

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

16 July, 2019
07
18/4746

SITE INFORMATION

RECEIVED	13 December, 2018
WARD	Willesden Green
PLANNING AREA	
LOCATION	Willesden Green Baptist Church, High Road, London, NW10 2PR
PROPOSAL	Demolition of existing single storey adjoining structure to rear of church and erection of a part two and part three storey rear extension, internal alterations to create new mezzanine and upper floors to facilitate the creation of 9 x self-contained flats (3 x 1 bed, 5 x 2 bed and 1 x 3 bed) including 7 x side and rear dormer windows; new front entrance and residents lobby area, retention of the Huddelstone Street facade; alterations to front boundary wall, new access gates to allow vehicle and pedestrian access from Huddelstone Road; with associated residential cycle storage and refuse facilities to serve both the residential and church buildings
PLAN NO'S	100-00; 01 101-01-A; 02-B; 03-B; 04-A; 05; 07; 08; 09 102-01; 02; 03; 04 103-01; 02; 03; 04; 05; 06; 07-A; 08-A; 09 700-01-A; 02-A; 03-B; 04-B; 05; 06
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_143101</p> <p><u>When viewing this as an Hard Copy</u> _</p> <p>Please use the following steps</p> <ol style="list-style-type: none">1. Please go to pa.brent.gov.uk2. Select Planning and conduct a search tying "18/4746" (i.e. Case Reference) into the search Box3. Click on "View Documents" tab

RECOMMENDATIONS

Resolve to grant planning permission subject to conditions.

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

Conditions:

1. Time limit for commencement
2. Approved drawings/documents
3. That the homes are "parking permit restricted"
4. Details of external materials
5. Further details of proposed rooflights
6. Submission of details to Historic England
7. Details of cycle provision
8. Further details of extraction equipment
9. Removal of permitted development rights allowing HMO change of use
10. Construction Methods Statement
11. Further details of electric vehicle access gate

Informatives:

1. CIL liability informative
2. Party Wall Act
3. Building Near Boundary
4. Construction hours
5. Structural integrity
6. Licensing
7. Highways
8. Vibration
9. Air quality
10. Notify highways
11. Fire safety
12. London Living Wage

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

SITE MAP



Planning Committee Map

Site address: Willesden Green Baptist Church, High Road, London, NW10 2PR

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This map is indicative only.

PROPOSAL IN DETAIL

The current application seeks permission for the demolition of existing single storey adjoining structure to rear of church and erection of a part two and part three storey rear extension, internal alterations to create new mezzanine and upper floors to facilitate the creation of 9 x self-contained flats (3 x 1 bed, 5 x 2 bed and 1 x 3 bed) including 7 x side and rear dormer windows; new front entrance and residents lobby area, retention of the Huddelstone Street facade; alterations to front boundary wall, new access gates to allow vehicle and pedestrian access from Huddelstone Road; with associated residential cycle storage and refuse facilities to serve both the residential and church buildings

EXISTING

The application site concerns the Willesden Green Baptist Church that is located on the corner of Willesden High Road and Huddelstone Road. The site does not contain any listed buildings but is located within the Willesden Conservation Area. Access.

The Church is a large red brick Edwardian building that shares a rear access with Faith Court which is located directly to the east of the site. To the rear of the site there is a carpark that is used by the residents of Faith Court. The northern part of the building is a later addition from the 1980s. The Church is located directly on Willesden High Road whilst the streets to the north, east and west of the site are residential in character, occupied by two storey terraced properties and Faith Court which is a three storey building consisting of self-contained flats.

The ground floor of the Church is currently occupied by a reception area, hall, meeting rooms and a kitchen. The first floor is currently used as the worship space within the building. The Church provides a place of worship and community services for people such as a weekly hot meal for homeless people and a used clothes sorting and dispensing service.

SUMMARY OF KEY ISSUES

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

Principle: Despite a reduction in church floorspace in comparison to previous approvals, the development still provides 525sqm of floor space, including two large halls and a number of smaller ancillary rooms, providing sufficient space for the church to continue and support its ongoing community work. The proposal would also provide nine residential units to the boroughs housing stock. There is no objection in principle to the proposal.

Representations received: Four objections and a petition with 85 signatures have been received. The material issues raised relate to the loss of Church floorspace and the potential for noise complaints from occupiers of the proposed units.

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

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

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

Parking & Access: It is considered the use of a 'permit free' agreement secured by condition would mitigate

against on street parking concerns in the area for the proposed residential units. It is considered that the presence of a CPZ and good transport links would mitigate against any potential increase in numbers to the Church.

RELEVANT SITE HISTORY

18/1798: Demolition of existing single storey adjoining structure to rear of church and erection of a part two and part three storey rear extension including basement, internal alterations to create new mezzanine and upper floors to facilitate the creation of 8 self contained flats (2 x 1 bed, 4 x 2 bed and 2 x 3 bed) including 7No. side and rear dormer windows; new front entrance and residents lobby area, retention of the Huddelstone Street facade; alterations to front boundary wall, new access gates to allow vehicle and pedestrian access from Huddelstone Road; with associated residential cycle storage and refuse facilities to serve both the residential and church buildings. **Approved.**

17/3673: Demolition of the existing adjoining structures to the rear; erection of a part two and part three storey rear extension including basement level; internal alterations to create new mezzanine and upper floor levels to facilitate the creation of 7 residential units (1 x 1bed, 4 x 2bed & 2 x 3bed); 7No. dormer windows to the east and west roof slopes; new access gates to facilitate vehicle and pedestrian access from Huddelstone Road; alterations to fenestration including new front access door to residential units; removal of part of front boundary wall; and provision of secure storage for 14 cycles for the residential units and refuse facilities to serve both residential and church buildings. **Approved**

16/5367: Application 16/5367 for the internal remodelling of the Willesden Green Baptist Church to re-establish the worship space and gallery on the ground floor, with modernised reception, lift, stairs, entrance and meeting rooms with 5 new apartments replacing the first floor worship space. The demolition of the rear structure to Faith Court retaining the historic Huddelstone Street facade. The rear part rebuilt to include a basement, and providing a new accessible linked community hall and kitchens, with community facilities to the basement below, with 3 further apartments above. **Refused**

CONSULTATIONS

Individual notification letters were sent to the occupiers of 85 neighbouring properties. Four objections and a petition with 85 signatures have been received. The issues raised can be summarised as follows:

1) Previous application was approved on the basis that the basement would be built in order to continue to fulfil current church services and community activities. This will now not happen.

- See Officer Report. The church would still be of an appropriate size and maintain sufficient facilities to continue charity and community work.

2) Creation of residents units above Church will result in neighbour complaints about noise and activities of church.

- This could be overcome by proper sound insulation. Besides which, anyone purchasing a property above a church would expect some noise.

3) Lack of fire exits

- This is not a material planning matter and would be covered under the Building Control Act

4) Location of automatic gates allows for opportunities for public urination and other anti-social behavior.

- This is not a material planning matter. Besides, the location of the gate will help deter anti-social behaviour along the entrance/alley/

5) Scheme should include additional external lighting and remove redundant wiring.

- The scheme is acceptable without these amendments

POLICY CONSIDERATIONS

Core Strategy (2010)

CP2: Population and Housing Stock
CP17: Protecting and Enhancing the Suburban Character
CP21: A Balanced Housing Stock
CP23: Protection and Provision of Community and Cultural Facilities

Local Plan (2016)

DMP1: Development Management General Policy
DMP7: Heritage Assets
DMP12: Parking
DMP18 Dwelling Size and Residential Outbuildings
DMP19 Residential Amenity Space

Other

Technical Housing Standards (2015)
SPD 1: Brent Design Guide (2018)

DETAILED CONSIDERATIONS

1.0 Background & Principle

Loss of Community Space

- 1.1 Core Strategy policy CP23 seeks to protect existing community and cultural facilities, or their loss mitigated where necessary.
- 1.2 The Church offers a place of worship within the area and also engages in community activities and provides services for local people. The existing building provides approximately 700sqm of community floorspace across the ground and first floor.
- 1.3 An initial application to rearrange the internal layout of the church and create 8 x new units at upper floor level, along with a number of extensions including a basement (16/5367) was refused in April 2017. The refusal was due to poor design and substandard accommodation. The application proposed approximately 675sqm of community floorspace across the first floor, mezzanine, ground floor and new basement.
- 1.4 Two additional planning applications have been submitted since then. Application 17/3673 proposed the creation of 7 x new units in connection with a number of extensions and basement. The proposal included approximately 675sqm of church floorspace across first floor, mezzanine, ground floor and basement level and was approved in January 2018. Within their report, Officers specifically mention that weight was given to the fact that the proposal would improve the Church's existing facilities and the role it would play in the local community.
- 1.5 The second approved application (18/1798) was almost identical to the previous one except it proposed 8 x units, rather than 7. To facilitate this, the scheme resulted in the loss of 49sqm of space that was previously proposed to be used as meeting rooms in the first floor of the building. However, despite the loss it still provided 625sqm of community floorspace and it was still deemed that the proposal provided good facilities which remained spread across the mezzanine, ground floor and basement. The case was approved in July 2018.
- 1.6 With the current application, the basement is to be completely removed, although the use of mezzanine and ground floor will be maintained. The loss of the basement will result in approximately 100sqm of community floorspace being eliminated from the proposal, with 525sqm now being provided.
- 1.7 Officers note that a petition with 85 signatures has been received against the loss of the

basement and the impact this will have on the church's ability to perform charity work. Although the amount of community floorspace is less than has previously been approved, Officers must assess each case on its own merits and whether it complies with Council Policy.

1.8 In this case the ground floor area would provide a large space for both a worship hall and community hall, and although some ancillary facilities would be cut or reduced in scale in comparison to prior applications, the proposal still includes a clothes bank, two showers, toilets, a music rehearsal room, two kitchens, two meeting rooms (and crèche), and an office. Moreover, the renovated and modernised church facilities would be an improvement to the current layout and use of the building. Core Strategy Policy specifically states "existing community and cultural facilities... will be protected" and Officers are of the opinion that the provision of 525qsm of floorspace sufficiently protects the use of the building as a church. The proposed area would be sufficient to accommodate a viable church to prevent the loss of this community facility as well as providing additional ancillary facilities to allow for the continuation of community and charity work. Accordingly, the proposal is deemed to comply with Local Plan Policy CP23.

New Residential Development

1.9 London Plan Table 3.1 sets an annual target of 1,525 net additional dwellings for Brent. This is supported by Core Strategy Policy CP2 and Local Plan Policy DMP16 which state that the Council will resist development resulting in a net loss of residential units apart from in exceptional circumstances.

1.10 The application seeks to provide a total of nine net additional residential unit, including two family sized unit, contributing towards local and national housing targets.

2.0 Quality of Accommodation

2.1 Local Plan Policy DMP1 states that new development must provide high levels of internal and external amenity.

Size and Aspect

2.2 Local Plan Policy DMP18 states the size of dwellings should be consistent with London Plan Policy 3.5, Table 3.3 'Minimum Space Standards for New Dwellings' and 'Technical Housing Standards'.

2.3 Nine units are proposed with the current application (3 x 1-bed, 5 x 2-bed and 1 x 3-bed). All of the proposed flats are considered to provide a good standard of accommodation for potential residential occupiers and be in accordance with the policies outlined above.

2.4 All residential units would meet minimum space guidelines. The proposed flats would be acceptable in terms of layout, room size, and storage.

2.5 Moreover, the flats would be either dual aspect or south facing and the internal living spaces would receive good levels natural light, outlook and ventilation. Limited outlook is only expected from Bedroom 2 of Apartment 1, which is served by a low level window. A BRE Report has been submitted which demonstrates that all of the units would receive an acceptable amount of daylight and sunlight.

2.6 The proposal complies with the Local Plan Policy DMP1 and DMP18 and SPD1.

Outdoor Amenity

2.7 Local Plan Policy DMP19 and SPD1 require that family sized units provide 50sqm of private outdoor amenity space and all other units provide 20sqm.

2.8 Although the proposal would not provide any outdoor amenity space a more flexible approach can be taken due to design of the existing building. Moreover, the lack of garden or terraces has already been found acceptable in 18/1798. The addition of one extra unit is not regarded as significant enough for the Council to change its position in this regards. Therefore, on balance it is considered that the lack of outdoor amenity space, is in this instance, acceptable.

3.0 Design

3.1 Core Strategy Policy CP17 states that the distinctive suburban character of Brent will be protected from inappropriate development. Local Plan Policy DMP1 states that development will be acceptable provided it is of a location, use, scale, materials, detailing and design, and complements the local area. Local Plan Policy DMP7 states that new development should sustain and enhance the significance of the heritage asset, its curtilage and setting.

3.2 The development would not result in material harm to the building, Conservation Area or streetscene. The extensions and alterations proposed are the same as the recently approved application 18/1798 with the exception of removal of the residential access from the front elevation, and the repositioning of the electronic gate slightly nearer to Huddlestone Road. The amendments are regarded as being modest in scale and sympathetically designed. Furthermore they are deemed as being compatible with the setting and preserving the character and appearance of the Conservation Area. They are therefore considered to be visually acceptable and in accordance with Core Strategy Policy CP17, Local Plan Policy DMP1, DMP7 and SPD1.

3.3 Due to the sensitive nature of the building and its setting within the Conservation Area, a number of conditions are recommended in order to further secure the preservation of its appearance. These include the submission of details of proposed materials including windows; further details of the entrance doors and forecourt layout; the rooflights to be conservation area style; and that a comprehensive record of the building shall be taken. Subject to these conditions it is considered that this scheme has been carefully considered and will preserve the character of the building and the appearance of the conservation area.

4.0 Neighbour Amenity

4.1 Local Plan Policy DMP1 seeks to ensure new development, amongst other things, does not unacceptably increase exposure to noise, light and general disturbance. This is supported by SPD1.

4.2 The development would not result in material harm to the living conditions of adjoining and nearby residents. The proposed alterations and extensions to the building are generally the same as both 17/3673 and 18/1798, with the only difference relating to access at ground floor level. However, this is more design related and would not result in any significant addition to the building that would harm neighbouring amenity.

5.0 Highways

5.1 Local Plan Policy DMP1 states that new development must be satisfactory in terms of means of access for all, parking, manoeuvring, servicing and does not have an adverse impact on the movement network.

Car Parking

5.2 Local Plan Policy DMP12 states that development should provide parking consistent with parking standards in Appendix 1 and that additional parking provision should not have negative impacts on existing parking, highways, other forms of movement or the environment.

5.3 Car parking for the existing church is only permitted when justified by a Transport Assessment. The absence of any existing or proposed off-street parking for the church therefore complies with standards, with disabled staff and visitors able to use the on-street parking spaces along Huddlestone Road adjoining the building.

5.4 The lower residential car parking allowances again apply to the new accommodation. This gives a revised allowance of up to 9.45 spaces for the increased number of flats, but with no off-street parking proposed, the maximum standard is again complied with.

5.5 As before, a car-free development is proposed and this is again welcomed to ensure that parking associated with the flats does not have a negative impact on parking conditions in the area. A planning condition that withdraws the right of future residents to on-street parking permits has been recommended.

Cycle and Refuse Provision

5.6 Appendix 1 of the Local Plan requires at least one secure bicycle parking space per 1-bed flat and two per 2-/3-bed flat.

5.7 The proposal therefore requires space for 15 spaces for the nine flats. The ground floor plan for the storage at the rear shows 14 spaces, presumably on a double-height rack. There may be sufficient space for up to 15 bikes in this location if a two-tier rack is used, but further details to include shelter and security are sought as a condition of any approval

5.8 Refuse storage is also indicated at the rear for three Eurobins, in line with standards. They are located 20-25m from Huddlestone Road though, which significantly exceeds the maximum wheeling distance for large bins. To satisfy Brent's maximum wheeling distance for refuse staff, they should be relocated to within 10m of Huddlestone Road. However, it is noted that the Eurobins for the adjoining Faith Court block of 19 flats are also currently stored in this area, so refuse staff do already collect bins from this location.

Access

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

CIL DETAILS

This application is liable to pay **£213,307.29** * under the Community Infrastructure Levy (CIL).

We calculated this figure from the following information:

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

Total amount of floorspace on completion (G): 633 sq. m.

Use	Floorspace on completion (Gr)	Eligible* retained floorspace (Kr)	Net area chargeable at rate R (A)	Rate R: Brent multiplier used	Rate R: Mayoral multiplier used	Brent sub-total	Mayoral sub-total
(Brent) Dwelling houses	633	0	633	£200.00	£35.15	£181,422.32	£31,884.97

BCIS figure for year in which the charging schedule took effect (Ic)	224	
BCIS figure for year in which the planning permission was granted (Ip)	321	
TOTAL CHARGEABLE AMOUNT	£181,422.32	

*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: 18/4746

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

I refer to your application dated **13/12/2018** proposing the following:

Demolition of existing single storey adjoining structure to rear of church and erection of a part two and part three storey rear extension, internal alterations to create new mezzanine and upper floors to facilitate the creation of 9 x self-contained flats (3 x 1 bed, 5 x 2 bed and 1 x 3 bed) including 7 x side and rear dormer windows; new front entrance and residents lobby area, retention of the Huddelstone Street facade; alterations to front boundary wall, new access gates to allow vehicle and pedestrian access from Huddelstone Road; with associated residential cycle storage and refuse facilities to serve both the residential and church buildings

and accompanied by plans or documents listed here:

100-00; 01
101-01-A; 02-B; 03-B; 04-A; 05; 07; 08; 09
102-01; 02; 03; 04
103-01; 02; 03; 04; 05; 06; 07-A; 08-A; 09
700-01-A; 02-A; 03-B; 04-B; 05; 06

at **Willesden Green Baptist Church, High Road, London, NW10 2PR**

The Council of the London Borough of Brent, the Local Planning Authority, hereby **GRANT** permission for the reasons and subject to the conditions set out on the attached Schedule B.

Date: 08/07/2019

Signature:

A handwritten signature in black ink, appearing to read 'G. Ansell'.

Gerry Ansell
Interim 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:-

Core Strategy (2010)
Local Plan (2016)
Technical Housing Standards (2015)
SPD 1: Brent Design Guide (2018)

Relevant policies in the Adopted Development Management Plans are those in the following chapters:-

CP2: Population and Housing Stock
CP17: Protecting and Enhancing the Suburban Character
CP21: A Balanced Housing Stock
CP23: Protection and Provision of Community and Cultural Facilities
DMP1: Development Management General Policy
DMP7: Heritage Assets
DMP12: Parking
DMP18 Dwelling Size and Residential Outbuildings
DMP19 Residential Amenity Space

- 1 The development to which this permission relates must be begun not later than the expiration of three years beginning on the date of this permission.

Reason: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990.

- 2 The development hereby permitted shall be carried out in accordance with the following approved drawings:

100-00; 01
101-01-A; 02-B; 03-B; 04-A; 05; 07; 08; 09
102-01; 02; 03; 04
103-01; 02; 03; 04; 05; 06; 07-A; 08-A; 09
700-01-A; 02-A; 03-B; 04-B; 05; 06

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

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

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

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

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

- 5 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.

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

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

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

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

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

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

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

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

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

- 9 Prior to the occupation of the development hereby approved, further details of cycle storage detailing a minimum of 15 cycles for use by occupiers of the development shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full prior to first occupation of the development and thereafter retained and not used other than for purposes ancillary.

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

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

and maintained in accordance with the manufacturer's instructions.

Reason: To protect the amenity of nearby residents.

- 11 No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include: (i) The phases of the Proposed Development including the forecasted start and completion date(s) (ii) A commitment to apply to the Council for prior consent under the Control of Pollution Act 1974 and not to commence development until such consent has been obtained (iii) A scheme of how the contractors will liaise with local residents to ensure that residents are kept aware of site progress and how any complaints will be dealt with reviewed and recorded (including details of any Considerate Constructor or similar scheme) (iv) A scheme of how the contractors will minimise complaints from neighbours regarding issues such as noise and dust management, vibration, site traffic and deliveries to and from the site (v) Details of hours of construction including all associated vehicular movements (vi) Details of the construction compound (vii) A plan showing construction traffic routes (viii) An audit of all waste generated during construction works. The construction shall be carried out in accordance with the approved CEMP.

Reason: To ensure the protection of living conditions, highway safety and managing waste throughout development works due to the particular risk of harm arising from these works in respect of air quality and highway safety.

- 12 The proposed vehicular gate to the rear of the church shall not be constructed until, further details have been submitted to and approved in writing by the Local Planning Authority, demonstrating how the gate will be maintained and managed during periods of fault/maintenance and/or a revised location of the gate demonstrating that vehicles can stop outside of the adopted highway when users are opening the gate. The approved details shall then be implemented and so maintained.

Reason: In order to ensure that the development does not affect the safety and free flow of the surrounding highway network.

INFORMATIVES

- 1 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at www.brent.gov.uk/CIL.
- 2 The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk
- 3 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 The applicant is advised that noise and vibration is controlled by the Control of Pollution Act 1974 and statutory nuisance provisions contained within the Environmental Protection Act 1990 and the British Standard Codes of practice 5228:1997 Parts 1 to 4. Key issues relating to noise from construction sites include: (i) prior consent may be sought from the Council relating to noise from construction activities (s.61 of COPA 1974); (ii) if no prior consent is sought, the Authority may serve a notice on the site/works, setting conditions of permitted work (s.60 of COPA 1974); (iii) an action in statutory nuisance can be brought by a member of the public even if the works are being carried out in accordance with a prior approval or notice

(s.82 of the EPA 1990). In particular, the normal hours of work shall be between the following hours:

Monday to Friday - 08.00 to 18.30

Saturdays - 08.00 to 13.00

Sundays and Bank Holidays - No noisy works at all

No work or ancillary operations, which are audible at the site boundary, will be permitted outside these hours unless fully justified and any such works shall be kept to an absolute minimum.

- 5 The applicant is advised that Building Regulations control these works and compliance is required when converting an existing basement to habitable use, excavating a new basement or extending an existing basement. Building Regulations control matters such as structure, fire safety, ventilation, drainage, waterproofing, insulation, sound proofing, heating systems and access.

For the avoidance of doubt, the granting of planning permission does not provide any warranty against damage of adjoining or nearby properties, and the responsibility and any liability for the safe development of the site rests with the developer and/or landowner.

- 6 The applicant is advised that some aspects of construction are subject to licences. For example, the developer/contractor will be required to obtain licences from the Local Authority before: (i) erecting any scaffolding, hoardings, gantry, temporary crossing or fence on the highway; (ii) depositing a skip; or (iii) operating a mobile crane, aerial platform, concrete pump lorry or any such equipment. The contractor has a duty to inform local residents likely to be affected by such activities at least 14 days prior to undertaking the works, as well as applying for the appropriate permits and licences. The most suitable method of informing residents is through newsletters. Such newsletters should also update neighbours on site progress and projected activities that might cause loss of amenity, e.g. road closures for delivery or use of mobile cranes or abnormal deliveries to the site.

- 7 The applicant is advised that the Highways Act 1980 (particularly Part IX) sets out requirements relating to construction work on or near the highway. Key requirements of the 1980 Act include: (i) permission by formal agreement from the Highway Authority (London Borough of Brent except for the North Circular Road) is required for any works to highways; (ii) licences are required for permission to place temporary obstructions on the highway (e.g. hoardings, fenced storage areas, temporary cross-overs, scaffolding, gantries and skips); (iii) deposition of mud or other such materials on the highway is prohibited. Measures to prevent this (e.g. wheel washing) can be required by order; (iv) surface drainage from a construction site must not be allowed to run across the footway part of a public highway; (v) the contractor is responsible for any damage caused by their activities to roads, kerbs or footpaths in the vicinity of the work site; (vi) any street furniture (electrical or non-electrical) cannot be removed or relocated by the developer or any of its contractors. This may only be carried out by the Highway Authority or its appointed contractor.

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

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

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

- 9 The applicant is advised that the Environmental Act 1995, Clean Air Act 1993, the Health and Safety at Work Act 1974 etc, the Environmental Protection Act 1990 all control air quality and that the EPA 1990 controls dust under the 'statutory nuisance' provisions. The contractor should: (i) take all necessary measures to avoid creating a dust nuisance during both demolition and construction works including excavations; (ii) not burn any materials on the site; (iii) avoid the occurrence of emissions or fumes from the site including from plant and ensure off-road vehicles (e.g. bulldozers, excavators etc) with compression ignition engines comply with emission standards set in EC Directive 97/68/EC, meeting Stage II limits where possible and run on low sulphur diesel; (iv) ensure on-road vehicle emissions are in line with the provisions of the Road Vehicles (Construction and Use) Regulations (as amended) and the Motor Vehicles (Type Approval) (Great Britain) Regulations made under the Road Traffic Act 1988 and the EURO standards.
- 10 The applicant is advised to notify the Council's Highways and Infrastructure Service of the intention to commence works prior to commencement and include photographs showing the condition of highway along the site boundaries. The Highways and Infrastructure Service will require that any damage to the adopted highway associated with the works is made good at the expense of the developer.
- 11 The Council recommends that the maximum standards for fire safety are achieved within the development.
- 12 Brent Council supports the payment of the London Living Wage to all employees within the Borough. The developer, constructor and end occupiers of the building are strongly encouraged to pay the London Living Wage to all employees associated with the construction and end use of development.

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