to inform them of their intention to commence works. This must be undertaken a minimum of 6 weeks prior to the proposed date of commencement.
- (2) Prior to commencement of works, full details of excavations and earthworks to be carried out within 10 metres of the railway undertaker's boundary fence should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details.

Any person wishing to inspect the above papers should contact Liz Sullivan, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5377