

# COMMITTEE REPORT

Planning Committee on

19 June, 2019

Item No

04

Case Number

18/4902

## SITE INFORMATION

RECEIVED	24 December, 2018
WARD	Barnhill
PLANNING AREA	
LOCATION	2A, Preston Way and 283, 285 & 287 Preston Road, Harrow, HA3
PROPOSAL	Demolition of buildings and erection of a 2 to 4 storey residential building comprising 35 self-contained flats (6 x studios, 12 x 1 bed, 10 x two bed and 7 x 3 bed) with basement level, provision for car and cycle parking and associated landscaping
PLAN NO'S	See condition 2
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><b><u>When viewing this on an Electronic Device</u></b></p> <p>Please click on the link below to view <b>ALL</b> document associated to case <a href="https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_143278">https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_143278</a></p> <p><b><u>When viewing this as an Hard Copy</u></b> .</p> <p><b>Please use the following steps</b></p> <ol style="list-style-type: none"><li>1. Please go to <a href="http://pa.brent.gov.uk">pa.brent.gov.uk</a></li><li>2. Select Planning and conduct a search tying "18/4902" (i.e. Case Reference) into the search Box</li><li>3. Click on "View Documents" tab</li></ol>

## RECOMMENDATIONS

1 That the Committee resolve to GRANT planning permission subject to:

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

1. Payment of legal and professional costs
2. Notification of commencement 28 days prior to material start
3. Affordable housing - provision of 4 shared ownership units together with a post-implementation review mechanism for affordable housing.
4. Training and employment of Brent residents
5. Energy Assessment- Submission of Energy Assessment, and carbon offset contribution to be paid in two stages, following pre-construction submission of revised Energy Assessment and post-completion submission of Energy Assessment Review. Energy Assessment to include overheating analysis.
6. Contribution towards offsite landscape works for strip of land between access road to Tenterden Sports Ground and eastern boundary of the site
7. Any other planning obligation(s) considered necessary by the Head of Planning

That the Head of Planning is delegated authority to negotiate the legal agreement indicated above.

B. 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. Three year rule
2. Approved plans
3. Withdraw permitted development rights for C3 conversion to C4
4. Obscure glazing to windows overlooking neighbours
5. Considerate constructors scheme
6. Sustainable Urban Drainage
7. Mains water consumption for residential units not to exceed 105lppd
8. Construction Method Statement (CMS)
9. Non-road mobile machinery (NRMM)
10. Connection District Heat Network
11. Piling details
12. External materials
13. Accessibility
14. Balcony details
15. Garden screens
16. Hard and soft landscaping
17. Lighting
18. Details of boiler flues and PV panels on roof
19. Air quality follow up
20. Highways works
21. Internal noise
22. Plant noise

### Informatives

1. CIL liability
2. Party Wall
3. Building near boundary
4. Environmental Health general comments
5. Asbestos
6. Groundwater risk permit
7. Highway works
8. Notify highways
9. Living Wage
10. Fire Safety

1. 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.

2. That, if by the "expiry date" of the planning application the legal agreement has not been completed, the Head of Planning is delegated authority to refuse planning permission.

3. 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: 2A, Preston Waye and 283, 285 & 287 Preston Road, Harrow, HA3

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This map is indicative only.

## PROPOSAL IN DETAIL

The application proposes the demolition of buildings and erection of a 2 to 4 storey residential building comprising 35 self-contained flats (6 x studios, 12 x 1 bed, 10 x two bed and 7 x 3 bed) with basement level, provision for car and cycle parking and associated landscaping (revised description)

## EXISTING

The site for the proposed development is located on the western side of Preston Road and currently contains 2 detached dwellinghouses (2a Preston Way & 283 Preston Road) and 2 semi-detached dwellinghouses (285 & 287 Preston Road) dwellinghouses and associated gardens. The site is bounded by No. 281 Preston Road and Preston Way to the south, the rear garden of 2 Preston Way to the west, a Council owned landscaping strip and access road to Tenterden sports ground to the North and Preston Road to the east.

The site has an area of 0.19ha and a level drop of approximately 2.9m from east to west towards 2 Preston Way. The site has a Public Transport Accessibility Level (PTAL) rating of 3 which is classified as good and it is within 150m of Preston Road tube station.

The application site is not located within a conservation area nor does it contain any listed buildings. It sits just outside the boundaries of Preston Road Town Centre.

## AMENDMENTS SINCE SUBMISSION

The following amendments were made to the plans during the application:

- Alterations to the layout of the amenity space
- Alterations to increase the size of balconies to ensure adequate levels of private amenity space
- Alterations to ceiling height of basement above disabled spaces, relocation of 2 disabled parking spaces to outside the basement, and alterations to headroom height in basement to accommodate double stacked bicycles
- Rearrangement of 2 x one bedroom units into 2 x studio units on southern elevation (details to be conditioned)
- Amendments to basement layout to rearranged bins and provide a plant room

## 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.**

**Objections from neighbours:** 6 objections have been received from individual properties together with an objection from Cllr Pavey. A petition with 45 signatures has also been received objecting to the proposal. These relate mainly to the impact of the buildings on the character of the area, the impact on light, outlook and privacy to neighbouring properties, parking provision and the impact on existing congestion in the area, and are covered in the relevant sections of the report.

**Principle of development:** The principle of the development has been established through planning approval reference 16/5444. This proposal seeks to optimise the delivery of housing within the site, and is considered acceptable in an area of good public transport accessibility (PTAL 3) and located next to Preston Road Town Centre. It will positively contribute towards the Council's housing targets.

**Affordable housing and housing mix:** The proposal includes 4 shared ownership units (2 x studio flats and 2 x one bedroom flats) accounting for 11% of units or 6.6% by habitable room. In addition 7 of 35 units are family sized (three bedroom), accounting for 20% of the units. Your officers consider this to be the maximum reasonable amount of affordable housing that can be provided, subject to any additional surplus being captured through early stage and late stage review mechanisms.

**Design, scale and appearance:** The proposal offers a more contemporary design on a corner location adjacent to a town centre area. The height, massing and scale of the development are all considered to be acceptable within this location.

**Residential living standards:** The 35 residential units would all meet or exceed internal space standards and the majority of units would be dual aspect. All units would have balconies and additional amenity space would be provided in the form of a communal garden. A financial contribution towards improvements to the landscape strip between the northern elevation of the site and the access road to Tenterden Sports Ground will be secured through the Section 106 Agreement.

**Impact on neighbouring properties:** The proposal would not result in any undue impact on the residential amenities of neighbouring occupiers in terms of daylight, sunlight or overlooking and would be acceptable.

**Transportation and highways considerations:** The scheme proposes 17 car parking spaces (4 of which will be disabled) within the basement car park and provision for upto 7 spaces along the access road into the site. Vehicular access is proposed from Preston Way next to No. 2 Preston Way. Cycle parking and bin storage comply with the relevant standards. Transport officers have assessed the scheme and consider that it would not result in any undue impact on traffic or parking within the area

## MONITORING

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

### Floorspace Breakdown

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

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
EXISTING ( Houses )			4							4
EXISTING ( Flats ú Market )										
PROPOSED ( Houses )										
PROPOSED ( Flats ú Market )	18	10	7							35

## RELEVANT SITE HISTORY

### Relevant Planning history

**16/5444:** Demolition of the existing buildings and construction of a four storey building with a basement level providing 25 self-contained flats (11 x 1bed, 10 x 2bed and 4 x 3bed) with associated vehicular crossover off Preston Waye, car and cycle parking spaces, bin stores, amenity space and ancillary gym for private use by the residents - **Granted, 14/08/2017.**

**09/2136:** Demolition of 4 existing dwellings and erection of a two-, three- and four-storey building to provide 33 flats (17 one-bedroom, 10 two-bedroom and 6 three-bedroom) and a basement car-park, with formation of new vehicular access from Preston Waye, associated services and landscaping - **Refused and Dismissed on Appeal, 16/06/2010.**

## CONSULTATIONS

**Consultation Period: 14/01/2019 - 04/02/2019**

**Site Notice Displayed on 18/01/2019**

**Press Notice dated 24/01/2019**

### Public Consultation

83 neighbours consulted.

6 objections have been received from individual properties together with an objection from Councillor Pavey.

The objections are summarised below:

<b>Objection</b>	<b>Response</b>
The proposal would have negative impacts on residential amenity of neighbouring occupiers in terms of loss of light and privacy	The impact of the proposal in relation to neighbouring amenity has been considered, and discussed within paragraphs 17 to 30 below.
The proposal is not in keeping with the existing townscape	This is discussed within paragraphs 8 to 16 below.
Increase the massing of the building along the access road to Tenterden Sports Ground that is out of keeping with the context and would restrict views into this open space	This is discussed within paragraphs 8 to 16 below
Proposal is too dense for its context	This is discussed within paragraphs 1 to 3 below
The proposal would prejudice future development at no. 281 Preston Road	The proposal maintains an acceptable relationship with No. 281 Preston Road, and will not prejudice future development of the adjoining site – this is discussed within paragraphs 18 to 20 below.
It would set an unwanted precedent	Each application is assessed on its own merits having regard to the context of the site and its relationship to neighbouring sites, and considered against relevant and up to date planning policies.
Concerns over traffic and transport impact on Preston Way including pedestrian safety	This is discussed within paragraphs 51 to 59 below
Proposal needs to be considered in the context of a current planning application submitted at Tenterden Sports (LPA Ref: 18/4008), and the cumulative increase in traffic and congestion along the access road into Tenterden Sports ground	This is discussed within paragraphs 51 to 59 below
Transport study is out of date and should be updated	This is discussed within paragraphs 51 to 59 below
There is a Covenant in place on the land which prevents more than 11 units being developed	Covenants are covered by separate legislation and are not a material planning consideration. As such, they are an issue to be resolved by the parties involved and cannot be taken into consideration.
Loss of existing views	'views' are not protected under planning legislation and the loss of a view is not sufficient grounds to refuse permission. Notwithstanding

	this, the outlook from neighbouring properties has been assessed and is considered to be acceptable.
General disruption to neighbours as a result of dust and noise, and traffic congestion	Construction works and traffic will be managed through a construction management and logistic plan.  The impact of the proposal in terms of air quality has been considered and discussed within paragraph 69 below
Proposal is too dense and not appropriate for a suburban location. The proposal will fundamentally alter the character and appearance of Preston Road	This is discussed within paragraphs 1 to 16 below.
Access from Preston Way too narrow and not appropriate to serve this development	This is discussed within paragraphs 51 to 59 below
Proposal is too dense and represents an over development of the site compared to the 2016 application	This is discussed within paragraphs 1 to 3 below

A petition with 45 signatures has also been received objecting to the proposal on the grounds of the proposal having a detrimental impact on the character of the area, seeks to increase the number of flats above a previous scheme refused by the Council, problems with traffic manoeuvring and parking, entry on Preston Way will increase risk of crime and anti-social behaviour.

#### Internal and External Consultation

**Environmental Health** - Proposal is acceptable subject to a number of conditions being secured in relation to noise, air quality, non-road mobile machinery and construction noise and dust.

**Sustainability Officer** - Further information requested in relation to how the total carbon emissions have been calculated, provision of an overheating analysis taking into account future climate change scenarios, and details of flues to be provided as the scheme includes a strategy for individual boilers.

**Local Lead Flood Authority** - Has confirmed that the site falls within Flood Zone 1 and the risks of flooding is very low and the developers are taking appropriate measures to reduce the risks further. The proposed development will have Green Roof, Permeable Paving and the discharge rate will be restricted to 5 l/s. This will improve the capacity in the existing drainage system and overall, flood risk will be greatly reduced in the area.

**Parks Service** - No objections subject to conditions regarding landscaping and management.

**Thames Water** - Confirmed that they have no objections to disposal of surface water subject to following sequential approach. They have recommended a condition for any piling works due to proximity to strategic sewer, and have recommended that an informative is attached in relation to ground water permits. They have confirmed that there is no objection to this proposal with regards to waste water network and waste water process infrastructure capacity.

## **POLICY CONSIDERATIONS**

National Planning Policy Framework (2018)

London Plan (2016)

3.3 - Increasing Housing Supply  
3.4 - Optimising housing potential  
3.5 – Quality and Design of Housing Development  
3.6 - Children and young person's play and informal recreation facilities  
3.8 - Housing Choice  
3.12 - Negotiating affordable housing on individual private residential and mixed use schemes -  
5.2 - Minimising Carbon Dioxide emissions  
5.13 - Sustainable Drainage  
6.3 - Assessing effects of development on transport capacity  
6.9 - Cycling  
6.10 - Walking  
7.2 - An inclusive environment  
7.4: Local Character  
7.6: Architecture

Core Strategy (2010)

CP 2 Population and Housing Growth  
CP 17- Protecting and Enhancing the Suburban Character of Brent  
CP19: Brent Strategic Climate Change Mitigation and Adaptation Measures  
CP21 A balance Housing Stock

Development Management Policy (2016)

DMP 1: Development Management General Policy  
DMP 9 B: On Site Water Management and Surface Water Attenuation  
DMP 11: Forming an Access on to a Road  
DMP12: Parking  
DMP 13: Movement of Goods and Materials  
DMP 15: Affordable Housing  
DMP 18: Dwelling Size and Residential Outbuildings  
DMP 19: Residential Amenity Space

Supplementary Planning Guide  
SPD1 - Brent Design Guide (2018)  
Technical housing standards: nationally described space standard (2015)  
Housing SPG (2016)  
Mayor's Affordable Housing and Viability SPG

## DETAILED CONSIDERATIONS

### Principle of development

1. The principle of the redevelopment of the site has already been established through the approval of planning permission reference: 16/5444. The 2016 application approved the demolition of the four dwellinghouses and their replacement with a four storey development with a basement level to accommodate 25 self-contained flats (including 4 x 3 bedroom flats - accounting for 16% of units within the scheme). It should be noted that planning permission reference 16/5444 is still live and has until 14/08/2020 to be implemented. The approved scheme represents a legitimate fallback position.

2. The current scheme proposes a similar form of development to the 2016 approval but includes an additional 3/4 storey wing along the north west section of the site to continue the frontage along the access road to Tenterden Sports Ground. The main building will not exceed 4 storeys high but the design detailing has also been amended and discussed in detail below. The scheme now proposes 35 flats including 7 three bedroom units (accounting for 20% of the units within the scheme). Access to the basement car park will still be provided from Preston Way next to No. 2 Preston Way. The proposal will therefore still comply with policies CP2 and CP21 of Brent's Core Strategy 2010 and policy DMP16 in Brent's Development Management Policies.

3. It should also be noted that the emerging draft policy H1 in the London Plan proposes to increase Brent's Housing targets to around 2,900 homes per year compared to the current target of 1,950 homes per year. It seeks for boroughs to optimise the potential for housing delivery on all suitable and available brownfield sites through their Development Plans and planning decisions. This includes sites with existing or planned public transport access levels (PTALs) 3-6 or which are located within 800m of a town centre boundary. The application site is located on the edge of Preston Road town centre and within PTAL 3.

### Mix of units and affordable housing

4. The scheme proposes 35 flats comprising 6 x studios, 12 x 1 bed, 10 x two bed and 7 x 3 bed. The amount of three bedroom units accounts for 20% of the scheme which falls slightly under the target of 25% as set out within policy CP2. Nevertheless it represents an uplift in family sized units compared to the existing 4 dwellinghouses on site and the provision of 4 three bedroom units secured as part of 2016 application (accounting for 16% of the units).

5. London Plan Policy 3.12 requires boroughs to seek the maximum reasonable amount of affordable housing when negotiating on private and mixed use developments, having regard to a number of factors, including development viability. Policy CP2 of Brent's Core Strategy sets a strategic target that 50% of new homes to be delivered in the borough are affordable. Development Management Policy DMP 15 reinforces the 50% target set by policy CP2 and the need to seek the maximum reasonable amount of affordable housing. It goes on to say that where a reduction to affordable housing obligations is sought on economic viability grounds on major phased developments, and where the proportion of affordable housing agreed is significantly below 50% appropriate provisions to re-appraise scheme viability will be sought and secured by s106 agreement.

6. The applicant has provided a financial viability assessment (FVA) which states that it would not be financially viable to provide any affordable housing on this application site. This assessment has been independently assessed and the conclusions of which have been supported. The independent assessment states that the residual land value is £2,570,587 and the Benchmark Land Value was £2,633,400. This assessment concluded that the wholly private scheme would a very mild deficit of -£62,813. Notwithstanding this, the applicant has voluntarily chosen to provide 4 shared ownership units. The proposed units would be 3 x studio flats and 1 x one bed flats. This would work out as 11% of the overall scheme by unit number or 6.6% via habitable room and would mean that the developer would receive a level of profit that is below accepted targets. Whilst it is regrettable that the scheme does not include any affordable rented units, the scheme could not provide any Affordable Housing if target profits were achieved. Furthermore, given the low number of affordable units that are proposed, it is unlikely that a register provider would be interested in taking on such a small number of units. The provision of affordable rented units would make the scheme even more unviable to that as concluded within the FVA.

7. Additionally, it is noted that the area, and scheme are subject to value growth over the development period. As the deficit is considered to be minor, the Council will be requiring a post implementation late stage viability

review mechanism to be secured through a S106 agreement, to capture any uplift in affordable housing. In conclusion, the proposal has secured the maximum reason level of affordable housing.

## **Design**

8. Policy CP17 seeks to protect the traditional suburban character of Brent and states that more contemporary designs should be located in designated town centres or on corner sites. Policies DMP1 of the Development Management Policies and London Plan Policy 7.4 further state that development should be of a design, massing and scale which respects its surroundings.

9. There is no objection to the loss of the existing buildings. They are not listed and are not considered to be of a significant architectural value. Furthermore, their loss has already been established as part of the 2016 application.

10. The proposed development features a largely contemporary design which differs significantly to the traditional hipped roof buildings which surround it. However, it is noted that the site is a prominent corner site and located immediately adjacent to the Preston Road Town Centre. As such, it is considered that the more contemporary approach is appropriate in this location and would comply with the aims of Policy CP17 in this regard.

11. The choice of materials would consist of a light coloured mixed brick and light metal balustrades. It is considered that this choice of materials would be appropriate for residential properties and although different from surrounding properties, would not appear obtrusive in context. The fenestration would be of an appropriate size and would serve to add interest to the elevations of the proposal. As such, these elements would be acceptable.

## *Scale and Massing*

12. The proposal would be set back from the main streetscene to an extent that broadly matches the front building line of no. 291 and the previously existing buildings. The design of the building would use two front projections with a further setback at the main entrance to provide a more open frontage and to further break up the front elevation. Similarly, the hexagonal approach would result in the bulk of the building being set away from the side and rear boundaries of the site.

13. In terms of height the proposal would have a maximum height of 4 storeys which would step down towards the rear of the site. The upper most floor would be set in from the front and side elevations. The rooftop areas would be used as private terraces and a green roof for the very top of the building. 14. The maximum height would therefore be greater than the two storey houses which it would replace and the nearby two storey residences in the immediate area. However, it is noted that the properties within the adjacent town centre area are 3 and 4 storey structures.

14. Considering the shape and design of the proposal including the proposed step downs and set-backs it is considered that the proposal would not appear unduly tall or bulky within its plot and would not appear at odds with the surrounding streetscene and local area. It is of a similar scale to that approved as part of 2016 application and the additional form of development at the north western end of the site is appropriately stepped down so that its massing is broken up and it reflects the transition between the more urban context and suburban form of development.

## *Layout*

15. The proposal would feature a hexagonal design with angled walls. The main entrance would be located on Preston Road. A smaller secondary entrance on the southern side elevation would open onto a pedestrian walkway linking Preston Road and the rear of the site. This secondary entrance will provide disabled access into the site and follows the same arrangement as the 2016 application. The vehicle access down into the basement parking would be located on Preston Way. The northwestern corner of the site would also link into the nearby sports ground.

## **Neighbouring residential amenity**

16. Policy 7.6 of the London Plan and Policy DMP1 of the local plan both emphasise that new development should not result in unacceptable harm to the residential amenities of neighbouring properties. SPD1 provides further guidance on the layout of new development to avoid such impacts.

## *Privacy*

17. SPD1 requires a minimum distance of 9m from habitable room window to neighbouring private external amenity spaces and a minimum distance of 18m between directly facing rear habitable room windows. The proposal does not directly face the rear windows of adjoining properties.

18. A distance of over 9m is maintained to the boundary with the rear garden of 291 Preston Road. At first floor level upwards a distance of over 9m is also maintained to the rear garden of No. 2 Preston Waye. At ground floor level, the private amenity space is located within 7.8m to the boundary with the rear garden of No. 2 Preston Waye. However, the section plans show that the existing boundary fence will prevent directly overlooking from these terraces into this rear garden.

19. There are windows within the southern elevation of the development that face onto 281 Preston Road. At ground floor level these serve a number of habitable rooms and are located within 3m of the boundary. However, the section plans show that the existing boundary fence will prevent directly overlooking from these windows into the adjoining site at No. 281 Preston Road, and thus would not prejudice the future ability of this site to come forward for development in the future. On the upper floors there is a secondary window to a kitchen/living area that can be conditioned to be obscured glazed and opening at high level only. The scheme also originally proposed 2 x one bedroom flats (01\_07 and 02\_06) with the sole source of outlook from the bedroom facing out onto No. 281 Preston Road. Officers raised concerns with the reliance on outlook over the neighbouring site and loss of privacy. To address this concern, these two units have been amended to studio flats with the window where the former bedrooms are located obscured and opening at high level only. The sides of balconies in proximity to No. 281 Preston Road can be conditioned to include screening along the side facing No. 281 Preston Road to prevent directly overlooking. Subject to the conditions as set out above, the proposal will not result in a detrimental level of overlooking or loss of privacy to neighbouring occupiers or unduly prevent the neighbouring sites from coming forward for redevelopment.

## *Outlook and Overbearing appearance*

20. SPD1 requires new development to sit within a line drawn at 45 degree (measured at 2m high) from the boundary of adjoining private external amenity space, and to sit within a line of 30 degrees (measured at 2m from internal floor level) from neighbouring rear habitable room windows.

21. The building sits within 45 degree lines from the rear gardens of No. 281 and Preston Road and the rear garden of No. 2 Preston Waye. It does not face onto rear habitable room windows within adjoining properties and as such 30 degree line is not applicable. As such, it is not considered to be overbearing or adversely impact on outlook from neighbouring rear gardens or rear habitable room windows.

22. The element closest to No. 281 Preston Road will sit rearward of the bedroom above the garage of No. 281 Preston Road by 5.87m compared to 2.85m as per the 2016 application. However the main element of this four storey section of the building is set further away from the boundary at 2.98m compared to 1.12m. As such the overall impact of the proposal would be not materially greater than already approved and would be acceptable on balance.

## *Daylight and Sunlight*

23. The applicant has supplied a Daylight and Sunlight assessment to support the scheme.

24. The report uses the Vertical Sky Component (VSC) test which measures the amount of visible sky outside a property. In addition, the report uses a No Skyline Contour (NSC) test which calculates the distribution of daylight within rooms.

Guidance states that an undue impact is considered to be where the VSC levels drop below 27% or are reduced to 0.8 times their existing value or the NSC values drop to less than 0.8 times their former value.

25. For the assessment of Sunlight the report uses the APSH test which calculates the percentage of statistically probable hours of sunlight received by each window in both summer and winter months represented as APSH (Average Probable Sunlight Hours) and WPSH (Winter Probable Sunlight Hours). BRE guidelines suggest that main living rooms should achieve at least 25% of annual sunlight hours with 5% in the winter period.

26. The report identifies 3 neighbouring properties which would be at risk from the development, 281, 288 and 291 Preston Road.

27. In terms of daylight, no. 281 would have two windows which would be reduced to less than 0.8 times their original VSC value. However, these rooms serve dual aspected rooms and as per guidance, the mean VSC values for all windows serving the room may be taken into account. In these circumstances the proposal would not result in an undue loss of ambient daylight. With regards to sunlight, the only windows overlooking the site are north facing and therefore do not require a sunlight assessment as per BRE guidance.

28. The report indicates that there would be no material impact on daylight or sunlight with regards to nos. 288 or 291.

29. Overall it is concluded that the proposal would not result in any undue impacts on neighbouring amenity and would be acceptable in that regard.

### **Quality of accommodation**

30. All of the proposed units would meet or exceed the minimum space standards as require by The London Plan. All bedrooms would meet the minimum sizes as set out by the THS and the floor to ceiling height of each unit would meet the 2.5m minimum required for development within London. All habitable rooms would be served with an external window with sufficient space adjacent to provide acceptable levels of outlook throughout the scheme. Sectional drawings have been provided to indicate that the basement units would have sufficient space to not compromise the outlook to these units. Furthermore, railings are proposed on the boundary with the park in order to prevent any further impact on the outlook or daylight of these units. The outlook to these units have been confirmed with a sectional drawing and supported by the daylight/sunlight assessment.

31. Of the proposed units, 12 would be single aspect which represents 34% of the overall development. Which is considered to be an acceptable amount given the limitations of the site.

32. There would be no direct overlooking or loss of privacy between units within the development.

33. The building would be structured around a single core. Most of the floors would have less than the 8 units per core maximum as allowed by The London Plan. However, it is noted that the 1st and 2nd floors would have 10 units and 9 units respectively and as such would not comply with the aspect of policy. However, the overall length of the corridor is not significantly long due to the cluster arrangement of units around the core, and on balance is considered acceptable.

### *Wheelchair accessible units*

34. London Plan requires 10% of the units to be easily adaptable for wheelchair users. The scheme proposes 4 units represents just over 10% of units. These units are three 1 bedroom units. Although not located on the ground floor, they are easily accessed internally via the lift system and are considered to be acceptable on balance.

### *Daylight and Sunlight*

35. The applicant has supplied a Daylight and Sunlight assessment to support the scheme.

36. For the assessment of daylight report uses the ADF test to calculate the average illuminance within a room expressed as a percentage. Guidance suggests that the minimum levels for kitchens should be 2% ADF, living and dining rooms 1.5%ADF and bedrooms at least 1% ADF.

37. The results of the assessment indicate that 89 of the 92 proposed new rooms would achieve an ADF target of 2% which would represent 97% of the overall development. 100% of the habitable rooms achieve a slightly lower ADF level of 1.5%. Overall this level of daylight is considered to be acceptable.

38. For the assessment of Sunlight the report uses the APSH test which calculates the percentage of statistically probable hours of sunlight received by each window in both summer and winter months represented as APSH (Average Probable Sunlight Hours) and WPSH (Winter Probable Sunlight Hours). BRE guidelines suggest that main living rooms should achieve at least 25% of annual sunlight hours with 5% in the winter period.

39. Results of the test indicate that of the 33 rooms proposed, 23 would achieve 25% APSH and 5% WPSH representing 70% of the overall scheme. The report notes that all of the 10 rooms which fail to meet the criteria would be located on the northern elevation or have windows located beneath external balconies and it

would not be possible for these rooms to meet BRE criteria.

40. Given the constraints of the site and the orientation of the building, it is considered that the overall sunlight levels are considered to be acceptable. Furthermore, it is acknowledged that the previously consented scheme achieved 60% of rooms meeting BRE criteria. As such, the levels proposed as part of this scheme would represent an overall increase in the number of acceptable units.

#### *External amenity space*

41. Policy DMP19 requires all flats to be served with 20sqm of amenity space with a minimum of 50sqm for family sized units (3 beds or more) including ground floor flats. This can be provided through private balconies/terraces meeting the minimum requirements set out within the mayor's Housing SPG (at least 5sqm for a 1-2 person unit with an additional 1sqm per additional occupant). In certain circumstances a smaller balcony may be acceptable provided that the lost balcony space is incorporated into the internal floorspace of the unit.

42. All of the units with the exception of 3 (addressed below) would feature balconies/terraces which either meet or exceed the minimum sized required, in some cases they would exceed the minimum significantly. All balconies would meet the required depths and widths and would be of a useable and practical shape.

43. Of the proposed units, 2 would fall short of the required size of balcony (Units 01\_04 and 02\_03). However it is noted that the shortfall is relatively minor (3sqm for unit 01\_04 and 0.5sqm for unit 02\_03) and these units both exceed the minimal internal floorspace by 6sqm. On balance, the shortfall is considered to be acceptable in the context of the overall development.

44. Unit 01\_09 would not have a private balcony. However, it is noted that this unit is a studio flat and as such would have a very low occupancy. Furthermore the size of the unit would exceed the minimum space standards by 5sqm. Given these circumstances and in the context of the development as a whole, this is considered to be acceptable on balance.

45. In addition to the private amenity space, 243sqm of communal amenity space would be provided. When taken as a whole the combined private and communal amenity space would total 820sqm (577sqm + 243sqm) which would average out at 23.4sqm per unit, which exceeds the guidance of 20sqm per unit as set out in DMP17. The amenity space has been provided in two main areas which are separate from each other but substantial enough to be useable. The smaller of the areas is proposed to be flexible area which can be used as children's playspace.

46. Given the overall quality of the units internally, the overall provision of amenity space over the scheme as a whole and the close proximity of the sports ground, it is considered that the proposal would comply with the aims and objectives of DMP19 and would provide an acceptable level of amenity overall.

#### **Landscape and Trees**

##### *Landscape*

47. The proposal would result in the loss of some vegetation and two small trees along the frontage and the loss of 15 trees within the rear of the site. A comprehensive landscaping plan is provided which would see a significant amount of planting within the proposed amenity spaces and a total of 13 new trees would be planted to effectively mitigate the loss of the existing trees. A full landscaping strategy has been submitted indicating the type and sizes of the proposed plans to be used in the proposal.

48. The Council's Tree officer has assessed the submission and considers that the proposed landscaping would be of a good quality and the types and sizes of trees to be used are appropriate for the site. They have raised no objection to the proposal.

49. Notwithstanding the above, a condition has been attached to ensure that any dead trees or planting are replaced in order to preserve the appearance of the development.

50. As part of the proposal, the scheme would rely on the boundary treatment along the Tenterten Sports Ground via a strip of land which is owned and managed by the Council's Parks Service. The Parks Service has been notified of the proposal and offers no objections to the proposal in principle and consider that a comprehensive landscaping scheme would have an overall positive impact for the area. However the removal of the existing boundary treatment would require some improvements to the landscaping immediately

adjacent to the site in order to ensure adequate levels of amenity to the proposed basement units. As these works would fall outside the red line boundary, they would be secured via a S.106 requiring a financial contribution for these works.

### **Sustainability**

51. London Plan Policy 5.2 seeks to minimise carbon emissions through the 'Be Lean, Be Clean and Be Green' energy hierarchy, and a 'zero carbon' standard is applied to all new residential development from 2016 onwards. The Mayor's Housing SPG defines 'zero carbon' homes as homes forming part of major development applications where the residential element of the scheme achieves at least a 35% reduction in regulated carbon dioxide emissions (beyond the Building Regulations Part L 2013 targets) on-site. The remaining regulated carbon dioxide emissions, to 100%, are to be off-set through a financial contribution in lieu to the borough to be ring fenced to secure delivery of carbon dioxide savings elsewhere. Brent's Policy CP19 also requires limiting water use to 105 litres per person per day.

52. The applicant has included an Energy Statement with the proposal. The statement demonstrates that the development would achieve a 35.26% reduction on 2013 Building Regulations emissions through these Be Lean and Be Green measures, and that a financial contribution to carbon-offsetting would be required to achieve 'zero carbon' status. A communal boiler in the basement is proposed. Details of the flue from the boiler on the roof is recommended to be conditioned to any forthcoming consent.

### **Transport consideration**

53. Preston Road is a local distributor road, with three pay & display parking bays in place along the site frontage. Preston Way is a local residential cul-de-sac, with parking restrictions in place along the frontage of No. 2a.

Public transport access to the site is moderate (PTAL 3), with Preston Road station (Metropolitan line) and three bus services within 640 metres.

#### *Car Parking*

54. A total of 17 car parking spaces (incl. two disabled) are indicated at basement level. Vehicular access remains via Preston Way, but only part of the access drive is shown on the plans. The length that is shown has a general carriageway width of 5.5m with margins of at least 300mm width, plus 2-3 further parallel parking spaces indicated alongside the drive.

55. The moderate access to public transport services means the higher residential car parking allowance set out in Appendix 1 of the adopted DMP 2016 apply. For the increased total of 35 units (18 x 1-bed, 9 x 2-bed & 8 x 3-bed), up to 39 off-street parking spaces would now be allowed. With a reduced total of 17 marked spaces in the basement plus 2-3 spaces along the access road now proposed, maximum standards would still be complied with.

56. Policy DMP12 also requires that any overspill parking that is generated can be safely accommodated on-street though. Assuming the development generates parking at 75% of the maximum allowance, this would equate to 30 cars, which also corresponds to 2011 Census data on car ownership in the area (0.875 cars/household) (n.b. the Census data suggests just 17 cars would be owned if only flats are taken into account). The first figure exceeds the number of marked spaces that are proposed.

57. Previous assessments have taken into account potential parking along the access drive. Full details of the drive have not been provided, but it is shown with a carriageway width of 5.5m that could allow 3-4 cars to park along its western side, in addition to the 2-3 spaces indicated on its eastern side, taking off-street parking to about 24-26 spaces.

58. In addition, Preston Road has daytime pay & display bays along the site frontage and the removal of the two crossovers to the site would allow the number of bays to be increased from four to six, which can be used without charge by residents overnight (between 6.30pm - 8am).

59. As such, your officers in Transportation have advised that it is considered that sufficient space is able to be provided within the site and along the Preston Road to safely accommodate the likely future parking demand from these 35 flats and on this basis, the proposal is not considered likely to have a severe impact on parking conditions in the area.

60. The proposed provision of four wide, marked disabled spaces is sufficient to satisfy Brent's Blue Badge

parking requirement of 10% of spaces being for disabled persons. Two of the spaces would be located outside along the driveway and two within the basement. The headroom in the basement would be 2.2m, which is insufficient to accommodate high-top conversion vehicles for wheelchairs. A condition is recommended for the basement to be increased in height to 2.6m.

61. At least eight spaces (four active/four passive) will also need to be provided with electric vehicle charging points. This will be secured via a condition. Otherwise, the layout of the proposed basement provides adequate dimensions for the parking spaces and for manoeuvring.

#### *Cycle Parking*

62. London Plan bicycle parking standards require 52 secure spaces, so the proposed provision of two stores in the basement with an overall capacity for 54 bikes on two-tier racks would meet requirements. A section plan has been provided confirming the headroom of 2.4m will be provided to allow sufficient headroom for the bikes.

#### *Refuse facilities*

63. Refuse storage is proposed in two storerooms within the basement car park, each with space for 8 Eurobins in accordance with standards. One store at the far end of the car park is close to the lift core so is for the convenience of residents to satisfy the recommended maximum refuse carrying distance of 30m set out in Brent's Waste Guidance Document for residents. A property manager will then take responsibility for relocating the bins on collection days to the other store this, arrangement is considered acceptable.

64. The collection day store is still some 25m from Preston Way though, meaning the maximum refuse carrying distance of 10m for flats (as set out in Brent's Waste Planning Policy) is still exceeded. Refuse vehicles will therefore again be required to reverse into the site from Preston Way. This is again generally acceptable, with tracking having been previously provided to demonstrate this would work, subject to suitable kerb radii of about 4m being provided onto Preston Way. A full vehicle tracking diagram has been provided which shows that refuse vehicles would be able to access the site without problem.

65. All units are within 45m of Preston Road, so fire access requirements are catered for.

#### *Vehicular access*

66. As before, the provision of vehicular access from Preston Way is generally supported, as it will allow two redundant crossovers onto Preston Road to be removed and additional on-street pay and display bays to be provided. The cost of amending the Traffic Regulation Orders will be added to the cost of the crossover works. As above, suitable kerb radii will be needed to accommodate refuse vehicles and precise access layout arrangements will need to be agreed with the Highway & Infrastructure Service as a condition of any approval.

67. Visibility issues were carefully considered under the previous applications, due to the narrow footway width and the bend in the road. As before, sightlines would fall marginally short of the appropriate standard for the traffic speeds in the road (i.e. 2m x 21m (eastwards) and 2m x 23m (westwards)), but not by so significant a degree as to be likely to cause a highway safety problem.

#### *Trip generation*

68. An updated Transport Statement has been submitted for the amended number of flats. This amended assessment gives a predicted total of 224 movements between 7am and 7pm on a weekday, with 21% as car drivers, 7% as car passengers, 28% on public transport, 42% by foot and 2% by bicycle. Total vehicle trips are therefore estimated at 22 arrivals and 25 departures over the course of the 12-hour day, with peak hour flows of 1 arrival/2 departures in the am peak (8-9am) and 2 arrival/3 departures in the pm peak (5-6pm). Transportation officers have concluded that these totals are again not considered large enough to have a significant impact on the local transport network.

### **Environmental Health**

#### *Noise*

69. The Environmental Health Team have assessed the application and note that potential exist for noise disturbance for future occupants to occur in certain areas of the development. In order to mitigate this they



	completion (Gr)	floorspace (Kr)	at rate R (A)	multiplier used	multiplier used		
(Brent) Dwelling houses	3281.81		2713.01	£200.00	£0.00	£794,524.36	£0.00
(Mayoral) Dwelling houses	3281.81		2713.01	£0.00	£60.00	£0.00	£162,780.60

BCIS figure for year in which the charging schedule took effect (Ic)	224	323
BCIS figure for year in which the planning permission was granted (Ip)	328	
<b>TOTAL CHARGEABLE AMOUNT</b>	£794,524.36	£162,780.60

\*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.



**DECISION NOTICE – APPROVAL**

Application No: 18/4902

To: Mr Thomas  
Savills  
33 Margaret Street

London  
W1G 0JD

I refer to your application dated **24/12/2018** proposing the following:

Demolition of buildings and erection of a 2 to 4 storey residential building comprising 35 self-contained flats (6 x studios, 12 x 1 bed, 10 x two bed and 7 x 3 bed) with basement level, provision for car and cycle parking and associated landscaping

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

at **2A, Preston Way and 283, 285 & 287 Preston Road, Harrow, HA3**

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: 11/06/2019

Signature:

A handwritten signature in black ink that reads 'Alice Lester'.

**Alice Lester**  
Head of Planning, Transport and Licensing

**Notes**

1. Your attention is drawn to Schedule A of this notice which sets out the rights of applicants who are aggrieved by the decisions of the Local Planning Authority.
2. This decision does not purport to convey any approval or consent which may be required under the Building Regulations or under any enactment other than the Town and Country Planning Act 1990.

DnStdG

## SUMMARY OF REASONS FOR APPROVAL

- 1 The proposed development is in general accordance with policies contained in the:-
  - National Planning Policy Framework 2018
  - The London Plan 2016
  - Brent's Core Strategy 2010
  - Brent's Development Management Policies 2016
  - Brent's Supplementary planning Document 1: Design Guide for New Development 2018
  
- 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):

AL(00)001 A, AL(00)100, AL(01)099 E, AL(01)100 C, AL(01)101 F, AL(01)102 F, AL(01)103 D, AL(01)104 D, AL(02)220 E, AL(02)240 C, AL(02)242 A, AL(03)320 F, AL(03)340 F, AL(03)360 C, AL(03)380 C

Supporting Documents:

Daylight/Sunlight Report

Flood Risk assessment

Air Quality Assessment

Landscape Strategy

Design and Access Statement

Transport Statement

Flood Risk Assessment

Sustainable Development Checklist

Energy Assessment

Reason: For the avoidance of doubt and in the interests of proper planning.
  
- 3 The residential units hereby approved shall at no time be converted from C3 residential to a C4 small HMO, notwithstanding the provisions of Schedule 2 Part 3 Class L of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order) without express planning permission having first been granted by the Local Planning Authority.

Reason: To ensure that an adequate standard of accommodation is maintained in all of the residential units and in view of the restricted space within the site to accommodate additional bin

or cycle storage.

- 4 The windows on the south elevation of units 01\_06, 01\_07, 02\_05, 02\_06 and 03\_05 shall be constructed with obscure glazing and non-opening or with openings at high level only (not less than 1.7m above floor level) and shall be permanently returned and maintained in that condition thereafter unless the prior written consent of the Local Planning Authority is obtained.

Reason: To minimise interference with the privacy of the adjoining occupiers.

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

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

- 6 The development hereby approved shall be carried out and maintained so as to fully accord with the proposed SUDS solution as detailed within the Flood risk assessment & SUDS report prepared by Nimbus Engineering Consultants Ltd dated March 2017.

Reason: To ensure that the development will not give rise to undue surface water runoff and associated flood risks.

- 7 The development shall be constructed in full accordance with the approved internal water use calculations.

Reason: to reduce the consumption of potable water in the home from all sources, including borehole well water, through the use of water efficient fittings, appliances and water recycling systems in accordance with London Plan Policy 5.15."

- 8 Prior to the commencement of the development (including the demolition of the existing dwellinghouses) a Construction Method Statement (CMS) shall be submitted to and approved in writing by the Local Planning Authority outlining measures that will be taken to control dust, noise and other environmental impacts of the development. The CMS shall include details of a dust monitoring plan, to be implemented during construction and demolition works. The approved CMS shall thereafter be carried out in full accordance with the approved details.

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

Reason for pre-commencement condition: Impacts arising from the construction process occur as soon as development commences and adequate controls need to be in place from this time.

- 9 All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance. Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority. The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>

Reason: To protect local amenity and air quality

- 10 Prior to commencement of development (excluding demolition), details of how the development is designed to allow future connection to a district heating network should one become available, shall be submitted to and approved in writing by the local planning authority and the development shall be completed in accordance with the approved details.

Reason: To ensure the development is in accordance with the principles of London Plan Policy 5.6.

- 11 No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure.

- 12 Prior to the commencement of works above ground level, further details of the external materials for the development (including samples to be provided on site) shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full accordance with the approved details.

Reason: To ensure that the development achieves a satisfactory appearance.

- 13 Prior to the commencement of works above ground level, further details of how the development will be built so that 90% of the residential units will achieve Building Regulations requirement M4(2) - 'accessible and adaptable dwellings' and that the remaining 10% of the residential units will be easily adaptable to achieve Building Regulations requirement M4(3) - 'wheelchair user dwellings' shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full accordance with the approved details.

Reason: To ensure that the development achieves an inclusive design in accordance with London Plan Policy 3.8.

- 14 Within three months of commencement of works above ground level, details of screening for the southern sides of the balconies serving flats 01-07, 01\_08, 02\_06 and 02\_07 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 at no. 281 Preston Road

- 15 Within six months of commencement of works above ground level, further details of screening between the communal and private gardens, as well as between individual private gardens within the outdoor spaces of the development 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 between communal and private gardens within the proposed development.

- 16 Within six months of commencement of works above ground level, details of the hard and soft landscaping of the areas identified within the drawings hereby approved, including the roof

terraces, shall be submitted to and approved in writing by the Local Planning Authority. The details shall specify species, densities and heights of plants proposed together with hard landscaping materials and other landscaping features.

Details of specific infrastructure and/or apparatus forming a child play space, measuring at least 24sqm in size, within the communal rear garden shall also be submitted to and approved in writing by the local planning authority.

The details shall be implemented in full prior to first occupation and thereafter retained.

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

Reason: To preserve and enhance the amenities of nearby residents, in compliance with the London Plan and to prevent privacy being compromised

- 17 Within six months of commencement of works above ground level, details of any external lighting, including details of the fixtures and luminance levels, shall be submitted to and approved in writing by the Local Planning Authority prior to the installation of any such lighting and the lighting shall thereafter be installed in accordance with the approved details.

Reason: In the interest of the amenity of adjoining occupiers and the safety of pedestrians and vehicles using the parking and communal areas within the development and on the local highway network.

- 18 Within six months of commencement of works above ground level, full details of the following shall be submitted to and approved in writing by the Local Planning Authority that demonstrate that the details are sufficient to meet proposed carbon dioxide emissions reduction on Part L 2013 as approved within the Energy Assessment:

- (a) proposed solar PV array together including evidence to demonstrate that the solar PV panels will be spaced sufficiently to prevent shading each other
- (b) details of the design, specification and layout of the proposed extract flues for the boiler system (including location of flues on the roof)

The development shall be implemented in accordance with the approved details, and thereafter retained throughout the lifetime of the development.

Reason: To ensure that the development makes the fullest contribution to minimising carbon dioxide emissions in accordance with London Plan Policy 5.2.

- 19 Prior to the first occupation of the flats hereby approved, the applicant shall submit for the written approval of the Local Planning Authority, a report which provides evidence that the mitigation measures described in the approved Air Quality Impact Assessment (GEM air quality ref AQ1479 dated December 2018) have been implemented.

Reason: To ensure the safe development and secure occupancy of the site proposed for residential use.

- 20 The development hereby approved shall not be occupied until:

- i) All crossovers onto Preston Road that are rendered redundant by this development are reinstated to footway and associated amendments are made to on-street parking bays
- ii) The highway arrangement at the junction of the proposed vehicular access road with Preston Way has been altered to provide 4m kerb radii

These works will need to be carried out by the Council at the applicant's expense. The development shall not be occupied unless the above works have been implemented in full and the works to the adopted highway have been completed, and the car parking spaces and accesses within the site and to and from the adopted highway (both vehicular and pedestrian) as detailed within the approved drawings and documents have been implemented in full accordance with the approved drawings and details and are available for use for the residents of the development. Thereafter, the car parking spaces, cycle storage, bin storage and vehicular and pedestrian accesses shall be retained and maintained for the life of the development and they shall be used solely for purposes ancillary to the flats hereby approved unless an alternative arrangement is first agreed in writing by the Local Planning Authority.

Reason: In the interest of pedestrian and highway safety, to ensure a satisfactory standard of appearance and setting for the development and to ensure that the proposed development does not harm the visual amenity of the locality in the interests of protecting the amenities of the occupants of the development.

- 21 All residential premises shall be designed in accordance with BS8233:2014 'Guidance on sound insulation and noise reduction for buildings' to attain the following internal noise levels:

Time	Area	Maximum noise level
Daytime Noise 07:00 - 23:00	Living rooms and bedrooms	35 dB LAeq (16hr)
Night time noise 23:00 - 07:00	Bedrooms	30 dB LAeq (8hr)

Prior to first occupation of the flats hereby approved, a test shall be carried and the results of the test submitted to and approved in writing by the Local Planning Authority to demonstrate that the required internal noise levels have been met.

Reason: To obtain required sound insulation and prevent noise nuisance

- 22 Any plant shall be installed, together with any associated ancillary equipment, so as to prevent the transmission of noise and vibration into neighbouring premises. The rated noise level from all plant and ancillary equipment shall be 10dB(A) below the measured background noise level when measured at the nearest noise sensitive premises. Prior to installation of any plant, an assessment of the expected noise levels shall be carried out in accordance with BS4142:2014 'Methods for rating and assessing industrial and commercial sound.' and any mitigation measures necessary to achieve the above required noise levels shall be submitted to and approved in writing by the Local Planning Authority. The plant shall thereafter be installed and maintained in accordance with the approved details.

Reason: To protect acceptable local noise levels.

## INFORMATIVES

- 1 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at [www.brent.gov.uk/CIL](http://www.brent.gov.uk/CIL).
- 2 The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website [www.communities.gov.uk](http://www.communities.gov.uk)
- 3 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.

- 4 During demolition and construction on site:
  - The best practical means available in accordance with British Standard Code of Practice BS5228-1:2009 shall be employed at all times to minimise the emission of noise from the site;
  - The operation of the site equipment generating noise and other nuisance causing activities, audible at the site boundaries or in nearby residential properties shall only be carried out between the hours of 08:00 - 18:00 Mondays-Fridays, 08:00 -13:00 Saturdays and at no time on Sundays or Bank Holidays unless otherwise agreed in writing by the Local Planning Authority;
  - Vehicular access to adjoining and opposite premises shall not be impeded;
  - All vehicles, plant and machinery associated with such works shall be stood and operated within the curtilage of the site only;
  - A barrier shall be constructed around the site, to be erected prior to demolition;
  - A suitable and sufficient means of suppressing dust must be provided and maintained.
  - A wheel washing facility shall be installed and operated to ensure that dust/debris is not carried onto the road by vehicles exiting the site.
- 5 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.
- 6 A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing [wwqriskmanagement@thameswater.co.uk](mailto:wwqriskmanagement@thameswater.co.uk). Application forms should be completed on line via: [www.thameswater.co.uk\\_wastewaterquality&d=DwIFAw&c=OMjwGp47Ad5otWI0\\_\\_lpOg&r=G\\_hzVySAkixNxE\\_J\\_EjNJR\\_FDWFjexJLES8DRQ06qKk&m=fy9jnBYRqAvW9YYSPKXkNf3\\_CpWatQhD](http://www.thameswater.co.uk_wastewaterquality&d=DwIFAw&c=OMjwGp47Ad5otWI0__lpOg&r=G_hzVySAkixNxE_J_EjNJR_FDWFjexJLES8DRQ06qKk&m=fy9jnBYRqAvW9YYSPKXkNf3_CpWatQhD)
- 7 The applicant is advised by the applicant to contact the Head of Highways & Infrastructure to arrange for the crossover, on street parking bay and kerb radii works to be undertaken. Such works are undertaken by the Council at the applicant's expense.
- 8 The applicant is advised to notify the Council's Highways Service of the intention to commence works prior to commencement. They shall contact Mark O'Brien (Public Realm Monitoring Manager) at [Mark.O'Brien@brent.gov.uk](mailto:Mark.O'Brien@brent.gov.uk), and include photographs showing the condition of highway along the site boundaries.
- 9 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.
- 10 The Council recommends that the maximum standards for fire safety are achieved within the development.

Any person wishing to inspect the above papers should contact Liam McFadden, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 3299